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[A Cumulative checklist of CFR issuances for 1972 appears in the first issue of the Federal Register each month under Title 1]

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PART 213—EXCEPTED SERVICE

Department of Justice

Section 213.3310 is amended to show that one position of Special Assistant to the Deputy Director, Community Relations Service, is excepted under Schedule C.

Effective on publication in the FEDERAL REGISTER (5–25–72), subparagraph (6) is added to paragraph (r) of § 213.3310 as set out below.

§ 213.3310 Department of Justice.

* * * * *

(r) *Community Relations Service.* * * *

(6) One Special Assistant to the Deputy Director.

* * * * *

(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.72–7943 Filed 5–24–72;8:52 am]

PART 213—EXCEPTED SERVICE

Department of Commerce

Section 213.3314 is amended to show that one position of Special Assistant to the Assistant Secretary for Economic Development is excepted under Schedule C.

Effective on publication in the FEDERAL REGISTER (5–25–72), subparagraph (11) is added to paragraph (q) under § 213.3314 as set out below.

§ 213.3314 Department of Commerce.

* * * * *

(q) *Office of the Assistant Secretary for Economic Development.* * * *

(11) One Special Assistant to the Assistant Secretary.

* * * * *

(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.72–7941 Filed 5–24–72;8:52 am]

PART 213—EXCEPTED SERVICE

Section 213.3315 is amended to show that one additional position of Special

Department of Labor

Assistant to the Director, Office of Program Operations, Occupational Safety and Health Administration, is excepted under Schedule C.

Effective on publication in the FEDERAL REGISTER (5–25–72), subparagraph (24) of paragraph (a) of § 213.3315 is amended as set out below.

§ 213.3315 Department of Labor.

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

(24) Two Special Assistants to the Director, Office of Program Operations, Occupational Safety and Health Administration.

* * * * *

(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.72–7944 Filed 5–24–72;8:52 am]

PART 213—EXCEPTED SERVICE

Environmental Protection Agency

Section 213.3318 is amended to show that two additional positions of Special Assistant to the Administrator are excepted under Schedule C. This section is further amended to reflect the following title and organizational change: From Special Assistant to the Assistant Administrator for Air and Water Programs (Physical Sciences) to Director, Office of Regional Liaison, Office of the Administrator.

Effective on publication in the FEDERAL REGISTER (5–25–72), subparagraph (1) of paragraph (a) is amended, subparagraph (9) is added to paragraph (a), and subparagraph (3) of paragraph (f) is revoked as set out below.

§ 213.3318 Environmental Protection Agency.

(a) *Office of the Administrator.* (1) Five Special Assistants to the Administrator.

* * * * *

(9) Director, Office of Regional Liaison.

* * * * *

(f) *Office of the Assistant Administrator for Air and Water Programs.* * * *

(3) [Revoked]

* * * * *

(5 U.S.C. sections 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.72–7942 Filed 5–24–72;8:52 am]

PART 213—EXCEPTED SERVICE

Panama Canal Company

Section 213.3349 is added to show that one position of Secretary, Panama Canal Company, is excepted under Schedule C.

Effective on publication in the FEDERAL REGISTER (5–25–72), § 213.3349 is added as set out below.

§ 213.3349 Panama Canal Company.

(a) Secretary.

(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.72–7945 Filed 5–24–72;8:52 am]

Title 20—EMPLOYEES' BENEFITS

Chapter III—Social Security Administration, Department of Health, Education, and Welfare

[Regs. 4, further amended]

PART 404—FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE (1950____)

Right of Reconsideration and Waiver of Adjustment or Recovery of Overpayments

On August 25, 1971, there was published in the FEDERAL REGISTER (36 F.R. 16678) a notice of proposed rule making with proposed amendments to Subparts F and J of Regulations No. 4. The proposed amendments provide that: (1) Notice of the right to reconsideration will be given in all cases when an initial determination is made, and (2) all persons to whom payment of more than the correct amount has been made will be advised of the statutory provisions for waiver of adjustment or recovery.

Interested parties were given the opportunity to submit within 30 days, data, views, or arguments with regard to the proposed amendments.

No objections to the amendments as proposed were received. A recommendation was received suggesting clarification or expansion of the notice to the claimant and provision for additional appeal rights. This comment is being given further consideration, but in order to avoid delay in providing assurance to claimants of their right to question an Administration determination, the proposed amendments are hereby adopted without change and are set forth below.

(Secs. 204, 205, 1102, 1870, and 1871; 53 Stat. 1368, as amended; 49 Stat. 647, as amended; 79 Stat. 331, as amended; sec. 5 of Reorganization Plan No. 1 of 1953, 67 Stat. 18, 631; 42 U.S.C. 404, 405, 1302, 1395gg, and 1395hh)

Effective date. This amendment shall be effective upon publication in the FEDERAL REGISTER (5-25-72).

Dated: May 4, 1972.

ROBERT M. BALL,
Commissioner of Social Security.

Approved: May 18, 1972.

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

1. Section 404.907 is amended to read as follows:

§ 404.907 Notice of initial determination.

Written notice of an initial determination shall be mailed to the party to the determination at his last known address, except that no such notice shall be required in the case of a determination that a party's entitlement to benefits has ended because of such party's death (see § 404.905(d)). If the initial determination disallows, in whole or in part, the application or request of a party, or if the initial determination is to the effect that a husband, widower, or parent was not receiving the requisite support from an insured individual, or that a party's entitlement to benefits has ended, or that a reduction, deduction, or adjustment is to be made in benefits or a lump sum, or that a period of disability established for a party has terminated, the notice of the determination sent to the party shall state the basis for the determination. Such notice shall also inform the party of the right to reconsideration (see § 404.910). Where more than the correct amount of payment has been made, see § 404.502a.

2. A new § 404.502a is added to read as follows:

§ 404.502a Notice of right to waiver consideration.

Whenever an initial determination is made that more than the correct amount of payment has been made, notice of the provisions of sections 204(b) and 1870(c) of the Act regarding waiver of adjustment or recovery shall be sent to the overpaid individual and to any other individual against whom adjustment or recovery of the overpayment is to be effected (see § 404.506).

[FR Doc.72-7976 Filed 5-24-72;8:55 am]

Title 7—AGRICULTURE

Chapter III—Animal and Plant Health Inspection Service, Department of Agriculture

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PART 330—FEDERAL PLANT PEST REGULATIONS; GENERAL; PLANT PESTS; SOIL, STONE, AND QUARRY PRODUCTS; GARBAGE

PART 331—PLANT PEST REGULATIONS GOVERNING INTERSTATE MOVEMENT OF CERTAIN PRODUCTS AND ARTICLES

PART 351—IMPORTATION OF PLANTS OR PLANT PRODUCTS BY MAIL

PART 352—PLANT QUARANTINE SAFEGUARD REGULATIONS

PART 353—PHYTOSANITARY EXPORT CERTIFICATION

PART 354—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

PART 370—PUBLIC INFORMATION

Organizational Amendments to Chapter

Under authority delegated at 37 F.R. 6327, 6505, the provisions in Parts 301, 302, 318, 319, 320, 321, 322, 330, 331, 351, 352, 353, 354, and 370 of Title 7 Code of Federal Regulations, are hereby amended as follows, pursuant to the statutory authorities under which such provisions were issued:

1. The chapter heading is amended to read as set forth above.

2. Wherever in the provisions of the parts cited above, reference is made to the Animal and Plant Health Service, such provisions are changed to refer to the Animal and Plant Health Inspection Service.

3. Wherever in the provisions of the parts cited above, reference is made to the Consumer and Marketing Service, such provisions are changed to refer to the Agricultural Marketing Service.

Effective date. The foregoing amendments shall become effective upon publication in the FEDERAL REGISTER (5-25-72).

The amendments are of an organizational nature. They reflect the transfer of functions of the Plant Protection and Quarantine Programs, formerly of the Animal and Plant Health Service, to the newly established Animal and Plant Health Inspection Service and the redesignation of the Consumer and Marketing Service as the Agricultural Marketing Service. These amendments do not substantially affect any member of the public. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure concerning the amendments are impracticable and unnecessary, and good cause is found for making the amendments effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 22d day of May 1972.

F. J. MULHERN,
Administrator, Animal and Plant Health Inspection Service.

[FR Doc.72-7966 Filed 5-24-72;8:54 am]

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

[Navel Orange Reg. 270]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 907.570 Navel Orange Regulation 270.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in Arizona and designated part of California, 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 Navel Orange 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 Navel oranges, 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 section 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 section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and

good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 23, 1972.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period May 26, 1972, through June 1, 1972, are hereby fixed as follows:

(i) District 1: 700,000 cartons;

(ii) District 2: Unlimited;

(iii) District 3: Unlimited.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: May 24, 1972.

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

[FR Doc.72-8054 Filed 5-24-72;11:25 am]

[Valencia Orange Reg. 393]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 908.693 Valencia Orange Regulation 393.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, 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 Valencia Orange 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 Valencia oranges, 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 section 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 section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 23, 1972.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period May 26, 1972, through June 1, 1972, are hereby fixed as follows:

(i) District 1: 119,030 cartons;

(ii) District 2: 209,354 cartons;

(iii) District 3: 200,000 cartons.

(2) As used in this section, "handler", "District 1", "District 2", "District 3", and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated May 24, 1972.

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

[FR Doc.72-8053 Filed 5-24-72;11:25 am]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Price Regs., 1972 Crop Flaxseed Supp.]

PART 1421—GRAIN AND SIMILARLY HANDLED COMMODITIES

Subpart—1972 Crop Flaxseed Loan and Purchase Program

Correction

In F.R. Doc. 72–7170 appearing at page 9558 of the issue of Friday, May 12, 1972, in the table of basic loan and purchase rates (§ 1421.178(a)), the "rate per bushel" for Palo Alto County, Iowa, now reading "2.53", should read "2.56".

[CCC Grain Price Support Regs., 1972 Crop Wheat Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1972 Crop Wheat Loan and Purchase Program

On March 14, 1972, notice of proposed rule making regarding loan and purchase rates for 1972 crop wheat and detailed operating provisions to carry out the 1972 crop wheat loan and purchase program was published in the FEDERAL REGISTER (37 F.R. 5300). No data, views, or recommendations were filed by interested persons.

The general regulations governing price support for the 1970 and subsequent crops, published at 35 F.R. 7363 and 7781 and amendments thereto and the 1970 and subsequent crops of wheat loan and purchase program regulations published at 35 F.R. 8204 and any amendments to such regulations are further supplemented for the 1972 crop of wheat. The material previously appearing in these §§ 1421.485 through 1421.489 shall remain in full force and effect as to the crops to which it is applicable.

Sec.
1421.485 Availability.
1421.486 Compliance requirements.
1421.487 Warehouse charges.
1421.488 Maturity of loans.
1421.489 Loan and Purchase rates, premiums, and discounts.

AUTHORITY: The provisions of this subpart issued under section 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply section 5, 62 Stat. 1072, sections 107, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714c, 7 U.S.C. 1445a, 1421.

§ 1421.485 Availability.

A producer desiring to participate in the program through loans must request a loan on his 1972 crop of eligible wheat on or before April 30, 1973, on wheat stored in Idaho, Minnesota, Montana, North Dakota, Oregon, Washington, and Wyoming, and on or before March 31, 1973, on wheat stored in all other States. To sell eligible wheat to CCC, a producer must execute and deliver to the appropriate county ASCS office a purchase

agreement (Form CCC–614), indicating the approximate quantity of 1972 crop wheat he will sell to CCC, on or before May 31, 1973, for wheat stored in the States named in this section and on or before April 30, 1973, for wheat stored in all other States. To obtain a loan on his wheat or to sell his wheat to CCC, a producer must execute a Form CCC–680, 1972 crop wheat varieties certification.

§ 1421.486 Compliance requirements.

A producer shall be eligible for a loan or purchase with respect to the wheat being tendered if the producer complies with the 1972 set-aside program appearing in regulations published in Part 728 of this title pertaining to the wheat set-aside programs for crop years 1971–73, and any amendments thereto, on the farm on which such wheat was produced.

§ 1421.487 Warehouse charges.

Subject to the provisions of § 1421.466, the schedule of deductions set forth in this section shall apply to wheat stored in an approved warehouse operating under the Uniform Grain Storage Agreement.

SCHEDULE OF DEDUCTIONS FOR STORAGE CHARGES BY MATURITY DATES

Maturity date of April 30, 1973	Deduction (cents per bushel)	Maturity date of May 31, 1973
(1)		(1)
Prior to May 28, 1972	14	Prior to June 28, 1972.
May 28–June 21	13	June 28–July 22.
June 22–July 16	12	July 23–Aug. 16.
July 17–Aug. 10	11	Aug. 17–Sept. 10.
Aug. 11–Sept. 4	10	Sept. 11–Oct. 5.
Sept. 5–Sept. 29	9	Oct. 6–Oct. 30.
Sept. 30–Oct. 24	8	Oct. 31–Nov. 24.
Oct. 25–Nov. 16	7	Nov. 25–Dec. 19.
Nov. 19–Dec. 13	6	Dec. 20, 1972–Jan. 13, 1973.
Dec. 14, 1972–Jan. 7, 1973.	5	Jan. 14–Feb. 7.
Jan. 8–Feb. 1	4	Feb. 8–March 4.
Feb. 2–Feb. 26	3	March 5–March 29.
Feb. 27–March 23	2	March 30–April 23.
March 24–April 30, 1973.	1	April 24–May 31, 1973.

[1] Date storage charges start, all dates inclusive.

§ 1421.488 Maturity of loans.

Loans mature on demand but not later than: May 31, 1973, on wheat stored in the States of Idaho, Minnesota, Montana, North Dakota, Oregon, Washington, and Wyoming; April 30, 1973, on wheat stored in all other States.

§ 1421.489 Loan and purchase rates, premiums, and discounts.

(a) *Basic rates (counties).* Basic county loan and purchase rates per bushel for loan and settlement purposes for wheat are established for wheat grading U.S. No. 1 and are as follows:

ALABAMA

County	Rate per bushel	County	Rate per bushel
Mobile	$1.43	All other counties	$1.27

ARIZONA

County	Rate per bushel	County	Rate per bushel
Apache	$1.10	Mohave	$1.21
Cochise	1.24	Navajo	1.12
Coconino	1.14	Pima	1.26
Gila	1.22	Pinal	1.30
Graham	1.23	Santa Cruz	1.25
Greenlee	1.17	Yavapai	1.22
Maricopa	1.32	Yuma	1.37

ARKANSAS

County	Rate per bushel	County	Rate per bushel
Arkansas	$1.32	Lee	$1.32
Ashley	1.32	Lincoln	1.32
Baxter	1.27	Little River	1.30
Benton	1.25	Logan	1.27
Boone	1.25	Lonoke	1.30
Bradley	1.32	Madison	1.26
Calhoun	1.32	Marion	1.26
Carroll	1.24	Miller	1.32
Chicot	1.32	Mississippi	1.32
Clark	1.30	Monroe	1.32
Clay	1.32	Montgomery	1.28
Cleburne	1.30	Nevada	1.32
Cleveland	1.32	Newton	1.27
Columbia	1.32	Ouachita	1.32
Conway	1.27	Perry	1.27
Craighead	1.32	Phillips	1.32
Crawford	1.27	Pike	1.29
Crittenden	1.32	Poinsett	1.32
Gross	1.32	Polk	1.27
Dallas	1.32	Pope	1.27
Desha	1.32	Prairie	1.30
Drew	1.32	Pulaski	1.30
Faulkner	1.28	Randolph	1.31
Franklin	1.27	St. Francis	1.32
Fulton	1.28	Saline	1.28
Garland	1.28	Scott	1.27
Grant	1.31	Searcy	1.27
Greene	1.32	Sebastian	1.27
Hempstead	1.32	Sevier	1.27
Hot Spring	1.29	Sharp	1.30
Howard	1.29	Stone	1.29
Independence	1.31	Union	1.32
Izard	1.28	Van Buren	1.27
Jackson	1.32	Washington	1.26
Jefferson	1.31	White	1.32
Johnson	1.27	Woodruff	1.32
Lafayette	1.32	Yell	1.27
Lawrence	1.31		

CALIFORNIA

County	Rate per bushel	County	Rate per bushel
Alameda	$1.47	Riverside	$1.42
Alpine	1.31	Sacramento	1.47
Amador	1.44	San Benito	1.41
Butte	1.36	San Bernardino	1.44
Calaveras	1.44	San Diego	1.47
Colusa	1.41	San Francisco	1.47
Contra Costa	1.44	San Joaquin	1.47
El Dorado	1.44	San Luis Obispo	1.38
Fresno	1.38	San Mateo	1.44
Glenn	1.37	Santa Barbara	1.41
Humboldt	1.28	Santa Clara	1.44
Imperial	1.42	Santa Cruz	1.41
Inyo	1.38	Shasta	1.28
Kern	1.44	Sierra	1.31
Kings	1.41	Siskiyou	1.25
Lake	1.35	Solano	1.44
Lassen	1.25	Sonoma	1.38
Los Angeles	1.47	Stanislaus	1.44
Madera	1.40	Sutter	1.44
Marin	1.39	Tehama	1.32
Mariposa	1.40	Tulare	1.41
Mendocino	1.32	Tuolumne	1.41
Merced	1.41	Ventura	1.44
Modoc	1.24	Yolo	1.44
Monterey	1.38	Yuba	1.41
Napa	1.41		
Orange	1.47		
Placer	1.41		
Plumas	1.26		

COLORADO

County	Rate per bushel	County	Rate per bushel
Adams	$1.12	Douglas	$1.12
Alamosa	1.09	Eagle	1.03
Arapahoe	1.12	Elbert	1.12
Archuleta	1.04	El Paso	1.12
Baca	1.19	Fremont	1.09
Bent	1.13	Garfield	1.03
Boulder	1.12	Grand	1.09
Chaffee	1.04	Huerfano	1.14
Cheyenne	1.14	Jackson	1.09
Conejos	1.04	Jefferson	1.12
Costilla	1.09	Kiowa	1.14
Crowley	1.12	Kit Carson	1.14
Custer	1.09	La Plata	1.00
Delta	1.00	Larimer	1.12
Denver	1.12	Las Animas	1.19
Dolores	1.00	Lincoln	1.12

COLORADO—Continued

County	Rate per bushel	County	Rate per bushel
Logan	$1.13	Rio Blanco	$1.06
Mesa	1.00	Rio Grande	1.04
Moffat	1.09	Routt	1.06
Montezuma	1.00	Saguache	1.04
Montrose	1.00	San Miguel	1.00
Morgan	1.12	Sedgwick	1.15
Otero	1.12	Summit	1.06
Ouray	1.00	Teller	1.12
Phillips	1.15	Washington	1.12
Pitkin	1.00	Weld	1.12
Prowers	1.15	Yuma	1.14
Pueblo	1.12		

CONNECTICUT

All counties	$1.33

DELAWARE

County	Rate per bushel	County	Rate per bushel
Kent	$1.38	Sussex	$1.38
New Castle	1.38		

FLORIDA

All counties	$1.29

GEORGIA

All Counties	$1.29

IDAHO

County	Rate per bushel	County	Rate per bushel
Ada	$1.18	Gem	$1.18
Adams	1.18	Gooding	1.19
Bannock	1.18	Idaho	1.22
Bear Lake	1.15	Jefferson	1.15
Benewah	1.24	Jerome	1.20
Bingham	1.16	Kootenai	1.23
Blaine	1.18	Latah	1.24
Boise	1.17	Lemhi	1.15
Bonner	1.18	Lewis	1.22
Bonneville	1.15	Lincoln	1.20
Boundary	1.16	Madison	1.14
Butte	1.16	Minidoka	1.20
Camas	1.18	Nez Perce	1.24
Canyon	1.18	Oneida	1.19
Caribou	1.17	Owyhee	1.18
Cassia	1.20	Payette	1.18
Clark	1.13	Power	1.18
Clearwater	1.22	Shoshone	1.07
Custer	1.16	Teton	1.13
Elmore	1.18	Twin Falls	1.22
Franklin	1.19	Valley	1.17
Fremont	1.13	Washington	1.18

ILLINOIS

County	Rate per bushel	County	Rate per bushel
Adams	$1.23	Henry	$1.26
Alexander	1.30	Iroquois	1.27
Bond	1.27	Jackson	1.28
Boone	1.29	Jasper	1.23
Brown	1.23	Jefferson	1.26
Bureau	1.28	Jersey	1.28
Calhoun	1.27	Jo Daviess	1.27
Carroll	1.27	Johnson	1.25
Cass	1.23	Kane	1.29
Champaign	1.25	Kankakee	1.29
Christian	1.25	Kendall	1.29
Clark	1.23	Knox	1.25
Clay	1.25	Lake	1.29
Clinton	1.26	LaSalle	1.29
Coles	1.23	Lawrence	1.23
Cook	1.29	Lee	1.29
Crawford	1.23	Livingston	1.27
Cumberland	1.23	Logan	1.24
De Kalb	1.29	McDonough	1.23
DeWitt	1.23	McHenry	1.29
Douglas	1.23	McLean	1.25
DuPage	1.29	Macon	1.23
Edgar	1.23	Macoupin	1.28
Edwards	1.23	Madison	1.30
Effingham	1.23	Marion	1.27
Fayette	1.26	Marshall	1.27
Ford	1.27	Mason	1.23
Franklin	1.26	Massac	1.25
Fulton	1.25	Menard	1.23
Gallatin	1.23	Mercer	1.25
Greene	1.27	Monroe	1.28
Grundy	1.29	Montgomery	1.27
Hamilton	1.23	Morgan	1.25
Hancock	1.23	Moultrie	1.24
Hardin	1.23	Ogle	1.28
Henderson	1.24	Peoria	1.25

ILLINOIS—Continued

County	Rate per bushel	County	Rate per bushel
Perry	$1.27	Stark	$1.26
Piatt	1.23	Stephenson	1.28
Pike	1.25	Tazewell	1.23
Pope	1.23	Union	1.28
Pulaski	1.28	Vermilion	1.26
Putnam	1.27	Wabash	1.23
Randolph	1.28	Warren	1.25
Richland	1.23	Washington	1.26
Rock Island	1.26	Wayne	1.23
Saint Clair	1.30	White	1.23
Saline	1.24	Whiteside	1.28
Sangamon	1.25	Will	1.29
Schuyler	1.23	Williamson	1.26
Scott	1.25	Winnebago	1.29
Shelby	1.25	Woodford	1.25

INDIANA

Adams	$1.18	Lawrence	$1.24
Allen	1.19	Madison	1.19
Bartholomew	1.22	Marion	1.20
Benton	1.25	Marshall	1.29
Blackford	1.19	Martin	1.20
Boone	1.19	Miami	1.23
Brown	1.22	Monroe	1.22
Carroll	1.24	Montgomery	1.22
Cass	1.24	Morgan	1.20
Clark	1.25	Newton	1.29
Clay	1.23	Noble	1.21
Clinton	1.22	Ohio	1.20
Crawford	1.25	Orange	1.22
Daviess	1.21	Owen	1.21
Dearborn	1.20	Parke	1.24
Decatur	1.21	Perry	1.25
De Kalb	1.19	Pike	1.23
Delaware	1.18	Porter	1.29
Dubois	1.23	Posey	1.23
Elkhart	1.24	Pulaski	1.29
Fayette	1.20	Putnam	1.22
Floyd	1.28	Randolph	1.18
Fountain	1.24	Ripley	1.21
Franklin	1.20	Rush	1.20
Fulton	1.29	St. Joseph	1.29
Gibson	1.23	Scott	1.22
Grant	1.19	Shelby	1.20
Greene	1.22	Spencer	1.25
Hamilton	1.19	Starke	1.29
Hancock	1.20	Steuben	1.19
Harrison	1.25	Sullivan	1.23
Hendricks	1.20	Switzerland	1.21
Henry	1.20	Tippecanoe	1.22
Howard	1.21	Tipton	1.19
Huntington	1.19	Union	1.20
Jackson	1.24	Vanderburgh	1.23
Jasper	1.29	Vermillion	1.24
Jay	1.18	Vigo	1.24
Jefferson	1.22	Wabash	1.21
Jennings	1.22	Warren	1.24
Johnson	1.20	Warrick	1.22
Knox	1.23	Washington	1.25
Kosciusko	1.23	Wayne	1.20
Lagrange	1.21	Wells	1.18
Lake	1.29	White	1.29
La Porte	1.29	Whitley	1.20

IOWA

Adair	$1.29	Clay	$1.33
Adams	1.31	Clayton	1.32
Allamakee	1.35	Clinton	1.27
Appanoose	1.24	Crawford	1.28
Audubon	1.28	Dallas	1.29
Benton	1.31	Davis	1.24
Black Hawk	1.31	Decatur	1.27
Boone	1.29	Delaware	1.31
Bremer	1.32	Des Moines	1.25
Buchanan	1.31	Dickinson	1.36
Buena Vista	1.30	Dubuque	1.30
Butler	1.32	Emmet	1.37
Calhoun	1.30	Fayette	1.33
Carroll	1.28	Floyd	1.34
Cass	1.30	Franklin	1.32
Cedar	1.29	Fremont	1.31
Cerro Gordo	1.34	Greene	1.28
Cherokee	1.30	Grundy	1.31
Chickasaw	1.33	Guthrie	1.28
Clarke	1.29	Hamilton	1.31

IOWA—Continued

County	Rate per bushel	County	Rate per bushel
Hancock	$1.34	O'Brien	$1.32
Hardin	1.31	Osceola	1.34
Harrison	1.29	Page	1.30
Henry	1.25	Palo Alto	1.33
Howard	1.36	Plymouth	1.31
Humboldt	1.32	Pocahontas	1.31
Ida	1.30	Polk	1.30
Iowa	1.29	Pottawattamie	1.31
Jackson	1.27	Poweshiek	1.29
Jasper	1.30	Ringgold	1.28
Jefferson	1.25	Sac	1.29
Johnson	1.29	Scott	1.26
Jones	1.30	Shelby	1.29
Keokuk	1.27	Sioux	1.32
Kossuth	1.37	Story	1.30
Lee	1.24	Tama	1.31
Linn	1.31	Taylor	1.29
Louisa	1.27	Union	1.30
Lucas	1.27	Van Buren	1.24
Lyon	1.32	Wapello	1.26
Madison	1.29	Warren	1.28
Mahaska	1.28	Washington	1.27
Marion	1.27	Wayne	1.25
Marshall	1.31	Webster	1.31
Mills	1.31	Winnebago	1.38
Mitchell	1.38	Winneshiek	1.36
Monona	1.29	Woodbury	1.31
Monroe	1.25	Worth	1.38
Montgomery	1.31	Wright	1.32
Muscatine	1.28		

KANSAS

Allen	$1.28	Linn	$1.31
Anderson	1.30	Logan	1.17
Atchison	1.31	Lyon	1.27
Barber	1.24	McPherson	1.23
Barton	1.21	Marion	1.24
Bourbon	1.29	Marshall	1.27
Brown	1.31	Meade	1.22
Butler	1.24	Miami	1.31
Chase	1.25	Mitchell	1.23
Chautauqua	1.26	Montgomery	1.28
Cherokee	1.28	Morris	1.26
Cheyenne	1.16	Morton	1.22
Clark	1.22	Nemaha	1.29
Clay	1.25	Neosho	1.28
Cloud	1.24	Ness	1.20
Coffey	1.28	Norton	1.21
Comanche	1.22	Osage	1.29
Cowley	1.25	Osborne	1.22
Crawford	1.28	Ottawa	1.23
Decatur	1.19	Pawnee	1.21
Dickinson	1.24	Phillips	1.21
Doniphan	1.31	Pottawatomie	1.28
Douglas	1.31	Pratt	1.22
Edwards	1.21	Rawlins	1.17
Elk	1.26	Reno	1.22
Ellis	1.21	Republic	1.24
Ellsworth	1.22	Rice	1.22
Finney	1.18	Riley	1.27
Ford	1.20	Rooks	1.21
Franklin	1.31	Rush	1.21
Geary	1.26	Russell	1.21
Gove	1.19	Saline	1.23
Graham	1.21	Scott	1.17
Grant	1.19	Sedgwick	1.23
Gray	1.20	Seward	1.22
Greeley	1.16	Shawnee	1.30
Greenwood	1.26	Sheridan	1.19
Hamilton	1.17	Sherman	1.16
Harper	1.24	Smith	1.22
Harvey	1.23	Stafford	1.21
Haskell	1.20	Stanton	1.18
Hodgeman	1.20	Stevens	1.22
Jackson	1.30	Sumner	1.25
Jefferson	1.31	Thomas	1.17
Jewell	1.23	Trego	1.21
Johnson	1.31	Wabaunsee	1.28
Kearny	1.17	Wallace	1.16
Kingman	1.23	Washington	1.25
Kiowa	1.21	Wichita	1.16
Labette	1.28	Wilson	1.28
Lane	1.19	Woodson	1.28
Leavenworth	1.31	Wyandotte	1.31
Lincoln	1.22		

KENTUCKY

County	Rate per bushel	County	Rate per bushel
Adair	$1.25	Kenton	$1.24
Allen	1.24	Knox	1.25
Anderson	1.25	Larue	1.25
Ballard	1.28	Laurel	1.25
Barren	1.24	Lawrence	1.25
Bath	1.25	Lee	1.25
Bell	1.25	Lewis	1.25
Boone	1.24	Lincoln	1.27
Bourbon	1.26	Livingston	1.23
Boyd	1.25	Logan	1.23
Boyle	1.26	Lyon	1.23
Bracken	1.24	McCracken	1.25
Breathitt	1.25	McCreary	1.25
Breckenridge	1.23	McLean	1.22
Bullitt	1.25	Madison	1.26
Butler	1.23	Magoffin	1.25
Caldwell	1.23	Marion	1.25
Calloway	1.23	Marshall	1.23
Campbell	1.24	Mason	1.24
Carlisle	1.28	Meade	1.23
Carroll	1.24	Menifee	1.25
Carter	1.25	Mercer	1.26
Casey	1.25	Metcalfe	1.24
Christian	1.23	Monroe	1.25
Clark	1.26	Montgomery	1.25
Clay	1.25	Morgan	1.25
Clinton	1.25	Muhlenberg	1.23
Crittenden	1.23	Nelson	1.25
Cumberland	1.25	Nicholas	1.25
Daviess	1.22	Ohio	1.23
Edmonson	1.23	Oldham	1.25
Elliott	1.25	Owen	1.25
Estill	1.25	Owsley	1.25
Fayette	1.26	Pendleton	1.24
Fleming	1.25	Powell	1.25
Franklin	1.25	Pulaski	1.26
Fulton	1.28	Robertson	1.25
Gallatin	1.24	Rockcastle	1.26
Garrard	1.26	Rowan	1.25
Grant	1.25	Russell	1.25
Graves	1.25	Scott	1.25
Grayson	1.24	Shelby	1.25
Green	1.25	Simpson	1.24
Greenup	1.25	Spencer	1.25
Hancock	1.23	Taylor	1.25
Hardin	1.24	Todd	1.23
Harrison	1.25	Trigg	1.23
Hart	1.24	Trimble	1.24
Henderson	1.22	Union	1.23
Henry	1.25	Warren	1.23
Hickman	1.28	Washington	1.26
Hopkins	1.23	Wayne	1.25
Jackson	1.25	Webster	1.23
Jefferson	1.28	Whitley	1.25
Jessamine	1.26	Wolfe	1.25
Johnson	1.25	Woodford	1.26

LOUISIANA

Parish	Rate per bushel	Parish	Rate per bushel
East Baton Rouge	$1.43	West Baton Route	$1.43
Jefferson	1.43	All other parishes	1.32
Orleans	1.43		
Saint Charles	1.43		

MAINE

County	Rate per bushel
All counties	$1.29

MARYLAND

Allegheny	$1.32	Harford	$1.38
Anne Arundel	1.42	Howard	1.42
Baltimore	1.42	Kent	1.38
Baltimore City	1.46	Montgomery	1.38
		Prince Georges	1.38
Calvert	1.38	Queen Annes	1.38
Caroline	1.38	St. Marys	1.36
Carroll	1.38	Somerset	1.37
Cecil	1.37	Talbot	1.38
Charles	1.36	Washington	1.34
Dorchester	1.38	Wicomico	1.38
Frederick	1.36	Worcester	1.38
Garrett	1.30		

Massachusetts

County	Rates per bushel
All counties	$1.32

Michigan

County	Rate per bushel	County	Rate per bushel
Alcona	$1.10	Keweenaw	$1.28
Alger	1.25	Lake	1.14
Allegan	1.17	Lapeer	1.15
Alpena	1.09	Leelanau	1.12
Antrim	1.11	Lenawee	1.22
Arenac	1.12	Livingston	1.17
Baraga	1.28	Luce	1.12
Barry	1.18	Mackinac	1.12
Bay	1.14	Macomb	1.19
Benzie	1.14	Manistee	1.14
Berrien	1.27	Marquette	1.27
Branch	1.20	Mason	1.14
Calhoun	1.21	Mecosta	1.14
Cass	1.21	Menominee	1.27
Charlevoix	1.10	Midland	1.14
Cheboygan	1.09	Missaukee	1.14
Chippewa	1.12	Monroe	1.23
Clare	1.14	Montcalm	1.14
Clinton	1.15	Montmorency	1.10
Crawford	1.11	Muskegon	1.15
Delta	1.25	Newaygo	1.14
Dickinson	1.29	Oakland	1.17
Eaton	1.18	Oceana	1.14
Emmet	1.09	Ogemaw	1.12
Genesee	1.15	Ontonagon	1.30
Gladwin	1.13	Osceola	1.14
Gogebic	1.34	Oscoda	1.11
Grand Traverse	1.12	Otsego	1.10
Gratiot	1.15	Ottawa	1.16
Hillsdale	1.21	Presque Isle	1.08
Houghton	1.28	Roscommon	1.13
Huron	1.15	Saginaw	1.16
Ingham	1.18	Saint Clair	1.18
Ionia	1.15	Saint Joseph	1.20
Iosco	1.11	Sanilac	1.15
Iron	1.29	Schoolcraft	1.22
Isabella	1.14	Shiawassee	1.15
Jackson	1.21	Tuscola	1.15
Kalamazoo	1.20	Van Buren	1.18
Kalkaska	1.12	Washtenaw	1.20
Kent	1.15	Wayne	1.20
		Wexford	1.14

Minnesota

County	Rate per bushel	County	Rate per bushel
Aitkin	$1.44	Lincoln	$1.38
Anoka	1.43	Lyon	1.40
Becker	1.39	McLeod	1.43
Beltrami	1.40	Mahnomen	1.38
Benton	1.43	Marshall	1.35
Big Stone	1.41	Martin	1.41
Blue Earth	1.43	Meeker	1.43
Brown	1.43	Mille Lacs	1.43
Carlton	1.46	Morrison	1.42
Carver	1.43	Mower	1.41
Cass	1.41	Murray	1.39
Chippewa	1.43	Nicollet	1.43
Chisago	1.43	Nobles	1.36
Clay	1.37	Norman	1.36
Clearwater	1.39	Olmsted	1.43
Cottonwood	1.41	Otter Tail	1.41
Crow Wing	1.43	Pennington	1.36
Dakota	1.43	Pine	1.44
Dodge	1.43	Pipestone	1.36
Douglas	1.42	Polk	1.37
Faribault	1.41	Pope	1.43
Fillmore	1.40	Ramsey	1.43
Freeborn	1.41	Red Lake	1.38
Goodhue	1.43	Redwood	1.42
Grant	1.41	Renville	1.43
Hennepin	1.43	Rice	1.43
Houston	1.38	Rock	1.34
Hubbard	1.40	Roseau	1.33
Isanti	1.43	St. Louis	1.46
Itasca	1.44	Scott	1.43
Jackson	1.40	Sherburne	1.43
Kanabec	1.43	Sibley	1.43
Kandiyohi	1.43	Stearns	1.43
Kittson	1.32	Steele	1.43
Koochiching	1.40	Stevens	1.42
Lac Qui Parle	1.41	Swift	1.43
Lake of the Woods	1.36	Todd	1.42
Le Sueur	1.43	Traverse	1.40
		Wabasha	1.43

Minnesota—Continued

County	Rate per bushel	County	Rate per bushel
Wadena	$1.41	Winona	$1.41
Waseca	1.43	Wright	1.43
Washington	1.43	Yellow Medicine	1.41
Watonwan	1.42		
Wilkin	1.39		

Mississippi

County	Rate per bushel	County	Rate per bushel
Harrison	$1.43	All other counties	$1.27
Jackson	1.43		

Missouri

County	Rate per bushel	County	Rate per bushel
Adair	$1.26	Linn	$1.29
Andrew	1.31	Livingston	1.30
Atchison	1.31	McDonald	1.27
Audrain	1.26	Macon	1.28
Barry	1.26	Madison	1.28
Barton	1.29	Maries	1.26
Bates	1.31	Marion	1.25
Benton	1.29	Mercer	1.28
Bollinger	1.30	Miller	1.25
Boone	1.27	Mississippi	1.32
Buchanan	1.31	Moniteau	1.26
Butler	1.31	Monroe	1.27
Caldwell	1.31	Montgomery	1.27
Callaway	1.25	Morgan	1.27
Camden	1.26	New Madrid	1.32
Cape Girardeau	1.30	Newton	1.27
Carroll	1.31	Nodaway	1.31
Carter	1.28	Oregon	1.28
Cass	1.31	Osage	1.25
Cedar	1.30	Ozark	1.25
Chariton	1.30	Pemiscot	1.32
Christian	1.26	Perry	1.29
Clark	1.24	Pettis	1.29
Clay	1.31	Phelps	1.25
Clinton	1.31	Pike	1.26
Cole	1.25	Platte	1.31
Cooper	1.28	Polk	1.28
Crawford	1.26	Pulaski	1.24
Dade	1.28	Putnam	1.26
Dallas	1.26	Ralls	1.26
Daviess	1.30	Randolph	1.28
De Kalb	1.31	Ray	1.31
Dent	1.25	Reynolds	1.26
Douglas	1.24	Ripley	1.30
Dunklin	1.32	St. Charles	1.29
Franklin	1.28	St. Clair	1.30
Gasconade	1.27	St. Genevieve	1.29
Gentry	1.31	St. Francois	1.27
Greene	1.26	St. Louis	1.30
Grundy	1.29	Saline	1.30
Harrison	1.29	Schuyler	1.25
Henry	1.31	Scotland	1.25
Hickory	1.28	Scott	1.30
Holt	1.31	Shannon	1.25
Howard	1.28	Shelby	1.27
Howell	1.26	Stoddard	1.31
Iron	1.27	Stone	1.25
Jackson	1.31	Sullivan	1.28
Jasper	1.28	Taney	1.25
Jefferson	1.29	Texas	1.25
Johnson	1.31	Vernon	1.30
Knox	1.24	Warren	1.28
Laclede	1.24	Washington	1.28
Lafayette	1.31	Wayne	1.29
Lawrence	1.26	Webster	1.24
Lewis	1.24	Worth	1.31
Lincoln	1.28	Wright	1.24

Montana

County	Rate per bushel	County	Rate per bushel
Beaverhead	$1.09	Fergus	$1.08
Big Horn	1.10	Flathead	1.10
Blaine	1.08	Gallatin	1.06
Broadwater	1.06	Garfield	1.12
Carbon	1.08	Glacier	1.08
Carter	1.16	Golden Valley	1.08
Cascade	1.08	Granite	1.04
Chouteau	1.08	Hill	1.08
Custer	1.14	Jefferson	1.05
Daniels	1.13	Judith Basin	1.08
Dawson	1.15	Lake	1.07
Deer Lodge	1.06	Lewis and Clark	1.08
Fallon	1.18		

Montana—Continued

County	Rate per bushel	County	Rate per bushel
Liberty	$1.08	Richland	$1.15
Lincoln	1.10	Roosevelt	1.14
McCone	1.14	Rosebud	1.12
Madison	1.06	Sanders	1.07
Meagher	1.08	Sheridan	1.15
Mineral	1.07	Silver Bow	1.06
Missoula	1.07	Stillwater	1.08
Musselshell	1.10	Sweet Grass	1.08
Park	1.06	Teton	1.08
Petroleum	1.10	Toole	1.08
Phillips	1.10	Treasure	1.10
Pondera	1.08	Valley	1.12
Powder River	1.14	Wheatland	1.08
Powell	1.06	Wilbaux	1.18
Prairie	1.15	Yellowstone	1.08
Ravalli	1.04		

Nebraska

County	Rate per bushel	County	Rate per bushel
Adams	$1.25	Jefferson	$1.28
Antelope	1.28	Johnson	1.29
Arthur	1.17	Kearney	1.24
Banner	1.12	Keith	1.17
Blaine	1.21	Keya Paha	1.22
Boone	1.29	Kimball	1.12
Box Butte	1.15	Knox	1.28
Boyd	1.26	Lancaster	1.31
Brown	1.22	Lincoln	1.19
Buffalo	1.25	Logan	1.21
Burt	1.31	Loup	1.23
Butler	1.31	McPherson	1.20
Cass	1.31	Madison	1.30
Cedar	1.28	Merrick	1.28
Chase	1.16	Morrill	1.13
Cherry	1.19	Nance	1.29
Cheyenne	1.13	Nemaha	1.30
Clay	1.26	Nuckolls	1.26
Colfax	1.31	Otoe	1.31
Cuming	1.31	Pawnee	1.29
Custer	1.23	Perkins	1.17
Dakota	1.30	Phelps	1.23
Dawes	1.14	Pierce	1.29
Dawson	1.23	Platte	1.30
Deuel	1.15	Polk	1.30
Dixon	1.29	Red Willow	1.20
Dodge	1.31	Richardson	1.29
Douglas	1.31	Rock	1.23
Dundy	1.16	Saline	1.29
Fillmore	1.28	Sarpy	1.31
Franklin	1.23	Saunders	1.31
Frontier	1.20	Scotts Bluff	1.12
Furnas	1.22	Seward	1.31
Gage	1.29	Sheridan	1.16
Garden	1.15	Sherman	1.25
Garfield	1.25	Sioux	1.13
Gosper	1.22	Stanton	1.31
Grant	1.17	Thayer	1.27
Greeley	1.27	Thomas	1.20
Hall	1.27	Thurston	1.30
Hamilton	1.28	Valley	1.25
Harlan	1.23	Washington	1.31
Hayes	1.18	Wayne	1.29
Hitchcock	1.18	Webster	1.25
Holt	1.25	Wheeler	1.28
Hooker	1.18	York	1.29
Howard	1.27		

Nevada

All counties	$1.22

New Hampshire

All counties	$1.31

New Jersey

County	Rate per bushel	County	Rate per bushel
Atlantic	$1.38	Middlesex	$1.40
Bergen	1.42	Monmouth	1.40
Burlington	1.40	Morris	1.38
Camden	1.42	Ocean	1.38
Cape May	1.35	Passaic	1.38
Cumberland	1.38	Salem	1.38
Essex	1.38	Somerset	1.38
Gloucester	1.42	Sussex	1.38
Hunterdon	1.38	Union	1.39
Mercer	1.40	Warren	1.38

New Mexico

County	Rate per bushel	County	Rate per bushel
Bernalillo	$1.13	Mora	$1.20
Catron	1.14	Otero	1.18
Chaves	1.22	Quay	1.27
Colfax	1.19	Rio Arriba	1.08
Curry	1.27	Roosevelt	1.26
De Baca	1.23	Sandoval	1.11
Dona Ana	1.18	San Juan	1.02
Eddy	1.22	San Miguel	1.21
Grant	1.18	Santa Fe	1.16
Guadalupe	1.24	Sierra	1.17
Harding	1.26	Socorro	1.16
Hidalgo	1.22	Taos	1.14
Lea	1.26	Torrance	1.18
Lincoln	1.19	Union	1.24
Luna	1.20	Valencia	1.10
McKinley	1.06		

New York

Albany	$1.46	Niagara	$1.32
Allegany	1.32	Oneida	1.34
Broome	1.36	Onondaga	1.34
Cattaraugus	1.28	Ontario	1.34
Cayuga	1.34	Orange	1.38
Chautauqua	1.24	Orleans	1.32
Chemung	1.34	Oswego	1.34
Chenango	1.36	Otsego	1.38
Clinton	1.31	Putnam	1.38
Columbia	1.42	Rensselaer	1.42
Cortland	1.34	Rockland	1.38
Delaware	1.38	St. Lawrence	1.29
Dutchess	1.38	Saratoga	1.38
Erie	1.32	Schenectady	1.42
Essex	1.34	Schoharie	1.42
Franklin	1.28	Schuyler	1.34
Fulton	1.34	Seneca	1.34
Genesee	1.34	Steuben	1.34
Greene	1.42	Suffolk	1.38
Herkimer	1.34	Sullivan	1.38
Jefferson	1.31	Tioga	1.34
Lewis	1.32	Tompkins	1.34
Livingston	1.34	Ulster	1.38
Madison	1.34	Warren	1.37
Monroe	1.34	Washington	1.38
Montgomery	1.38	Wayne	1.34
Nassau	1.42	Westchester	1.42
New York City	1.46	Wyoming	1.34
		Yates	1.34

North Carolina

All counties ---------- $1.31

North Dakota

Adams	$1.22	McKenzie	$1.18
Barnes	1.32	McLean	1.21
Benson	1.24	Mercer	1.21
Billings	1.20	Morton	1.24
Bottineau	1.20	Mountrail	1.17
Bowman	1.21	Nelson	1.30
Burke	1.17	Oliver	1.22
Burleigh	1.25	Pembina	1.30
Cass	1.34	Pierce	1.22
Cavalier	1.27	Ramsey	1.27
Dickey	1.33	Ransom	1.34
Divide	1.15	Renville	1.18
Dunn	1.20	Richland	1.37
Eddy	1.27	Rolette	1.22
Emmons	1.27	Sargent	1.34
Foster	1.28	Sheridan	1.23
Golden Valley	1.19	Sioux	1.24
Grand Forks	1.33	Slope	1.22
Grant	1.23	Stark	1.22
Griggs	1.31	Steele	1.32
Hettinger	1.22	Stutsman	1.29
Kidder	1.26	Towner	1.24
La Moure	1.31	Traill	1.33
Logan	1.28	Walsh	1.31
McHenry	1.20	Ward	1.18
McIntosh	1.28	Wells	1.26
		Williams	1.16

Ohio

Adams	$1.18	Auglaize	$1.21
Allen	1.22	Belmont	1.21
Ashland	1.22	Brown	1.18
Ashtabula	1.24	Butler	1.18
Athens	1.20	Carroll	1.21

Ohio—Continued

County	Rate per bushel	County	Rate per bushel
Champaign	$1.19	Mahoning	$1.24
Clark	1.18	Marion	1.22
Clermont	1.18	Medina	1.21
Clinton	1.18	Meigs	1.18
Columbiana	1.23	Mercer	1.21
Coshocton	1.21	Miami	1.19
Crawford	1.23	Monroe	1.21
Cuyahoga	1.21	Montgomery	1.18
Darke	1.20	Morgan	1.21
Defiance	1.22	Morrow	1.21
Delaware	1.20	Muskingum	1.21
Erie	1.24	Noble	1.21
Fairfield	1.20	Ottawa	1.25
Fayette	1.18	Paulding	1.22
Franklin	1.20	Perry	1.20
Fulton	1.23	Pickaway	1.19
Gallia	1.18	Pike	1.18
Geauga	1.24	Portage	1.21
Greene	1.18	Preble	1.18
Guernsey	1.21	Putnam	1.22
Hamilton	1.18	Richland	1.22
Hancock	1.24	Ross	1.19
Hardin	1.22	Sandusky	1.25
Harrison	1.21	Scioto	1.18
Henry	1.23	Seneca	1.24
Highland	1.18	Shelby	1.21
Hocking	1.20	Stark	1.21
Holmes	1.21	Summit	1.21
Huron	1.23	Trumbull	1.24
Jackson	1.18	Tuscarawas	1.21
Jefferson	1.23	Union	1.20
Knox	1.21	Van Wert	1.22
Lake	1.23	Vinton	1.20
Lawrence	1.18	Warren	1.18
Licking	1.20	Washington	1.21
Logan	1.20	Wayne	1.21
Lorain	1.22	Williams	1.22
Lucas	1.26	Wood	1.25
Madison	1.19	Wyandot	1.23

Oklahoma

Adair	$1.27	Le Flore	$1.29
Alfalfa	1.27	Lincoln	1.29
Atoka	1.31	Logan	1.28
Beaver	1.23	Love	1.32
Beckham	1.29	McClain	1.30
Blaine	1.29	McCurtain	1.30
Bryan	1.32	McIntosh	1.29
Caddo	1.30	Major	1.28
Canadian	1.29	Marshall	1.32
Carter	1.32	Mayes	1.28
Cherokee	1.28	Murray	1.31
Choctaw	1.32	Muskogee	1.29
Cimarron	1.23	Noble	1.28
Cleveland	1.30	Nowata	1.28
Coal	1.31	Okfuskee	1.29
Comanche	1.31	Oklahoma	1.29
Cotton	1.31	Okmulgee	1.29
Craig	1.28	Osage	1.27
Creek	1.29	Ottawa	1.27
Custer	1.28	Pawnee	1.27
Delaware	1.27	Payne	1.28
Dewey	1.27	Pittsburg	1.29
Ellis	1.25	Pontotoc	1.30
Garfield	1.28	Pottawatomie	1.29
Garvin	1.31	Pushmataha	1.31
Grady	1.30	Roger Mills	1.28
Grant	1.27	Rogers	1.28
Greer	1.30	Seminole	1.29
Harmon	1.30	Sequoyah	1.29
Harper	1.24	Stephens	1.31
Haskell	1.29	Texas	1.23
Hughes	1.29	Tillman	1.30
Jackson	1.30	Tulsa	1.28
Jefferson	1.32	Wagoner	1.28
Johnston	1.32	Washington	1.27
Kay	1.27	Washita	1.29
Kingfisher	1.29	Woods	1.26
Kiowa	1.30	Woodward	1.26
Latimer	1.29		

Oregon

Baker	$1.24	Clatsop	$1.40
Benton	1.30	Columbia	1.40
Clackamas	1.36	Coos	1.12

Oregon—Continued

County	Rate per bushel	County	Rate per bushel
Crook	$1.27	Linn	$1.31
Curry	1.15	Malheur	1.18
Deschutes	1.27	Marion	1.34
Douglas	1.17	Morrow	1.30
Gilliam	1.30	Multnomah	1.40
Grant	1.25	Polk	1.33
Harney	1.13	Sherman	1.32
Hood River	1.37	Tillamook	1.37
Jackson	1.17	Umatilla	1.28
Jefferson	1.31	Union	1.25
Josephine	1.17	Wallowa	1.23
Klamath	1.24	Wasco	1.34
Lake	$1.24	Washington	1.37
Lane	1.28	Wheeler	1.29
Lincoln	1.23	Yamhill	1.35

Pennsylvania

Adams	$1.35	Lawrence	$1.26
Allegheny	1.27	Lebanon	1.34
Armstrong	1.24	Lehigh	1.38
Beaver	1.24	Luzerne	1.34
Bedford	1.32	Lycoming	1.31
Berks	1.38	McKean	1.27
Blair	1.29	Mercer	1.24
Bradford	1.34	Mifflin	1.31
Bucks	1.42	Monroe	1.34
Butler	1.25	Montgomery	1.42
Cambria	1.28	Montour	1.32
Carbon	1.34	Northampton	1.38
Centre	1.30	Northumberland	1.32
Chester	1.38	Perry	1.32
Clarion	1.26	Philadelphia	1.46
Clearfield	1.28	Pike	1.34
Clinton	1.31	Potter	1.29
Columbia	1.33	Schuylkill	1.34
Crawford	1.24	Snyder	1.32
Cumberland	1.33	Somerset	1.28
Dauphin	1.32	Sullivan	1.34
Delaware	1.42	Susquehanna	1.32
Elk	1.28	Tioga	1.31
Erie	1.24	Union	1.32
Fayette	1.28	Venango	1.24
Forest	1.25	Warren	1.24
Franklin	1.33	Washington	1.24
Fulton	1.31	Wayne	1.34
Greene	1.26	Westmoreland	1.26
Huntingdon	1.30	Wyoming	1.34
Indiana	1.27	York	1.35
Jefferson	1.28		
Juniata	1.31		
Lackawanna	1.34		
Lancaster	1.35		

Rhode Island

All counties ---------- $1.33

South Carolina

Charleston	$1.46	All other counties	$1.30

South Dakota

Aurora	$1.30	Grant	$1.40
Beadle	1.33	Gregory	1.25
Bennett	1.19	Haakon	1.24
Bon Homme	1.29	Hamlin	1.37
Brookings	1.37	Hand	1.31
Brown	1.35	Hanson	1.31
Brule	1.28	Harding	1.21
Buffalo	1.28	Hughes	1.27
Butte	1.18	Hutchinson	1.30
Campbell	1.29	Hyde	1.29
Charles Mix	1.27	Jackson	1.24
Clark	1.35	Jerauld	1.30
Clay	1.31	Jones	1.25
Codington	1.37	Kingsbury	1.35
Corson	1.26	Lake	1.34
Custer	1.14	Lawrence	1.18
Davison	1.31	Lincoln	1.32
Day	1.37	Lyman	1.26
Deuel	1.39	McCook	1.31
Dewey	1.25	McPherson	1.31
Douglas	1.29	Marshall	1.37
Edmunds	1.32	Meade	1.20
Fall River	1.13	Mellette	1.22
Faulk	1.30	Miner	1.32

SOUTH DAKOTA—Continued

County	Rate per bushel	County	Rate per bushel
Minnehaha	$1.33	Sully	$1.28
Moody	1.36	Todd	1.22
Pennington	1.18	Tripp	1.24
Perkins	1.22	Turner	1.31
Potter	1.29	Union	1.32
Roberts	1.39	Walworth	1.29
Sanborn	1.31	Washabaugh	1.22
Shannon	1.16	Yankton	1.29
Spink	1.33	Ziebach	1.23
Stanley	1.26		

TENNESSEE

Anderson	$1.28	Lauderdale	$1.28
Bedford	1.27	Lawrence	1.26
Benton	1.25	Lewis	1.26
Bledsoe	1.27	Lincoln	1.28
Blount	1.29	Loudon	1.28
Bradley	1.29	McMinn	1.29
Campbell	1.28	McNairy	1.26
Cannon	1.26	Macon	1.25
Carroll	1.25	Madison	1.26
Carter	1.30	Marion	1.28
Cheatham	1.25	Marshall	1.27
Chester	1.26	Maury	1.26
Claiborne	1.29	Meigs	1.29
Clay	1.26	Monroe	1.29
Cocke	1.29	Montgomery	1.24
Coffee	1.27	Moore	1.27
Crockett	1.25	Morgan	1.27
Cumberland	1.27	Obion	1.28
Davidson	1.25	Overton	1.27
Decatur	1.25	Perry	1.25
De Kalb	1.26	Pickett	1.27
Dickson	1.25	Polk	1.29
Dyer	1.28	Putnam	1.27
Fayette	1.30	Rhea	1.28
Fentress	1.27	Roane	1.28
Franklin	1.28	Robertson	1.24
Gibson	1.25	Rutherford	1.26
Giles	1.27	Scott	1.29
Grainger	1.29	Sequatchie	1.27
Greene	1.30	Sevier	1.29
Grundy	1.27	Shelby	1.32
Hamblen	1.29	Smith	1.26
Hamilton	1.29	Stewart	1.25
Hancock	1.30	Sullivan	1.30
Hardeman	1.28	Sumner	1.24
Hardin	1.25	Tipton	1.30
Hawkins	1.30	Trousdale	1.25
Haywood	1.28	Unicoi	1.30
Henderson	1.25	Union	1.29
Henry	1.25	Van Buren	1.27
Hickman	1.25	Warren	1.27
Houston	1.25	Washington	1.30
Humphreys	1.25	Wayne	1.25
Jackson	1.26	Weakley	1.25
Jefferson	1.29	White	1.27
Johnson	1.30	Williamson	1.26
Knox	1.29	Wilson	1.25
Lake	1.28		

TEXAS

Andrews	$1.27	Carson	$1.27
Archer	1.30	Castro	1.27
Armstrong	1.27	Chambers	1.49
Atascosa	1.39	Cherokee	1.35
Bailey	1.27	Childress	1.30
Bandera	1.35	Clay	1.33
Bastrop	1.37	Cochran	1.27
Baylor	1.30	Coke	1.30
Bee	1.45	Coleman	1.31
Bell	1.37	Collin	1.34
Bexar	1.37	Collingsworth	1.30
Blanco	1.35	Comal	1.35
Borden	1.27	Comanche	1.32
Bosque	1.34	Concho	1.32
Bowie	1.31	Cooke	1.34
Briscoe	1.28	Coryell	1.35
Brown	1.32	Cottle	1.28
Burleson	1.42	Crosby	1.27
Burnet	1.35	Culberson	1.18
Caldwell	1.37	Dallam	1.25
Calhoun	1.42	Dallas	1.35
Callahan	1.31		

TEXAS—Continued

County	Rate per bushel	County	Rate per bushel
Dawson	$1.27	Lubbock	$1.27
Deaf Smith	1.27	Lynn	1.27
Delta	1.32	McCulloch	1.32
Denton	1.34	McLennan	1.35
De Witt	1.39	Martin	1.27
Dickens	1.28	Mason	1.33
Dimmit	1.26	Maverick	1.26
Donley	1.28	Medina	1.35
Eastland	1.32	Menard	1.32
Edwards	1.29	Midland	1.26
Ellis	1.35	Milam	1.39
El Paso	1.14	Mills	1.34
Erath	1.33	Mitchell	1.28
Falls	1.37	Montague	1.34
Fannin	1.34	Moore	1.25
Fisher	1.30	Motley	1.28
Floyd	1.27	Navarro	1.35
Foard	1.30	Nolan	1.29
Frio	1.36	Nueces	1.49
Gaines	1.27	Ochiltree	1.25
Galveston	1.49	Oldham	1.27
Garza	1.27	Palo Pinto	1.33
Gillespie	1.34	Parker	1.34
Glasscock	1.27	Parmer	1.27
Goliad	1.42	Pecos	1.27
Gray	1.27	Potter	1.27
Grayson	1.34	Presidio	1.14
Guadalupe	1.37	Randall	1.27
Hale	1.27	Real	1.32
Hall	1.28	Reeves	1.22
Hamilton	1.33	Refugio	1.45
Hansford	1.25	Roberts	1.25
Hardeman	1.30	Robertson	1.39
Harris	1.49	Rockwall	1.34
Hartley	1.25	Runnels	1.30
Haskell	1.30	San Patricio	1.49
Hays	1.35	San Saba	1.34
Hemphill	1.25	Schleicher	1.28
Hill	1.35	Scurry	1.28
Hockley	1.27	Shackelford	1.31
Hood	1.34	Sherman	1.24
Howard	1.27	Somervell	1.34
Hudspeth	1.14	Stephens	1.33
Hunt	1.32	Sterling	1.27
Hutchinson	1.25	Stonewall	1.29
Irion	1.27	Sutton	1.29
Jack	1.33	Swisher	1.27
Jackson	1.42	Tarrant	1.35
Jeff Davis	1.18	Taylor	1.30
Jefferson	1.49	Terry	1.27
Johnson	1.35	Throckmorton	1.31
Jones	1.30	Tom Green	1.30
Karnes	1.39	Travis	1.35
Kaufman	1.34	Uvalde	1.32
Kendall	1.35	Van Zandt	1.34
Kent	1.28	Victoria	1.42
Kerr	1.32	Waller	1.45
Kimble	1.33	Ward	1.26
King	1.29	Wharton	1.42
Kinney	1.29	Wheeler	1.28
Knox	1.30	Wichita	1.30
Lamar	1.32	Wilbarger	1.30
Lamb	1.27	Williamson	1.37
Lampasas	1.34	Wilson	1.37
Limestone	1.37	Wise	1.34
Lipscomb	1.25	Yoakum	1.27
Live Oak	1.45	Young	1.33
Llano	1.34	Zavala	1.29
Loving	1.21		

UTAH

Beaver	$1.16	Piute	$1.12
Box Elder	1.19	Rich	1.16
Cache	1.19	Salt Lake	1.20
Carbon	1.10	San Juan	1.04
Daggett	1.14	San Pete	1.14
Davis	1.20	Sevier	1.12
Duchesne	1.12	Summit	1.18
Emery	1.08	Tooele	1.18
Garfield	1.08	Uintah	1.08
Grand	1.04	Utah	1.18
Iron	1.13	Wasatch	1.16
Juab	1.18	Washington	1.13
Kane	1.08	Wayne	1.08
Millard	1.16	Weber	1.20
Morgan	1.19		

VERMONT

County	Rate per bushel
All counties	$1.31

VIRGINIA

Accomack	$1.36	Loudoun	$1.31
Albermarle	1.31	Louisa	1.31
Alleghany	1.29	Lunenburg	1.32
Amelia	1.32	Madison	1.31
Amherst	1.31	Mathews	1.34
Appomattox	1.32	Mecklenburg	1.31
Arlington	1.31	Middlesex	1.34
Augusta	1.31	Montgomery	1.29
Bath	1.29	Nansemond	1.42
Bedford	1.31	Nelson	1.31
Bland	1.29	New Kent	1.34
Botatourt	1.30	Newport News	1.38
Burnswick	1.31	Northampton	1.32
Buchanan	1.29	Northumberland	1.32
Buckingham	1.32	Nottaway	1.32
Campbell	1.31	Orange	1.31
Caroline	1.32	Page	1.31
Carroll	1.30	Patrick	1.30
Charles City	1.34	Pittsylvania	1.31
Charlotte	1.32	Powhatan	1.32
Chesapeake (Norfolk)	1.46	Prince Edward	1.32
Chesterfield	1.32	Prince George	1.32
Clarke	1.31	Prince William	1.31
Craig	1.29	Pulaski	1.30
Culpeper	1.31	Rappahannock	1.31
Cumberland	1.32	Richmond	1.32
Dickenson	1.29	Roanoke	1.30
Dinwiddie	1.32	Rockbridge	1.31
Essex	1.32	Rockingham	1.31
Fairfax	1.31	Russell	1.30
Fauquier	1.31	Scott	1.30
Floyd	1.30	Shenandoah	1.31
Fluvanna	1.31	Smyth	1.30
Franklin	1.30	Southampton	1.38
Frederick	1.31	Spotsylvania	1.32
Giles	1.29	Stafford	1.32
Gloucester	1.38	Surry	1.34
Goochland	1.32	Sussex	1.34
Grayson	1.30	Tazewell	1.29
Greene	1.31	Virginia Beach	1.42
Greensville	1.34	Warren	1.31
Halifax	1.31	Washington	1.30
Hampton	1.42	Westmoreland	1.32
Hanover	1.32	Wise	1.30
Henrico	1.34	Wythe	1.30
Henry	1.30	York	1.38
Highland	1.29		
Isle of Wight	1.38		
James City	1.34		
King and Queen	1.34		
King George	1.32		
King William	1.34		
Lancaster	1.32		
Lee	1.30		

WASHINGTON

Adams	$1.27	Klickitat	$1.33
Asotin	1.24	Lewis	1.37
Benton	1.29	Lincoln	1.26
Chelan	1.28	Mason	1.31
Clallam	1.24	Okanogan	1.26
Clark	1.40	Pacific	1.34
Columbia	1.28	Pend Oreille	1.18
Cowlitz	1.40	Pierce	1.40
Douglas	1.26	San Juan	1.26
Ferry	1.22	Skagit	1.34
Franklin	1.28	Skamania	1.37
Garfield	1.28	Snohomish	1.37
Grant	1.27	Spokane	1.25
Grays Harbor	1.34	Stevens	1.20
Island	1.26	Thurston	1.37
Jefferson	1.27	Wahkiakum	1.37
King	1.40	Walla Walla	1.28
Kitsap	1.21	Whatcom	1.31
Kittitas	1.32	Whitman	1.26
		Yakima	1.30

WEST VIRGINIA

Barbour	$1.26	Boone	$1.25
Berkeley	1.30	Braxton	1.25

WEST VIRGINIA—Continued

County	Rate per bushel	County	Rate per bushel
Brooke	$1.23	Monongalia	$1.24
Cabell	1.23	Monroe	1.28
Calhoun	1.24	Morgan	1.29
Clay	1.25	Nicholas	1.27
Doddridge	1.23	Ohio	1.23
Fayette	1.27	Pendleton	1.29
Gilmer	1.24	Pleasants	1.22
Grant	1.28	Pocahontas	1.29
Greenbrier	1.29	Preston	1.26
Hampshire	1.29	Putnam	1.23
Hancock	1.23	Raleigh	1.26
Hardy	1.29	Randolph	1.28
Harrison	1.25	Ritchie	1.23
Jackson	1.22	Roane	1.23
Jefferson	1.31	Summers	1.29
Kanawha	1.24	Taylor	1.26
Lewis	1.25	Tucker	1.28
Lincoln	1.24	Tyler	1.22
Logan	1.25	Upshur	1.26
McDowell	1.27	Wayne	1.24
Marion	1.24	Webster	1.27
Marshall	1.23	Wetzel	1.23
Mason	1.23	Wirt	1.23
Mercer	1.28	Wood	1.22
Mineral	1.28	Wyoming	1.26
Mingo	1.25		

WISCONSIN

Adams	$1.30	Marathon	$1.36
Ashland	1.40	Marinette	1.30
Barron	1.41	Marquette	1.29
Bayfield	1.43	Menominee	1.32
Brown	1.25	Milwaukee	1.29
Buffalo	1.41	Monroe	1.32
Burnett	1.44	Oconto	1.30
Calumet	1.25	Oneida	1.35
Chippewa	1.41	Outagamie	1.28
Clark	1.38	Ozaukee	1.27
Columbia	1.27	Pepin	1.41
Crawford	1.32	Pierce	1.42
Dane	1.26	Polk	1.42
Dodge	1.26	Portage	1.35
Door	1.20	Price	1.37
Douglas	1.46	Racine	1.29
Dunn	1.41	Richland	1.31
Eau Claire	1.38	Rock	1.28
Florence	1.31	Rusk	1.39
Fond du Lac	1.25	St. Croix	1.42
Forest	1.33	Sauk	1.28
Grant	1.29	Sawyer	1.41
Green	1.26	Shawano	1.32
Green Lake	1.27	Sheboygan	1.25
Iowa	1.28	Taylor	1.39
Iron	1.38	Trempealeau	1.38
Jackson	1.35	Vernon	1.34
Jefferson	1.27	Vilas	1.34
Juneau	1.31	Walworth	1.28
Kenosha	1.29	Washburn	1.43
Kewaunee	1.22	Washington	1.27
La Crosse	1.35	Waukesha	1.28
Lafayette	1.26	Waupaca	1.30
Langlade	1.34	Waushara	1.27
Lincoln	1.37	Winnebago	1.27
Manitowoc	1.24	Wood	1.33

WYOMING

Albany	$1.09	Natrona	$1.04
Big Horn	1.04	Niobrara	1.12
Campbell	1.09	Park	1.04
Carbon	1.06	Platte	1.12
Converse	1.09	Sheridan	1.06
Crook	1.12	Sublette	1.09
Fremont	1.04	Sweetwater	1.09
Goshen	1.12	Teton	1.13
Hot Springs	1.04	Uinta	1.13
Johnson	1.06	Washakie	1.04
Laramie	1.12	Weston	1.12
Lincoln	1.15		

(b) *Premiums and discounts.* The basic loan and purchase rate shall be adjusted as applicable by premiums and discounts as follows (all footnotes at end of paragraph):

	Cents per bushel
(1) *Class premiums and discounts.*	
(i) Premiums:	
Hard Amber Durum (U.S. No. 3 or better)[1]	+5
(ii) Discounts:	
Durum	−5
Red Durum	−20
Mixed Wheat (mixtures of classes other than contrasting classes)	−2
Mixed Wheat (mixtures of contrasting classes)	−10
(2) *Grade premiums and discounts.*	
(i) Premium:	
Heavy, U.S. No. 3 or better (Hard Red Spring only)[1]	+2
(ii) Discounts:	
U.S. No. 2	−1
U.S. No. 3	−3
U.S. No. 4	−6
U.S. No. 5	−9
Sample on one or more of the factors test weight, total damage (with not more than 3 percent heat damage), foreign material, and total defects (with not more than 3 percent heat damage), apply a discount of 14 cents. Add 1 cent for each pound or fraction thereof that test weight is below 50 pounds (49 pounds for Hard Red Spring and White Club) through 40 pounds and add 1 cent for each percent or fraction thereof that total defects are in excess of 21 percent. Total discount on these factors shall not exceed 30 cents per bushel if total defects are not in excess of 50 percent, or 45 cents per bushel if total defects are in excess of 50 percent.	
Smut—degree basis:	
Light Smutty	−2
Smutty	−6
Garlic—degree basis:	
Light Garlicky	−5
Garlicky	−10

(3) *Protein premiums.* Applicable to grade U.S. No. 5 or better, Hard Red Winter, Hard Red Spring, and Hard White Wheat of the varieties Baart, Bluestem, and Burt.[1]

Protein content (percent):	Cents per bushel
12.0–12.4	+ 1½
12.5–12.9	+ 3
13.0–13.4	+ 4½
13.5–13.9	+ 6
14.0–14.4	+ 7½
14.5–14.9	+ 9
15.0–15.4	+10½
15.5–15.9	+12
16.0–16.4	+13½
16.5–16.9	+15
17.0–17.4	+16½
17.5 and above	+18
(4) *Variety discount*	−20

The following varieties listed by class will be subject to discount under the 1972 program. The discount will be in addition to any other applicable discounts.

Hard Red Winter—Cache (except in Utah and Idaho), Red Chief, Wasatch, and Yogo.

Hard Red Spring—Era, Henry (except in Washington), Nainari 60, Neepawa, Penjamo 62, Pitic 62, Red River 68 (if grown in Minnesota, Montana, North Dakota, and South Dakota), Spinkcota, and Super X.

White—Gaines (if grown east of the Continental Divide or in New Mexico and Arizona), and Siete Cerros 66.

	Cents per bushel
(5) Weed control discount (where required by § 1421.25)	10

(6) Other factors. Amounts determined by CCC to represent market discounts for quality factors not specified above which affect the value of wheat, such as (but not limited to) moisture, weevily, ergoty, stones, musty, sour and heating. Such discounts will be established not later than the time delivery of wheat to CCC begins and will thereafter be adjusted from time to time as CCC determines appropriate to reflect changes in market conditions. Producers may obtain schedules of such factors and discounts at county ASCS offices.

NOTE: Premiums and discounts are cumulative except only one grade discount shall be applied.

Effective date: Upon publication in the FEDERAL REGISTER (5–25–72).

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

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

[FR Doc.72–7848 Filed 5–24–72;8:45 am]

[1] Not applicable to the undesirable varieties listed in subparagraph (4) of this paragraph.

Title 12—BANKS AND BANKING

Chapter VII—National Credit Union Administration

PART 715—SUSPENSION OR REVOCATION OF CHARTER, INVOLUNTARY LIQUIDATION

Correction

In F.R. Doc. 72–7653, appearing at page 10342, in the issue of Saturday, May 20, 1972, in the fourth line from the bottom of § 715.8(c), insert a comma after the word "shown".

In § 715.10, delete the words "of defense", in the second line of paragraph (a).

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 72–CE–15–AD, Amdt. 1442]

PART 39—AIRWORTHINESS DIRECTIVES

Cessna T310, 320, 401, 411, 414, and 421 Series Airplanes

Correction

In F.R. Doc. 72–7064 appearing at page 9385 of the issue of Wednesday, May 10, 1972, the Airworthiness Docket No. and

amendment number should appear as set forth above.

[Airspace Docket No. 72-WE-23]

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

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to temporarily alter the description of the Reno, Nev. (Reno Municipal Airport) control zone.

The Reno Airport will be closed for runway resurfacing and strengthening from June 19, 1972, to approximately August 1, 1972. Air carrier operations will be moved to Stead Airport, Reno, Nev., during this period. In order to provide maximum controlled airspace protection to the flying public it is deemed appropriate to temporarily expand the Reno, Nev., control zone.

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

In consideration of the foregoing in § 71.171 (37 F.R. 2056) the description of the Reno, Nev. (Reno Municipal Airport) control zone is amended in part by adding:

* * * and during the period from June 19, 1972, until canceled by NOTAM but not later than August 1, 1972, from 0600 to 2200 hours local time daily within a 6-mile radius of Stead Airport, Reno, Nev., and within 4 miles southwest of and parallel to the Reno VORTAC 303° radial, extending from the 5-mile-radius zone to 12 miles northwest of the VORTAC.

Effective date. This amendment will be effective 0901 G.m.t., June 19, 1972.

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

Issued in Los Angeles, Calif., on May 16, 1972.

ARVIN O. BASNIGHT,
Director, Western Region.

[FR Doc.72-7876 Filed 5-24-72;8:46 am]

[Airspace Docket No. 71-RM-32]

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

Alteration of Control Zone and Transition Area

On April 13, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 7342) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the description of the Helena, Mont., control zone and transition area.

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

Effective date. These amendments shall be effective 0901 G.m.t., July 20, 1972.

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

Issued in Aurora, Colo., on May 16, 1972.

M. M. MARTIN,
Director, Rocky Mountain Region.

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

HELENA, MONT.

Within a 5-mile radius of Helena County-City Airport (latitude 46°36'27" N., longitude 111°58'45" W.); within 2½ miles each side of the Helena VORTAC 102° radial extending from the 5-mile-radius zone to 4½ miles east of the VORTAC.

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

HELENA, MONT.

That airspace extending upward from 700 feet above the surface within a 16½-mile radius of the Helena VORTAC (latitude 46°-36'25" N., longitude 111°57'09" W.), extending from the Helena VORTAC 352° radial clockwise to the 191° radial; and that airspace extending upward from 1,200 feet above the surface within a 21-mile radius of the Helena VORTAC, extending from the Helena VORTAC 272° radial clockwise to the Helena VORTAC 191° radial; within 6 miles south and 9½ miles north of the Helena VORTAC 102° radial, extending from the 21-mile-radius area to 23 miles east of the VORTAC; within 6 miles south and 9 miles north of the Helena VORTAC 272° radial, extending from the VORTAC to 45 miles west of the VORTAC; within 5 miles east and 9 miles west of the Helena VORTAC 023° radial, extending from the 21-mile-radius area to 36 miles northeast of the VORTAC.

[FR Doc.72-7877 Filed 5-24-72;8:46 am]

[Airspace Docket No. 72-AL-19]

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

Alteration of Federal Airway Segment

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the floor on the segment of Green Federal airway No. 8 between Cold Bay, Alaska, and King Salmon, Alaska.

Green Federal airway No. 8 and VOR Federal airway No. 456 are common airway segments between Cold Bay and King Salmon. The airway floor for G-8 is designated at 1,200 feet AGL and the floor of V-456 is designated at 2,000 feet AGL. In order to provide coincident floors for these airway segments, action is taken herein to raise the floor of G-8 to 2,000 feet AGL.

Since this amendment is minor in nature and restores airspace to the public use, 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., July 20, 1972, as hereinafter set forth.

In § 71.103 (37 F.R. 2007) G-8 is amended by deleting "King Salmon, Alaska, RR;" and substituting "20 AGL King Salmon, Alaska, RR;" 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 May 18, 1972.

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

[FR Doc.72-7863 Filed 5-24-72;8:45 am]

[Airspace Docket No. 72-GL-5]

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

Alteration of Federal Airways

On March 11, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 5257) stating that the Federal Aviation Administration (FAA) was considering amendments to Part 71 of the Federal Aviation Regulations that would alter VOR Federal airways Nos. 173 and 233.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

Subsequent to the publication of the notice of proposed rule making, it has been determined that the alignment of V-173 airway through use of the Peotone 218° T (216° M) radial in lieu of the Peotone 219° T (217° M) radial would permit the airway to junction on the centerline of V-313 at the Thorpe Intersection. Accordingly, action is taken herein to effect this 1 degree radial change. 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., July 20, 1972, as hereinafter set forth.

Section 71.123 (37 F.R. 2009) is amended as follows:

1. V-173 is amended to read: V-173 From Capital, Ill., via INT Capital 058° and Peotone, Ill., 218° radials; INT Peotone 218° and Roberts, Ill., 008° radials; INT Roberts 008° and Joliet, Ill., 067° radials; Kedzie, Ill., RBN.

2. In V-233 "From Roberts, Ill.," is deleted and "From Capital, Ill., via Roberts, Ill.;" 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 Washington, D.C., on May 18, 1972.

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

[FR Doc.72-7864 Filed 5-24-72;8:45 am]

[Airspace Docket No. 72-NE-3]

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

Alteration of Transition Area

On page 7409 of the FEDERAL REGISTER dated April 14 ,1972, the Federal Aviation Administration published a notice of proposed rule making which would amend the Bar Harbor 700-foot-floor transition area (37 F.R. 2153).

Interested persons were given thirty (30) days to submit written comments, suggestions, or objections regarding the proposed amendment.

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

In view of the following, the proposed regulations are hereby adopted effective 0901 G.m.t., June 22, 1972.

(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 Burlington, Mass., on May 15, 1972.

FERRIS J. HOWLAND,
Director, New England Region.

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Bar Harbor, Maine, 700-foot-floor transition area and insert the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within a 12.5-mile radius of the center (44°26'56" N., 68°21'42" W.) of the Bar Harbor Airport excluding that airspace previously designated as the Bangor, Maine, 700-foot transition area. Within 4.5 miles west and 9.5 miles east of the Bar Harbor ILS localizer course extending from the 12.5-mile radius to 11.5 miles north of the surry (BH) NDB.

[FR Doc.72-7866 Filed 5-24-72;8:45 am]

[Airspace Docket No. 72-SO-25]

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

Alteration of Transition Area

On March 31, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 6596), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Manning, S.C., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., July 20, 1972, as hereinafter set forth.

In § 71.181 (37 F.R. 2143), the Manning, S.C., transition area is amended as follows: "* * * 6.5-mile-radius area to the VOR * * * is deleted and "* * * 6.5-mile-radius area to the VOR; within a 5.5-mile radius of Wings and Wheels Airport, Santee, S.C. (lat. 33°28'52" N., long 80°28'30" W.); within 3 miles each side of Vance VOR 100° radial, extending from the 5.5-mile-radius area to 8.5 miles east of the VOR * * *" is substituted therefor.

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

Issued in East Point, Ga., on May 12, 1972.

DUANE W. FREER,
Acting Director, Southern Region.

[FR Doc.72-7867 Filed 5-24-72;8:45 am]

[Airspace Docket No. 72-EA-27]

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

Alteration of Transition Area

On page 6746 of the FEDERAL REGISTER for April 4, 1972, the Federal Aviation Administration published proposed regulations which would alter the Middletown, N.Y., transition area (37 F.R. 2240).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulation is hereby adopted, effective 0901 G.m.t., July 20, 1972.

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on May 10, 1972.

LOUIS J. CARDINALI,
Acting Director, Eastern Region.

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Middletown, N.Y., 700-foot-floor transition area and insert the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center 41°25'54" N., 74°23'40" W., of Randall Airport, Middletown, N.Y., and within 2 miles each side of the Huguenot, N.Y., VORTAC 082° radial, extending from the 7-mile-radius area to the VORTAC, excluding the portion that coincides with the Newburgh, N.Y., 700-foot-floor transition area. This transition area is effective from sunrise to sunset, daily.

[FR Doc.72-7870 Filed 5-24-72;8:46 am]

[Airspace Docket No. 72-EA-28]

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

Alteration of Transition Area

On page 6747 of the FEDERAL REGISTER for April 4, 1972, the Federal Aviation Administration published proposed regulations which would alter the Meadville, Pa., transition area (37 F.R. 2238).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulation is hereby adopted, effective 0901 G.m.t., July 20, 1972.

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on May 10, 1972.

LOUIS J. CARDINALI,
Acting Director, Eastern Region.

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Meadville, Pa., 700-foot-floor transition area and insert the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within an 8-mile radius of the center 41°37'37" N., 80°12'51" W., of Port Meadville Airport, Meadville, Pa.

[FR Doc.72-7871 Filed 5-24-72;8:46 am]

[Airspace Docket No. 72-EA-29]

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

Alteration of Transition Area

On page 6747 of the FEDERAL REGISTER for April 4, 1972, the Federal Aviation Administration published proposed regulations which would alter the Gaithersburg, Md., transition area (37 F.R. 2199).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulation is hereby adopted, effective 0901 G.m.t. July 20, 1972.

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on May 10, 1972.

LOUIS J. CARDINALI,
Acting Director, Eastern Region.

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Gaithersburg, Md., 700-foot-floor transition area and insert the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center 39°09'54" N., 77°10'00"

W. of Montgomery County Airport, Gaithersburg, Md., and within 3 miles each side of the 008° bearing from the Gaithersburg, Md., RBN 39°10'06" N., 77°09'42" W., extending from the 8.5-mile-radius area to 8.5 miles north of the RBN.

[FR Doc.72-7872 Filed 5-24-72;8:46 am]

[Airspace Docket No. 72-SO-30]

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

Alteration of Transition Area

On April 13, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 7343), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Macon, Ga., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., July 20, 1972, as hereinafter set forth.

In § 71.181 (37 F.R. 2143), the Macon, Ga., transition area is amended as follows: "* * * within 3 miles each side of Macon ILS localizer southwest course, extending from the 14-mile radius area to 8.5 miles southwest of the LOM * * * is deleted and "* * * within 4 miles each side of Macon ILS localizer southwest course, extending from the 14-mile radius area to 14 miles southwest of the LOM * * *" is substituted therefor.

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

Issued in East Point, Ga., on May 16, 1972.

DUANE W. FREER,
Acting Director, Southern Region.

[FR Doc.72-7874 Filed 5-24-72;8:46 am]

[Airspace Docket No. 72-SO-31]

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

Alteration of Transition Area

On April 14, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 7410), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Orlando, Fla., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., July 20, 1972, as hereinafter set forth.

In § 71.181 (37 F.R. 2143), the Orlando, Fla., transition area is amended as follows: All after "long. 81°26'15" W. * * *" is deleted and "* * * within 3 miles each side of the 165° and 322° bearings from Kissimmee RBN (lat. 28°17'21" N., long. 81°26'05" W.), extending from the 6.5-mile-radius area to 8.5 miles south and northwest of the RBN * * *" is substituted therefor.

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

Issued in East Point, Ga., on May 16, 1972.

DUANE W. FREER,
Acting Director, Southern Region.

[FR Doc.72-7875 Filed 5-24-72;8:46 am]

[Airspace Docket No. 71-RM-29]

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

Alteration of Transition Area

On April 11, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 7164) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the description of the Bryce Canyon, Utah, transition area.

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

Effective date. This amendment shall be effective 0901 G.m.t., July 20, 1972.

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

Issued in Aurora, Colo., on May 16, 1972.

M. M. MARTIN,
Director, Rocky Mountain Region.

In § 71.181 (37 F.R. 2143) the description of the Bryce Canyon, Utah, transition area is amended to read as follows:

BRYCE CANYON, UTAH

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Bryce Canyon Airport (latitude 37°42'00" N., longitude 112°09'30" W.) and within 2 miles each side of the Bryce Canyon, Utah VORTAC 085° radial, extending from the 5-mile radius area to the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 8 miles southeast and 9½ miles northwest of the Bryce Canyon VORTAC 240° and 060° radials, extending from 18½ miles southwest to 13 miles northeast of the VORTAC.

[FR Doc.72-7878 Filed 5-24-72;8:46 am]

[Airspace Docket No. 72-SO-26]

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

Designation of Transition Area

On April 6, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 6947), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Tallassee, Ala., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., July 20, 1972, as hereinafter set forth.

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

TALLASSEE, ALA.

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Tallassee Municipal Airport (lat. 32°29'00" N., long. 85°53'00" W.); within 2 miles each side of Tuskegee VOR 270° radial extending from the VOR to 19 miles west of the VOR.

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

Issued in East Point, Ga., on May 15, 1972.

GORDON W. BECKER,
Acting Director, Southern Region.

[FR Doc.72-7865 Filed 5-24-72;8:45 am]

[Airspace Docket No. 72-SW-19]

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 Rocksprings, Tex.

On April 7, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 7006) stating the Federal Aviation Administration proposed to designate the Rocksprings, Tex., 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., July 20, 1972, as hereinafter set forth.

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

ROCKSPRINGS, TEX.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Edwards County Airport (latitude 29°56'30" N., longitude 100°10'30" W.) and within 1.5 miles each side of the Rocksprings VORTAC 105° radial extending from the 5-mile-radius area to the Rocksprings VOR TAC.

(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 May 16, 1972.

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

[FR Doc.72-7868 Filed 5-24-72;8:46 am]

[Airspace Docket No. 72-SW-20]

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 Llano, Tex.

On April 7, 1972, a notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 7006) stating the Federal Aviation Administration proposed to designate the Llano, Tex., 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., July 20, 1972, as hereinafter set forth.

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

LLANO, TEX.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Llano Municipal Airport (latitude 30°46'30" N., longitude 98°39'30" W.) and within 2 miles each side of the Llano VORTAC 100° radial (091° magnetic radial) extending from the 5-mile-radius area to the Llano 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 May 16, 1972.

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

[FR Doc.72-7869 Filed 5-24-72;8:46 am]

[Airspace Docket No. 72-EA-56]

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

Revocation and Designation of Transition Areas

The Federal Aviation Administration is amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a State of New Jersey 1,200-foot transition area and alter the Atlantic City (37 F.R. 2150) and Wrightstown (37 F.R. 2308), N.J., and Dover, Del. (37 F.R. 2184) transition areas.

The purpose of this amendment is to consolidate all transition areas above 1,200 feet within one State transition area. This will result in some duplication and so the portions already covered by separate transition areas will be deleted from the description of such separate areas.

Since the foregoing designation and alteration is an editorial change without substance and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In view of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., July 20, 1972, as follows:

1. Amend § 71.181 of Part 71, Federal Aviation Regulations by designating the State of New Jersey 1,200-foot-floor transition area as follows:

STATE OF NEW JERSEY

That airspace extending upward from 1,200 feet above the surface within the boundary of the State of New Jersey including the offshore airspace within 3 nautical miles east of and parallel to the shoreline; that airspace east of Long Branch, N.J., bounded by latitude 40°17'30" N., longitude 73°54'45" W. to latitude 40°12'55" N., longitude 73°19'00" W., to latitude 39°58'40" N., longitude 73°38'-35" W. to latitude 39°37'30" N., longitude 74°07'00" W., thence north along that line 3-NM east and parallel to the State of New Jersey shoreline to latitude 40°17'30" N., longitude 73°54'45" W.; that airspace extending upward from 2,000 feet above the surface bounded on the northwest by the southeast boundary of V-139, on the northeast by the southwest boundary of Control 1147, on the south by a line along latitude 39°44'00" N. The airspace within W-107 below 2,000 feet and within Control 1147 is excluded.

2. Amend § 71.181 of Part 71, Federal Aviation Regulations so as to amend the description of the Dover, Del., transition area by deleting reference to that airspace extending upward from 1,200 feet above the surface.

3. Amend § 71.181 of Part 71, Federal Aviation Regulations so as to amend the description of the Atlantic City, N.J., transition area by deleting reference to that airspace extending upward from 1,200 feet above the surface.

4. Amend § 71.181 of Part 71, Federal Aviation Regulations so as to amend the description of the Wrightstown, N.J. transition area by deleting "and that airspace extending upward from 1,200 feet above the surface" and all after.

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on May 8, 1972.

ROBERT H. STANTON,
Acting Director, Eastern Region.

[FR Doc.72-7873 Filed 5-24-72;8:46 am]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter III—Corps of Engineers, Department of the Army

PART 311—PUBLIC USE OF CERTAIN LAKE AND RESERVOIR AREAS

PART 326—PUBLIC USE OF CERTAIN NAVIGABLE LAKE AND RESERVOIR AREAS

Areas Covered; Private Boats and Other Vessels

The Secretary of the Army having determined that the use of the following lake and reservoir areas by the general public for boating, swimming, bathing, fishing, and other recreational purposes will not be contrary to the public interest and will not be inconsistent with the operation and maintenance of the lakes and reservoirs for their primary purposes, hereby prescribes rules and regulations for their public use, pursuant to the provisions of section 4 of the Flood Control Act of 1944 (58 Stat. 889) as amended, as follows:

1. Add the following areas to § 311.1(a):

§ 311.1 Areas covered.

(a) * * *

* * * * *

IDAHO

* * * * *

Dworshak Lake Area, North Fork of Clearwater.

ILLINOIS

* * * * *

Rend Lake Area, Big Muddy River.
Lake Shelbyville Area, Kaskaskia River.

INDIANA

* * * * *

Cagles Mills Lake Area, Mill Creek.
Brookville Lake Area, East Fork of Whitewater River.

* * * * *

KENTUCKY

Cave Run Lake Area, Licking River.
Carr Fork Lake Area, Carr Fork.

* * * * *

NEW MEXICO

* * * * *

Galisteo Dam Area, Galisteo Creek.

* * * * *

NEW YORK

* * * * *

Arkport Lake Area, Canisteo River.

* * * * *

OHIO

* * * * *

Atwood Lake Area, Indian Fork River.
Beach City Lake Area, Sugar Creek.
Bolivar Lake Area, Sandy Creek.
Caesar Creek Lake Area, Caesar Creek.
Charles Mill Lake Area, Black Fork River.
Clendening Lake Area, Brushy Fork.
Clarence Brown Lake Area, Buck Creek.
Dover Lake Area, Tuscarawas River.
East Fork Lake Area, East Fork of Little Miami River.

Leesville Lake Area, McGuire Creek.
Mohawk Lake Area, Walhonding River.
Mohicanville Lake Area, Lake Fork River.
Michael J. Kerwin Lake Area, West Branch Mahoning River.
Mosquito Creek Lake Area, Mosquito Creek.
Piedmont Lake Area, Stillwater Creek.
Pleasant Hill Lake Area, Clear Fork.
Senecaville Lake Area, Seneca Creek.
Tappan Lake Area, L. Stillwater Creek.
Wills Creek Lake Area, Wills Creek.
Tom Jenkins Lake Area, East Branch Sun Creek.
West Fork of Mill Creek Lake Area, Mill Creek.

* * * * *

PENNSYLVANIA

* * * * *

Aylesworth Creek Lake Area, Aylesworth Creek.
Beltsville Lake Area, Pohopoco Creek.
East Branch Lake Area, Clarion River.
Indian Rock Lake Area, Codorus Creek.
Kinzua Dam (Allegheny Lake) Area, Allegheny River.
Union City Lake Area, French Creek.

* * * * *

SOUTH DAKOTA

* * * * *

Cottonwood Springs Lake Area, Cottonwood Springs Creek.

TENNESSEE

* * * * *

Cordell Hull Lake Area, Cumberland River.

* * * * *

WEST VIRGINIA

Tygart Lake Area, Tygart River.

WISCONSIN

Eau Galle Lake Area, Eau Galle River.

* * * * *

2. Delete the following areas from § 311.1(a):

§ 311.1 Areas covered.

(a) * * *

* * * * *

IDAHO

Albeni Falls Dam Area, Pend Oreille River.

* * * * *

WASHINGTON

Chief Joseph Dam Area, Columbia River.

* * * * *

3. Amend § 311.3(b) to read:

§ 311.3 Boats and other vessels, private.

* * * * *

(b) Except those lakes and reservoirs covered in this part where the boat or other vessel is registered and displays a valid State or U.S. Coast Guard number for the type of vessel in use, a permit shall be obtained from the District Engineer or his authorized representative for placing and operating a vessel on the lake or reservoir for any one period longer than 3 days. No charge will be made for this permit. The permit shall be kept aboard the vessel at all times that the vessel is in operation on the lake or reservoir. The District Engineer in charge of the area or his authorized representative shall have authority to revoke the permit and to require removal of the vessel upon failure of the permittee to comply with the terms and conditions of the permit or with the regulations in this part.

* * * * *

4. Delete the following area from § 326.1(b):

§ 326.1 Areas covered.

* * * * *

(b) * * *

ALABAMA

* * * * *

Jackson Lock and Dam Area, Black Warrior and Tombigbee River.

* * * * *

5. Add the following areas to § 326.1(b):

§ 326.1 Areas covered.

* * * * *

(b) * * *

ALABAMA

* * * * *

Coffeeville Lock and Dam Area, Black Warrior and Tombigbee Rivers.
Claiborne Lock and Dam Area, Alabama River.
Jones Bluff Lock and Dam Area, Alabama River.
Holt Lock and Dam Area, Black Warrior River.
Millers Ferry Lock and Dam (William "Bill" Dannelly Reservoir) Area, Alabama River.

* * * * *

FLORIDA

* * * * *

Eureka Lake Area, Cross Florida Barge Canal.
Inglis Lake Area, Cross Florida Barge Canal.
Henry Holland Buckman Lock Area, Cross Florida Barge Canal.
Rodman Dam (Lake Ocklawaha) Area, Cross Florida Barge Canal.

GEORGIA

* * * * *

Walter F. George Lock and Dam Area, Chattahoochee River.

IDAHO

Albeni Falls Dam and Reservoir Area, Pend Oreille River.

* * * * *

WASHINGTON

* * * * *

Little Goose Lock and Dam Area, Columbia River.
Chief Joseph Dam and Rufus Woods Lake Area, Columbia River.

* * * * *

6. Add the following areas to § 326.3(b):

§ 326.3 Boats and other vessels, private.

* * * * *

(b) * * *

* * * * *

IDAHO

Albeni Falls Dam and Reservoir Area, Pend Oreille River.

* * * * *

WASHINGTON

Chief Joseph Dam and Rufus Woods Lake Area, Columbia River.

* * * * *

[Regs., Apr. 18, 1972, DAEN-CWO-R] (Sec. 4, 58 Stat. 889, as amended; 16 U.S.C. 460d)

For the Adjutant General.

R. B. BELNAP,
Special Advisor to TAG.

[FR Doc.72-7964 Filed 5-24-72;8:54 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

Subpart D—Exemptions From Tolerances

DIMETHYL DIALKYLAMMONIUM CHLORIDE

A petition (PP 1F1103) was filed by PPG Industries, Inc., 1 Gateway Center, Pittsburgh, Pa. 15222, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing establishment of an exemption from the requirement of a tolerance for residues of dimethyl dialkylammonium chloride when present with silica and hydrated silica in pesticide formulations applied to raw agricultural commodities.

Based on consideration given data submitted in the petition and other relevant material, it is concluded that the compound is useful for the purpose for which an exemption from tolerance is being established and that the exemption 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. 346(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), § 180.1001 is amended by alphabetically inserting a new item in paragraph (c) as follows:

§ 180.1001 Exemptions from the requirement of a tolerance.

* * * * *

(c) * * *

Inert ingredients	Limits	Uses
* * *	* * *	* * *
Dialkyl (C^{8}-C^{18}) dimenthyl-ammonium chloride.	Not more than 0.2% in silica, hydrated silica.	Flocculating agent in the manufacture of silica, hydrated silica for use as a solid diluent, carrier.
* * *	* * *	* * *

* * * * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Environmental Protection Agency, Room 3125, South Agriculture Building, 12th Street and Independence Avenue SW., Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order

deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (5–25–72).

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

Dated: May 19, 1972.

LOWELL E. MILLER,
Acting Deputy Assistant Administrator for Pesticides Programs.

[FR Doc.72–7918 Filed 5–24–72;8:51 am]

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

Subpart D—Exemptions From Tolerances

γ-BUTYROLACTONE

A petition (1F1109) was filed by GAF Corp., 140 West 51st Street, New York, NY 10020, in accordance with provisions of the Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing establishment of an exemption from the requirement of a tolerance for residues of γ-butyrolactone when used as an inert ingredient in pesticide formulations.

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 γ-butyrolactone is useful for the purpose for which an exemption is being established and that the exemption 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), § 180.1001 is amended by alphabetically inserting a new item in the table in paragraph (d), as follows:

§ 180.1001 Exemptions from the requirement of a tolerance.

* * * * *

(d) * * *

Inert ingredients	Limits	Uses
* * *	* * *	* * *
γ-Butyrolactone		Solvent.
* * *	* * *	* * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Environmental Protection Agency, Room 3125, South Agriculture Building, 12th Street and Independence Avenue SW., Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (5–25–72).

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

Dated: May 19, 1972.

LOWELL E. MILLER,
Acting Deputy Assistant Administrator for Pesticides Programs.

[FR Doc.72–7917 Filed 5–24–72;8:51 am]

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

Subpart D—Exemptions From Tolerances

VINYL CHLORIDE-VINYL ACETATE COPOLYMERS

A petition (PP 1F1138) was filed by Union Carbide Corp., Post Office Box 65, Tarrytown, NY 10591, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing establishment of an exemption from the requirement of a tolerance for residues of vinyl chloride-vinyl acetate copolymers in or on raw agricultural commodities when used as inert binding agents in pesticide formulations applied to growing crops only.

Subsequently, the petitioner amended the petition by proposing that this copolymer be limited in use to not more than 2 percent of pesticide formulations applied only to the soil.

Based on consideration given data submitted in the petition and other relevant material, it is concluded that the exemption 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), § 180.1001 is amended by alphabetically inserting a new item in paragraph (d) as follows:

§ 180.1001 Exemptions from the requirement of a tolerance.

* * * * *

(d) * * *

Inert ingredients	Limits	Uses
* * *	* * *	* * *
Vinyl chloride-vinyl acetate copolymers.	Not more than 2% of pesticide formulation.	Inert binding agent for formulations applied only to soil.
* * *	* * *	* * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Environmental Protection Agency, Room 3125, South Agriculture Building, 12th Street and Independence Avenue SW., Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (5–25–72).

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

Dated: May 19, 1972.

LOWELL E. MILLER,
Acting Deputy Assistant Administrator for Pesticides Programs.

[FR Doc.72–7919 Filed 5–24–72;8:51 am]

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

Certain Exemptions From Tolerances; Correction

F.R. Docs. 72–6418 and 72–6419 appearing on pages 8449–50 in the FEDERAL REGISTER of April 27, 1972, had attached to them the wrong closing statement providing for filing of objections and the effective date of the orders. Accordingly, the correct closing statement for the aforesaid two documents is published

herewith and their effective date is made retroactive to April 27, 1972.

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Environmental Protection Agency, Room 3125, South Agriculture Building, 12th Street and Independence Avenue SW., Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (4–27–72).

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

Dated: May 19, 1972.

LOWELL E. MILLER,
Acting Deputy Assistant Administrator for Pesticides Programs.

[FR Doc.72-7920 Filed 5-24-72;8:51 am]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 19317; FCC 72-427]

PART 73—RADIO BROADCAST SERVICES

FM Broadcast Stations in Certain States

First report and order. In the matter of amendment of § 73.202 *Table of Assignments,* FM Broadcast Stations. (Decatur and Rantoul, Ill.; Santa Rosa, Calif.; Duluth and Cloquet, Minn.; Ladysmith, Wis.; Enfield, Conn.; Greenfield and Northampton, Mass.), Docket No. 19317, RM–1686, RM–1693, RM–1696, RM–1697.

1. The Commission has before it for consideration its notice of proposed rule making, released September 13, 1971, herein (FCC 71–956), and published in the FEDERAL REGISTER on September 18, 1971 (36 F.R. 18665), inviting comments on a number of changes in the FM Table of Assignments proposed by various interested parties. This decision disposes of two of the proposals, RM–1693 (Santa Rosa, Calif.) and RM–1697 (Duluth and Cloquet, Minn.; Ladysmith, Wis.). The others, RM–1686 (Decatur and Rantoul, Ill.) and RM–1696 (Enfield, Conn., Greenfield and Northampton, Mass.), will be considered subsequently in a further report and order.

2. Santa Rosa, Calif. (RM–1693): The petitioners, William H. Colclough and Edward La France, doing business as Colclough and La France, propose the assignment of Channel 257A at Santa Rosa in order to make a second FM assignment available there for which they can apply. Their comments reaffirm their intention to apply for the channel immediately upon its assignment and incorporate by reference the contents of their petition for rule making on the proposal. Opposing comments were filed by Gordon D. and Susan L. Zlot and Marvin A. Sosnick and Morris Zlot, a limited partnership, doing business as Redwood Empire Stereocasters (Redwood Empire), licensee of Station KZST(FM), Santa Rosa, which operates on Channel 261A, the only FM channel currently assigned at Santa Rosa (1970 population, 48,464), the seat and largest city in Sonoma County (1970 population 199,360), located about 55 miles north of San Francisco, Calif. There are no other FM assignments in Sonoma County. Operating standard broadcast stations in the county number five, four of which are at Santa Rosa and one at Petaluma. Two of the Santa Rosa AM stations operate daytime only, and the petitioners are principals of KVRE, Inc., licensee of one of them (KVRE).

3. Redwood Empire's opposition to a Channel 257A assignment at Santa Rosa stems from the fact that there would be but a four channel separation between its Channel 261A station and a Channel 257A station at Santa Rosa. It contends that, because its station's signal is strong compared to that of the San Francisco Channel 259 FM station (KNBR), it is able to overcome the objectionable effect of a station operating on the second adjacent channel but that a Santa Rosa Channel 257A station would be placed "back-to-back" on the FM dial and would cause confusion to listeners. It asserts that, if the carrier of one of the stations momentarily "dropped off", its listeners would most likely be pulled to the competing station because of receiver AFC action.

4. Redwood Empire also opposes the proposed Santa Rosa FM assignment because it intends to make application for an on-channel FM booster station at Petaluma, Calif., which, although within the present 1 mv/m contour of its Santa Rosa FM station, does not receive its signal because of terrain problems. It is of the view that, because the petitioners propose to use a site for a Channel 257A operation which is in line-of-sight to its proposed booster receiving antenna, a strong signal from a Channel 257A station would sharply reduce the utility of the booster station as a result of interference generated from spurious radiation and intermodulation products.[1] Redwood Empire also points out that there are at least three other suitable FM channels which could be assigned at Santa Rosa (249A, 269A, and 285A), which would not interfere with its FM operation.

[1] The rules for FM Broadcast Booster Stations, Subpart L of Part 74, make no provision for interference protection to the operation of FM booster stations.

5. In reply comments, the petitioners contend that, although the capture effects of FM stations two channels removed have occurred infrequently, it would not occur on stations four channels removed, and that interference to the operation of Redwood Empire's proposed booster station is not expected to occur. They aver that the proposed assignment is consistent with our FM assignment plan which allows four channel separation between FM assignments in the same city, and that Channel 257A is the most desirable and best choice for assignment at Santa Rosa.

6. We agree that Redwood Empire's technical objections to a Santa Rosa 257A assignment are not valid reasons for refusing the assignment. We have no rules or policy prohibiting assignments four channels removed in the same community, and a number of communities have been assigned FM channels separated by four channels from others in the same community, e.g., San Francisco, in 11 cases; Los Angeles, in 13 cases, New York City, in 9 cases. We do not believe that this has adversely affected operation on those channels or that four channel separation of assignments and stations on the same community should constitute reason for refusing or changing an assignment. Further, our rules provide no interference protection to FM booster operations, and we would not refuse an FM assignment on such a ground, even if such interference would result.

7. In their original showing, the petitioners convincingly argued that, considering the present size of Santa Rosa, its over 50 percent gain in population since 1960, and its potential for further growth, one occupied FM assignment is insufficient to meet present or future local needs for FM service. Their showing also indicated that Channel 257A would be a technically suitable assignment at Santa Rosa since it could be assigned and used there in conformity with all separation and other technical requirements of the rules and without disturbing any other assignment or station. It also appeared that a Santa Rosa Channel 257A assignment would not be objectionable for preclusionary reasons since it would preclude future assignments only on Channel 257A in an area around and north of Santa Rosa where there are only four communities, all under 6,000 in population, where Channel 257A could be assigned and where three other Class A channels (249A, 269A and 285A) could also be assigned, if needed. For these reasons, and also because it appeared, in light of the petitioners' stated intention to apply for the requested assignments, once made, that their proposal held promise for the Santa Rosa area to have a needed new FM service in the near future, we were of the view that it warranted consideration in rule making. For these same reasons, none of which are contested by the opponents, we now conclude that the proposal merits adoption in the public interest. We are therefore assigning Channel 257A at Santa Rosa for a second FM assignment.

8. Duluth and Cloquet, Minn., Ladysmith, Wis. (RM–1697): The petitioner,

Peoples Broadcasting Co., licensee of Station WPBC–FM, Channel 267, Richfield, Minn., is seeking to move its transmitter site to a location north of its present site which is short spaced by approximately 21.20 miles from the Channel 268 assignment at Duluth, Minn.[2] In order to permit the proposed move in accordance with separation requirements, at its request, we instituted rule making on the following proposed changes in FM assignments, none of which were then occupied: [3]

City	Delete	Add
Duluth, Minn.	268	225
Cloquet, Minn.	228A	265A
Ladysmith, Wis.	225	279

Subsequent to issuance of the rule making notice on this proposal, we granted a construction permit (BPH–7465) on February 9, 1972, to Warren D. Steward, doing business as Stewards of Sound Radio Co., for a new FM station (WWIB) on the Ladysmith Channel 225 assignment, subject to the following condition: "This grant is subject to applicant's acceptance of any modification requiring use of Channel 279 in lieu of Channel 225 as a result of rule making in Docket No. 19317." An application is also now pending for the Cloquet Channel 228A assignment, filed March 20, 1972, by Cloquet Broadcasting Co. (BPH–7862).

9. A supporting letter was received from Peoples on the proposed assignment changes. The Ladysmith Channel 225 permittee, Warren D. Steward, also filed a letter commenting on the assignment change proposed at Ladysmith on September 20, 1971, prior to the time that authorization for construction on Channel 225 at Ladysmith was granted. He states that "inasmuch as we have gone to considerable time and expense to try to secure Channel 225, we would prefer, if possible, to retain it. We also believe that it is more conveniently spaced on the FM dial for our particular area."

10. We believe it in the public interest to make the assignment changes proposed at Duluth, Cloquet, and Ladysmith since they are technically feasible, will not affect an existing station, and will enable an existing FM station to expand its service area by operating from a new transmitter site meeting spacing requirements. As a result of these assignment changes, the present undesired short spacing between the Richfield Channel 267 station and the Duluth Channel 268 assignment will also be eliminated. We are not persuaded that the preference of the Ladysmith permittee for Channel 225 over Channel 279 at Ladysmith should deter us from this course of action, particularly since his authorization was accepted subject to the condition that it might be modified to require operation on Channel 279 instead of Channel 225 as a consequence of action taken in this proceeding, and it does not appear that Channel 225 has any significant technical advantage over Channel 279 for use at Ladysmith.

11. The switching of Channel 225 for Channel 279 will be made effective May 25, 1972. A permit on Channel 225 has been issued subject to the outcome of this proceeding. The permittee has commenced construction under the outstanding permit for Channel 225. By this report and order, we are modifying that permit to specify operation on Channel 279 rather than Channel 225. The permittee has advised the Commission that he accepts such modification. Making the shift in channels of immediate effect will hasten the institution of a first local FM broadcast service to Ladysmith. Based on the foregoing, we find good cause to waive the effective date requirements of the Administrative Procedure Act (5 U.S.C. section 553(d)).

12. Authority for the actions taken herein is contained in sections 4(i), 303, 307(b), and 316 of the Communications Act of 1934, as amended.

13. In view of the foregoing: *It is ordered*, That, effective June 26, 1972, the FM Table of Assignments, § 73.202(b) of the rules, is amended to read as follows for the cities listed below:

City	Channel No.
Santa Rosa, Calif.	257A, 261A
Cloquet, Minn.	265A
Duluth, Minn.	225, 235, 255, 273, 277, 286

14. *It is further ordered*, That the effective date requirements of the Administrative Procedure Act (5 U.S.C. section 553(d)) are waived; and that, effective May 25, 1972, the FM Table of Assignments, § 73.202(b) of the rules, is amended as follows:

City	Channel No.
Ladysmith, Wis.	279

15. *It is further ordered*, That, the outstanding construction permit of Warren D. Steward, doing business as Stewards of Sound Radio Co., for the construction of Station WWIB on Channel 225 at Ladysmith, Wis., is hereby modified to specify operation on Channel 279 in lieu of Channel 225, subject to the following condition:

a. The permittee shall submit to the Commission by June 26, 1972, all necessary information to comply with the applicable technical rules for modification of authorization to cover the operation of Station WWIB on Channel 279 at Ladysmith, Wis.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083, sec. 12, 66 Stat. 717; 47 U.S.C. 154, 303, 307, and 316)

Adopted: May 17, 1972.

Released: May 19, 1972.

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

[FR Doc.72–7957 Filed 5–24–72;8:53 am]

[2] The present site for Station WPBC–FM is also about 2.30 miles short spaced from the Duluth Channel 268 assignment.

[3] Peoples also proposed the replacement of Channel 295 with Channel 268 at Ironwood, Mich., which we did not propose for comment in the notice since there appeared no need to change the Ironwood assignment because of any conflict with the substitute channels proposed for Duluth, Cloquet, and Ladysmith.

[Docket No. 19391; FCC 72–429]

PART 73—RADIO BROADCAST SERVICES

Television Broadcast Stations in Naples, Fla.

Report and order. In the matter of Amendment of § 73.606, *Table of Assignments*, Television Broadcast Stations. (Naples, Fla.), Docket No. 19391, RM–1785, RM–1797.

1. On January 5, 1972, the Commission adopted a notice of proposed rule making in this proceeding (released January 7, 1972, FCC 72–18) in response to petitions filed by WSUN, Inc., and Hubbard Broadcasting, Inc., on April 16, 1971, and May 14, 1971, respectively. The notice proposed for consideration the assignment of Channel 46 to Naples, Fla. No other television allocations or reallocations were proposed.

2. Interested parties were afforded an opportunity to file comments on or before February 23, 1972, and to reply to such comments (after an extension of time was granted) on or before March 14, 1972. Pertinent supporting comments were filed by: Gray Communications Systems, Inc. (Gray); Gulf Shore Television Corp. (Gulf Shore); David N. Pfaff and Associates (Pfaff Associates),[1] and Hubbard Broadcasting, Inc. (Hubbard). An opposing reply comment was received from Broadcasting-Telecasting Services, Inc., licensee of television Station WBBH–TV at Fort Myers, Fla. (WBBH–TV).

3. Gray and Gulf Shore both support the assignment of a first television channel for Naples but make the counterproposal of the assignment of Channel 26 rather than Channel 46 to the community. Each express its intention to apply to construct a full station, Gray only in the event its counterproposal is adopted. Hubbard supports the assignment of a first television channel to Naples, expressing interest in the use of the channel for a satellite operation on its television Station WTOG at St. Petersburg, Fla. It reserves final judgment with respect to applying for any channel assigned to Naples because of current business considerations concerning its St. Petersburg operation. Pfaff Associates (a research firm) simply supports the assignment of a channel to Naples, primarily on the grounds of the community's need for a first local television station and its ability to support a local television service, from an economic view. Some of the comments of these parties were quite voluminous in their textural explanation of statistical facts. They all basically covered the same material and therefore discussion of one of their presentations

[1] Pfaff Associates comment was received by the Commission on Feb. 24, 1972, 1 day late. We are accepting it and considering it as a comment herein in view of the fact that it contains material pertinent to the public interest questions involved in this proceeding and because the opponent in this proceeding had an opportunity to comment on its contents and did so.

can, in large part, be considered a review of their combined approach. After a presentation of the proponents' views this instrument will set out and discuss the opposition of WBBH–TV, the only opposing party.

4. As our notice stated, Collier County, Fla., population 38,040, is located in southwest Florida. It contains the community of Naples which has 12,042 residents.[2] The community has no television assignment. It does receive television service (Grade B) from WINK–TV, a CBS affiliate and WBBH–TV, an NBC affiliate, both in Fort Myers, Fla. Naples also has a cable system with approximately 8,200 subscribers, 7,500 of whom are located in the greater Naples area.

5. The city of Naples is located on the western coast of the southern Florida peninsula, directly on the Gulf of Mexico. It is located approximately 110 miles to the northwest of Miami, 150 miles to the south of Tampa, and 100 miles due west of Fort Lauderdale, Fla. U.S. Highway 41, the "Tamiami Trail," connects Naples with points north and south, while the Everglades Parkway, a controlled-access toll highway, links Naples to Fort Lauderdale on the eastern Florida coast. After the proponents acknowledge the 1970 population of Naples proper to be 12,042 they advise us that it is the principal community and business center of Collier County, the third-largest land-mass county in the State of Florida. The point is made that to consider solely the dynamics and population of Naples proper is misleading and that a true picture of the importance of the community is only grasped if its adjacent unincorporated "suburbs" of East Naples (the county seat), Naples Park, and North Naples are considered as one interconnected community of persons, business and social activity. The population of this, greater Naples, is 26,896 which, it is alleged, constitutes over 70 percent of Collier County's 1970 population of 38,040. Gray specifically advises us that—

> * * * Naples has its own daily and weekly newspapers; * * * several aural broadcast facilities; * * * financial, shopping, and business centers; a complete primary and secondary school system; a modern hospital; and its own distinct communal organizations and activities * * *

6. All of the proponents, as aforesaid, present verbal descriptions of statistics concerning indicia which indicate an unusually active development in Naples and Collier County. This material is most succinctly presented in chart form by Pfaff Associates set out in part below:

	1960	1970	1971
Naples			
Bank deposits	22,111,578	140,461,742	185,758,800
Assessed valuations	42,703,690	[1] 196,877,045	[2] 202,929,700
Water connections	2,140	8,019	8,968
Students	1,850	6,455	7,076
Postal receipts	165,626	787,899	981,595
Building permits	5,341,294	19,005,105	16,538,791
Electric meters	5,925	19,783	22,180
Population	4,655	12,042	----------
Collier County			
Telephones	6,476	30,333	32,391
Retail sales	21,402,000	82,124,000	----------
Personal income	[3] 28,500,000	[4] 115,900,000	----------
Population	15,753	38,040	----------

[1] 1971. [2] 1972. [3] 1959. [4] 1969.

Each of these indicia are cited by proponents to indicate the past development in the Naples area and forwarded as proof of the probable rapid and expansive future development of Naples and therefore its ability, if not at the present time, in the very near future, to support a first local television service.

7. In sum, the proponents each advance the thought that greater Naples is presently one community with the economic ability to support, at this time, a first local television facility. See paragraph 2 through 5 supra. In the alternative, each of the proponents argue that the growth of the Naples area in recent years must be projected at the same rate of development into the coming years and if so done, Naples will be, if not now, in the immediate future, large enough to support its own first local television service. Inherent in all of the proponents' presentations is the view that a community of the size and importance of Naples should now have its first local television station so as to provide for a vibrant means of community self-expression.

8. WBBH–TV is licensee of UHF Channel 20 in Fort Myers, Fla., 40 miles north of Naples. In view of the fact that its station presently puts a Grade B signal into Naples, Fla., thereby attracting audience support from the Naples community it opposes the assignment of a first television channel to Naples and again (it did so in its opposition to the original petitions filed in this matter) raises the question of economic harm to its television service in Fort Myers by the establishment of a television station in Naples, Fla. Our view concerning this point remains the same as expressed in our notice in this proceeding, i.e., that we find Fort Myers and Naples are two separate community and market entities. Furthermore, we reiterate our policy that Carroll issues are normally only entertained by the Commission at the time of application for any specific channel. In addition, we note that the proposed assignments for Naples (46 or 26) are both UHF channels, as is WBBH–TV.

9. The second contention of WBBH–TV is that the proponents of the first television assignment to Naples only demonstrate past growth of the community and that it has not been established that there is a presently large enough economic base to support a television service there. A review of the above material indicates that Naples proper does have a relatively small population (12,042) but that, if it is considered as the core of a community which includes East Naples, Naples Park, and North Naples it has a population of 26,896. The Commission has been of the view, for some time, that cities with a population in excess of 25,000 persons should have at least one television assignment both because of the needs of such a population and because of the ability of such a concentration of population, normally, to support a television service. With regard to the proponents' material concerning the dynamic past growth of the Naples area we must comment that in our reading such statistics are not necessarily offered solely to establish the present size of the Naples market, but are, in large part, suggested for the purpose of making projections as to the immediate expected growth of the Naples market into even a larger city.

10. WBBH–TV's third and final major point is that Channel 46 (as proposed by our notice) should not be assigned to Naples because there are other substantial communities such as Immokalee, Fort Myers, and Sarasota at which it could be used. Gray and Gulf Shore both concur with WBBH–TV and advocate the assignment of Channel 26 rather than Channel 46 to Naples. Their engineering studies, which are uncontested in the comments and reply comments, indicate that while Channel 46 can be assigned to Immokalee, Fort Myers, and Sarasota and that Channel 26 cannot be assigned to these communities but can be to Naples. Therefore, it is maintained that by assigning Channel 26 to Naples, the Commission is provided with more flexibility to meet possible future needs in other communities. In view of the material presented in response to our Notice we agree that Channel 26 is more appropriate for assignment to Naples at this time in terms of channel efficiency.

11. In view of the foregoing, we hold that an adequate showing has been made as to demonstrate the size of, need of, and economic base at, Naples, Fla., for the development of a first local television station. In addition, we must state that the statistics offered concerning the past growth rate of Naples warrant a projection as to the continued rapid development of the city and the support such an enlarged city could provide a television station by the time it goes on the air.

[2] Population figures cited are from the 1970 U.S. census unless otherwise specified.

In sum, we find it in the public interest to assign television Channel 26 to Naples, Fla.

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

13. *Accordingly, it is ordered,* That effective July 5, 1972, the Table of Assignments in § 73.606(b) of the Commission's rules is amended, insofar as the city listed below is concerned, to read as follows:

City	*Channel No.*
Naples, Fla	26

14. *It is further ordered,* That this proceeding (Docket No. 19391, RM–1785 and RM–1797) is terminated.

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

Adopted: May 17, 1972.

Released: May 22, 1972.

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

[FR Doc.72–7958 Filed 5–24–72;8:54 am]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 201]

STANDARDS AND PROCEDURES UNDER THE FEDERAL SEED ACT

Proposed Seed Certification

Statement of considerations. On October 17, 1969, section 101(a)(25) of the Federal Seed Act was amended, in part, to provide that a "seed certifying agency" must have "standards and procedures approved by the Secretary (after due notice, hearings, and full consideration of the views of farmer users of certified seed and other interested parties) to assure the genetic purity and identity of the seed certified."

Following passage of this legislation the Association of Official Seed Certifying Agencies appointed an Advisory Board consisting of representatives of the seed trade, regulatory agencies, research agencies, State seed certifying agencies and certified seed growers associations to recommend a minimum set of standards and procedures to assure genetic purity and identity of certified seed. The recommendations of the Advisory Board were adopted by the Association of Official Seed Certifying Agencies in August 1970.

The following proposed amendments to the rules and regulations under the Federal Seed Act essentially consist of the minimum standards and procedures adopted by that Association. Under the proposals, if certifying agencies meet or exceed these minimum standards and procedures, their standards and procedures would be approved by the Secretary.

Pursuant to the provisions of section 402 of the Federal Seed Act of August 9, 1939, as amended (7 U.S.C. 1592) and the administrative procedure provisions of 5 U.S.C. section 553, notice is hereby given of intention to promulgate the following amendments to the regulations (7 CFR Part 201, as amended) under the Federal Seed Act. Public hearing with reference thereto will be held on June 28, 1972, in Room 3867, South Building, U.S. Department of Agriculture, 14th and Independence Avenue SW., Washington, D.C. All persons who desire to submit written data, views, or arguments in connection with these proposals may file the same in duplicate with the Hearing Clerk, U.S. Department of Agriculture, Room 122, Administration Building, Washington, D.C. 20250, not later than 30 days after publication hereof in the FEDERAL REGISTER. The transcript of the public hearing and all written comments filed will be available for public inspection at said office during official hours of business (7 CFR 1.27(b)).

The proposed amendments are as follows:

1. Section 201.2: The following definitions would be added to § 201.2:

§ 201.2 Terms defined.

* * * * *

(bb) *Breeder seed.* Breeder seed is a class of certified seed directly controlled by the originating or sponsoring plant breeding institution, or person, or designee thereof, and is the source for the production of seed of the other certified classes.

(cc) *Foundation seed.* Foundation seed is a class of certified seed which is the progeny of Breeder or Foundation seed and is produced and handled under procedures established by the certifying agency, in accordance with this part, for producing the Foundation class of seed, for the purpose of maintaining genetic purity and identity.

(dd) *Registered seed.* Registered seed is a class of certified seed which is the progeny of Breeder or Foundation seed and is produced and handled under procedures established by the certifying agency, in accordance with this part, for producing the Registered class of seed, for the purpose of maintaining genetic purity and identity.

(ee) *Certified seed.* Certified seed is a class of certified seed which is the progeny of Breeder, Foundation, or Registered seed, except as provided in § 201.70(a)(2), and is produced and handled under procedures established by the certifying agency, in accordance with this part, for producing the Certified class of seed, for the purpose of maintaining genetic purity and identity.

(ff) *Off-type.* The term "off-type" means a plant or seed which does not conform to the characteristics of a variety.

(gg) *Inbred line.* The term "inbred line" means a relatively true-breeding strain resulting from at least five successive generations of controlled self-fertilization or of backcrossing to a recurrent parent with selection, or its equivalent, for specific characteristics.

(hh) *Single cross.* The term "single cross" means the first generation hybrid between two inbred lines.

(ii) *Foundation single cross.* The term "foundation single cross" means a single cross used in the production of a double cross, a three-way, or a top cross.

(jj) *Double cross.* The term "double cross" means the first generation hybrid between two single crosses.

(kk) *Top cross.* The term "top cross" means the first generation hybrid of a cross between an inbred line and an open-pollinated variety or the first generation hybrid between a single cross and an open-pollinated variety.

(ll) *Three-way cross.* The term "three-way cross" means a first generation hybrid between a single cross and an inbred line.

(mm) *Open-pollination.* The term "open-pollination" means pollination that occurs naturally as opposed to controlled pollination, such as by detasselling, cytoplasmic male sterility, self-incompatibility or similar processes.

2. The following §§ 201.67–201.78 are added to read as follows:

STANDARDS FOR CERTIFIED SEED

§ 201.67 Seed certifying agency standards and procedures.

In order to qualify as a seed certifying agency for purposes of section 101(c)(25) of the Federal Seed Act (7 U.S.C. 1551(c)(25)) an agency must enforce standards and procedures, as conditions for its certification of seed, that meet or exceed the standards and procedures specified in §§ 201.68 through 201.78.

§ 201.68 Eligibility requirements for certification of varieties.

The certifying agency shall require the originator, developer, or owner of the variety, or agent thereof, to make the following available to the Secretary when eligibility for certification is requested:

(a) The name of the variety.

(b) A statement concerning the variety's origin and the breeding procedure used in its development.

(c) A detailed description of the morphological, physiological, and other characteristics of the plants and seed that distinguish it from other varieties.

(d) Evidence of performance of the variety, such as comparative yield data, insect and disease resistance, or other factors supporting the identity of the variety.

(e) A statement delineating the geographic area or areas of adaptation of the variety.

(f) A statement on the plans and procedures for the maintenance of seed classes, including the number of generations through which the variety may be multiplied.

(g) A description of the manner in which the variety is constituted when a particular cycle of reproduction or multiplication is specified.

(h) Any additional restrictions on the variety, specified by the breeder, with respect to geographic area of seed production, age of stand or other factors affecting genetic purity.

(i) A sample of seed representative of the variety as marketed.

GENETIC SEED CERTIFICATION STANDARDS AND PROCEDURES

§ 201.69 Classes of certified seed.

(a) Classes of certified seed are as follows:

(1) Breeder.
(2) Foundation.
(3) Registered.
(4) Certified.

§ 201.70 Limitations of generations for certified seed.

(a) The number of generations through which a variety may be multiplied shall be limited to that specified by the originating breeder or owner when scientific data or a legal requirement supports the limitation and shall not exceed two generations beyond the Foundation seed class with the following exceptions:

(1) Recertification of the Certified class may be permitted when no Foundation seed is being maintained or made available by any official seed certifying agency.

(2) The production of an additional generation of the Certified class may be permitted on a 1-year basis only, when an emergency is declared prior to the planting season by any official seed certifying agency stating that the Foundation and Registered seed supplies are not adequate to plant the needed Certified acreage of the variety. The additional generation of Certified seed to meet the emergency need is ineligible for recertification.

§ 201.71 Establishing the source of certified seed.

The certifying agency shall have evidence of the class and source of seed used to plant each crop being considered for certification.

§ 201.72 Production of certified seed.

(a) Each certifying agency shall determine that genetic purity and identity are maintained at all stages of certification including seeding, harvesting, processing, and labeling of the seed.

(b) The unit of certification shall be a clearly defined field or fields.

(c) One or more field inspections shall be made (1) previous to the time a seed crop of any certified class is to be harvested, and (2) when genetic purity and identity can best be determined. The field shall be in suitable condition to permit an adequate inspection to determine genetic purity and identity.

(d) A certification sample shall be drawn in a manner approved by the certifying agency from each cleaned lot of seed eligible for certification. Evidence that any lot of seed has not been protected from contamination which might affect genetic purity, or is not properly identified, shall be cause for possible rejection of certification.

§ 201.73 Processors and processing of certified seed.

The following requirements must be met by processors of certified seed:

(a) Facilities shall be available to perform processing without introducing admixtures.

(b) Identity of the seed must be maintained at all times.

(c) Records of all operations relating to certification shall be complete and adequate to account for all incoming seed and final disposition of seed.

(d) Processors shall permit inspection by the certifying agency of all records pertaining to certified seed.

(e) Processors shall designate an individual who shall be responsible to the certifying agency for performing such duties as may be required by the certifying agency.

(f) Seed lots of the same variety and class may be blended and the class retained. If lots of different classes are blended, the lowest class shall be applied to the resultant blend. Such blending can only be done when authorized by the certifying agency.

§ 201.74 Labeling of certified seed.

(a) Seed of all certified classes when offered for sale shall have an official certification label affixed to each container clearly identifying the certifying agency, the reference number, the variety name (if certified as to variety) and the kind and class of seed.

(b) In the case of seed sold in bulk, the invoice or accompanying document shall identify the certifying agency, the crop kind, variety (if certified as to variety), class of seed, and the identifying number.

(c) The official certification label may be printed directly on the container when control of such containers is maintained by the certifying agency.

(d) Labels shall be attached to containers in a manner that prevents removal and reattachment without tampering being obvious.

§ 201.75 Interagency certification.

(a) The agency issuing labels for certified seed shall require the seed on which the labels are used to meet standards at least equal to the minimum genetic standards for the seed in question as specified in table 5 of this part.

(b) Seed to be recognized for interagency certification must be received in containers carrying official certification labels or evidence of its eligibility from another official certifying agency, together with the following information:

(1) Variety (if certified as to variety) and kind;

(2) Quantity of seed (pound or bushels);

(3) Class of certified seed;

(4) Inspection or lot number traceable to the previous certifying agency's records.

(c) Each label used in interagency certification shall be serially numbered or carry the certification identity number and clearly identify the certifying agencies involved, and the variety (if certified as to variety), kind and class of certified seed.

§ 201.76 Land, isolation, field, and seed standards.

TABLE 5

Crop kind	Foundation				Registered				Certified			
	Land	Isolation	Field	Seed	Land	Isolation	Field	Seed	Land	Isolation	Field	Seed
Alfalfa	[1] 4	[4] [5] 600	1,000	0.1	[1] 3	[2] [4] [5] 300	400	0.25	[1] [2] 1	[2] [4] 165	100	1.0
Barley	[7] 1	[23] 0	3,000	0.05	[7] 1	[23] 0	2,000	0.1	[7] 1	[23] 0	1,000	0.2
Hybrid	[20] 1	[21] [32] 660	3,000	0.05	[20] 1	[21] [32] 660	2,000	0.1	[20] 1	[21] [32] 330	1,000	0.2
Birdsfoot Trefoil	[1] 5	[4] [5] 600	1,000	0.1	[1] 3	[4] [5] 300	400	0.25	[1] 2	[4] [5] 165	100	1.0
Clover (all kinds)	[1] [3] 5	[4] [5] [18] 600	1,000	0.1	[1] [3] 3	[4] [5] [18] 300	400	0.25	[1] [3] 2	[4] [18] 165	100	1.0
Corn:												
Inbred lines	0	[10] [11] 660	[12] 1,000	[13] 0.1								
Foundation, single cross	0	[10] [11] 660	[13] 1,000	[13] 0.1								
Hybrid												
Open-pollinated									0	[11] [13] 660		0.5
Sweet									0	[11] [13] 660	200	0.5
Cotton	0	[19] 0	0	0	0	[19] 0	35,000	0.1	0	[11] [14] 660		0.5
Cowpea	[7] 1	10	1,000	0.1	[7] 1	10	500	0.2	[7] 1	[19] 0	7,000	0.1
Crambe	[8] 1	660	2,000	0.05	[8] 1	660	1,000	0.1	[8] 1	10	200	0.5
Crownvetch	[1] 5	[4] [5] 600	1,000	0.1	[1] 3	[4] [5] 300	400	0.25	[1] 2	[4] [5] 165	500	0.25
Field and garden beans	[8] 1	[23] 0	2,000	0.05	[8] 1	[23] 0	1,000	0.10	[8] 1	[23] 0	100	1.0
Field pea	[7] 1	[23] 0	1,000	0.1	[7] 1	[23] 0	500	0.2	[7] 1	[23] 0	500	0.20
Flax	[7] 1	[22] 0	5,000	0.05	[7] 1	[23] 0	2,000	0.1	[7] 1	[23] 0	200	0.5
Grasses—Cross pollinated	5	[4] [18] [20] 900	1,000	0.1	[8] 1	[4] [18] [20] 300	100	1.0	[8] 1	[4] [18] [20] 165	1,000	0.2
Strains at least 80 percent apomictic and highly self-fertile species	5	[4] [18] [20] 60	1,000	0.1	[8] 1	[4] [18] [20] 30	100	1.0	[8] 1	[4] [18] [20] 15	50	50 2.0
Lespedeza	[1] 5	[4] 10	1,000	0.1	[1] 3	[4] 10	400	0.25	[1] 2	[4] 10	100	1.0
Millet	[8] 1	1,320	[27] 20,000	0.005	[8] 1	1,320	[27] 10,000	0.01	[8] 1	660	[27] 5,000	0.02
Mung bean	[7] 1	[23] 0	1,000	0.1	[7] 1	[23] 0	500	0.2	[7] 1	[23] 0	200	0.5
Mustard	4	165	2,000	0.05	2	[24] 165	1,000	0.1	2	[24] 165	500	0.25
Oat	[7] 1	[22] 0	3,000	0.2	[7] 1	[23] 0	2,000	0.3	[7] 1	[23] 0	1,000	0.5
Okra	[8] 1	1,320	[27] 0	0.0	[8] 1	1,320	[27] 2,500	0.5	[8] 1	825	[27] 1,250	1.0
Onion	[8] 1	5,280	[22] 200	0.0	[8] 1	2,640	[22] 200	[22] 0.5	[8] 1	1,320	[22] 200	[22] 1.0
Peanut	[7] 1	[23] 0	1,000	0.1	[7] 1	[23] 0	500	0.2	[7] 1	[23] 0	200	0.5
Pepper	[8] 1	[25] 200	0	0.0	[8] 1	[25] 100	300	0.5	[8] 1	[26] 30	150	1.0
Rapeseed	4	165	2,000	0.05	2	[24] 165	1,000	0.1	2	[24] 165	500	0.25
Rice	[8] 1	[40] 10	10,000	0.05	[8] 1	[40] 10	5,000	0.1	[8] 1	[40] 10	1,000	0.2

TABLE 5—Continued

Crop kind	Foundation				Registered				Certified			
	Land	Isolation	Field	Seed	Land	Isolation	Field	Seed	Land	Isolation	Field	Seed
Rye	[7] 1	[18] 660	3,000	0.05	[7] 1	[18] 660	2,000	0.1	[7] 1	[18] 660	1,000	0.2
Sainfoin	[1] 5	[4] [5] 600	1,000	0.1	[1] 3	[4] [5] 300	400	0.25	[1] 2	[4] [6] 165	100	1.0
Sorghum	[8] 1	990	[27] 50,000	0.005	[8] 1	990	[27] 35,000	0.01	[8] 1	[29] 660	[27] 20,000	0.05
Hybrid seedstock	[8] 1	990	[27] 50,000	0.005								
Commercial hybrid									[8] 1	[21] [29] [31] 660	[27] 20,000	0.1
Soybeans	[33] 1	[23] 0	1,000	0.1	[33] 1	[23] 0	500	0.2	[33] 1	[23] 0	200	0.5
Sunflower	1	2,640	200	0.02	1	2,640	200	0.02	1	2,640	200	[34] 0.1
Hybrid	1	2,640	[35] 250	0.02					1	2,640	[35] 250	[34] 0.1
Tomato	[8] 1	[25] 200	0	0.0	[8] 1	[25] 100	300	0.5	[8] 1	[25] 30	150	1.0
Tobacco	[36] 1	[37] 150	0	0.01	[36] 1	[37] 150	0	0.01	1	[37] 150	0	0.01
Hybrid									0	[38] 150	0	0.01
Triticale	[7] 1	[23] 0	3,000	0.05	[7] 1	[23] 0	2,000	0.1	[7] 1	[23] 0	1,000	0.2
Vetch	[1] [5] 5	[4] [17] 10	1,000	0.1	[1] [5] 3	[4] [17] 10	400	0.25	[1] [5] 2	[4] [17] 10	100	1.0
Watermelon	[8] 1	[26] 2,640	[28] 0	0.0	[8] 1	[26] 2,640	[28] 0	0.5	[8] 1	[26] 1,320	[28] 500	1.0
Wheat	[7] 1	[23] 0	3,000	0.05	[7] 1	[23] 0	2,000	0.1	[7] 1	[23] 0	1,000	0.2
Hybrid	[30] 1	[21] [32] 660	3,000	0.05	[30] 1	[21] [32] 660	2,000	0.1	[30] 1	[21] [32] 330	1,000	0.2

[1] The land must be free of volunteer plants of the crop kind during the year immediately prior to establishment and no manure or other contaminating material shall be applied the year previous to seeding or during the establishment and produ tive life of the stand.

[2] At least 2 years must elapse between destruction of indistinguishable varieties or varieties of dissimilar adaptation and establishment of the stand for the production of any class of certified seed.

[3] Isolation distance for certified seed production shall be at least 500 feet from varieties of dissimilar adaptation.

[4] Isolation between classes of the same variety may be reduced to 25 percent of the distance otherwise required.

[5] This distance applies when fields are 5 acres or larger in area. For smaller fields, the distances are 900 feet and 450 feet for the Foundation and Registered classes, respectively.

[6] Fields of less than 5 acres require 330 feet.

[7] Requirement is waived if the previous crop was grown from certified seed of the same variety.

[8] Requirement is waived if the previous crop was of the same variety and of a certified class equal or superior to that of the crop seeded.

[9] Reseeding varieties of crimson clover may be allowed to volunteer back year after year on the same ground. If a new variety is being planted where another variety once grew, the field history requirements apply.

[10] No isolation is required for the production of hand-pollinated seed.

[11] When the contaminant is of the same color and texture, the isolation distance may be modified by (1) adequate natural barriers, or (2) differential maturity dates, provided there are no receptive silks in the seed parent at the time the contaminant is shedding pollen. In the case of inbred lines and foundation single crosses, these modifications may apply only for fertile seed production.

[12] Where the contaminating source is corn of the same color and texture as that of the field inspected, the isolation distance is 410 feet and may be modified by the planting of pollen parent border rows according to the following table:

MINIMUM NUMBERS OF BORDER ROWS REQUIRED

Minimum distance from contaminant	Field size, up to 20 acres	Field size, 20 acres or more
410	0	0
370	2	1
330	4	2
290	6	3
245	8	4
205	10	5
165	12	6
125	14	7
85	16	8
0	(Not permitted)	10

[13] Refers to off-type plants in the pollen parent that have shed pollen or to the off-type plants in the seed parent at the time of the last inspection.

[14] The required minimum isolation distance for sweet corn is 660 feet from the contaminating source, plus four border rows when the field to be inspected is 10 acres or less in size. This distance may be decreased by 15 feet for each increment of 4 acres in the size of the field to a maximum of 40 acres, and further decreased 40 feet for each additional border row to a maximum of 16 rows. These border rows are for pollen-shedding purposes only.

[15] Refers to off-type ears. Ears with off-colored kernels are limited to 0.2 percent.

[16] The Merion variety of Kentucky bluegrass is allowed 3 percent.

[17] All cross-pollinating varieties must be 400 feet from any contaminating source.

[18] Isolation between diploids and tetraploids shall be at least 15 feet.

[19] Minimum isolation shall be at least 100 feet if the cotton plants in the contaminating source differ by easily observable morphological characteristics from the field to be inspected. Isolation distance betweeen upland and Egyptian types shall be at least 1,320, 1,320, and 660 feet for Foundation, Registered, and Certified classes, respectively.

[20] These distances apply when there is no border removal. Removal of a 9-foot border (after flowering) decreases the required distance for Foundation, Registered, and Certified seed to 600, 225, and 100 feet, respectively, for cross-pollinated species, and to 30, 15, and 15 feet, respectively, for apomictic and self-pollinated species. Removal of a 15-foot border allows a further decrease to 450, 150, and 75 feet, respectively, for cross-pollinated species.

[21] Isolation distances between two fields of the same kind may be reduced to a distance adequate to prevent mechanical mixture, if the sum of percentages of plants in bloom in both fields does not exceed 5 percent at a time when more than 1 percent of the plants in either field are in bloom.

[22] Refers to bulbs.

[23] Distance adequate to prevent mechanical mixture is necessary.

[24] Required isolation between classes of the same variety is 10 feet.

[25] The minimum distance may be reduced by 50 percent if different classes of the same variety are involved.

[26] The minimum distance may be reduced by 50 percent if the field is adequately protected by natural or artificial barriers.

[27] These ratios are for definite other varieties. The ratios for doubtful other varieties are:

	Foundation	Registered	Certified
Millet	1:10,000	1:5,000	1:2,500
Sorghum	1:20,000	1:10,000	1:1,000
Hybrid sorghum	1:20,000	(Not applicable)	1:1,000
Okra	None	1:750	1:500

[28] White heart fruits may not exceed 1 per 100, 40, and 20 redfruits for Foundation, Registered, and Certified classes, respectively. Citron or hard rind is not permitted in Foundation or Registered classes and may not exceed 1 per 1,000 fruits in the Certified class.

[29] This distance applies if the contaminating source does not (genetically differ in height from the pollinator parent or has a different chromosome number. If the contaminating source does (genetically) differ and has the same chromosome number, the distance shall be 990 feet. The minimum isolation from grass sorghum or broomcorn with the same chromosome number shall be 1,320 feet.

[30] Requirement is waived for the production of pollinator lines if the previous crop was grown from a certified class of seed of the same variety. Sterile lines and crossing blocks must be on land free of contaminating plants.

[31] If the contaminating source is similar to the hybrid in all important characteristics, the isolation may be reduced by 66 feet for each pair of border rows of the pollinator parent down to a minimum of 330 feet. These rows must be located directly opposite or diagonally to the contaminating source. The pollinator border rows must be shedding pollen during the entire time 5 percent or more of the seed parent flowers are receptive.

[32] An unplanted strip at least 2 feet in width shall separate male sterile rows and pollinator rows in inter-planted blocks.

[33] Unless the preceding soybean crop was planted with a class of certified seed of the same variety or unless the variety planted is of a contrasting pubescence or hilum color, in which case, no time need elapse.

[34] May include not more than 0.04 percent purple or white seeds.

[35] Standards apply equally to seed parents and pollen parents which may include up to 1:1,000 plants each of wild-type branching, purple or white-seeded plants.

[36] A new plant bed must be used each year unless the bed is properly treated with a soil sterilant prior to seeding.

[37] This distance is applied between varieties of the same type and may be waived if four border rows of each variety are allowed to bloom and set seed between the two varieties but are not harvested for seed. Isolation between varieties of different types shall be 1,320 feet except if protected by bagging or by topping all plants in the contaminating source before bloom.

[38] This distance is applied between plants of the same type. When plants are of different types, the distance shall be 1,320 feet except if protected by bagging or by topping all plants in the contaminating source before bloom.

[39] Not used.

[40] Isolation between varieties shall be 100 feet.

ADDITIONAL REQUIREMENTS FOR THE CERTIFICATION OF PLANT MATERIALS OF CERTAIN CROPS

§ 201.77 Length of stand requirements.

(a) *Alfalfa.* Limitations on the age of stand and certified seed classes through which a given variety may be multiplied both inside and outside its region of adaptation shall be specified by the originator or his designee. Certified seed production outside the region of adaptation shall not exceed 6 years.

(b) *Red clover.* Only two seed crops are permitted of all certified seed classes.

(c) *White and alsike clover.* Only two successive seed crops are permitted following the year of establishment for Foundation and Registered classes, but 2 additional years are permitted if the field is reclassified to the next lower class. Four successive seed crops following seeding are permitted if the first and succeeding crops are of the Certified class, provided the stand of perennial plants is maintained.

(d) *Sainfoin.* All certified seed classes are eligible to produce five successive seed crops following seeding.

§ 201.78 Pollen control for hybrids.

(a) *Wheat and barley.* Shedders in the seed parent, at any one inspection, are

limited to 1:200 plants for Foundation A line and 1:100 plants for Registered A Line, except that when the A Line is increased outside the area of the anticipated A x R production in order to utilize self-fertility produced by environmental effects, only isolation and genetic purity standards will be in effect.

(b) *Corn.* When 5 percent or more of the seed parent plants have receptive silks, tassels, or portions of tassels shall be limited to 2 inches of the central stem, or branches, or a combination of both, shedding pollen. The field is limited to 1 percent of such "shedders" at any one inspection or a total of 2 percent for three inspections on different dates.

(c) *Sorghum.* Shedders in the seed parent, at any one inspection, are limited to 1:3,000 plants for Foundation and 1:1,500 plants for Certified.

(d) *Sunflowers.* Seed parents flowering and shedding pollen before the male parents are shedding pollen must be removed. At least 50 percent of the male plants must be producing pollen when the seed parent is in full bloom.

Done at Washington, D.C., on May 18, 1972.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[FR Doc.72-7822 Filed 5-24-72;8:45 am]

[7 CFR Part 912]

[Docket No. AO 333-A4]

GRAPEFRUIT GROWN IN INDIAN RIVER DISTRICT IN FLORIDA

Notice of Hearing Regarding Proposed Limitation of Handling

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), and in accordance with applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders, as amended (7 CFR Part 900), notice is hereby given of a public hearing to be held in the Community Building, 21st Street and 14th Avenue, Vero Beach, Fla., beginning at 10 a.m., local time, June 7, 1972, with respect to proposed amendment of the amended marketing agreement and order No. 912, as amended (7 CFR Part 912), hereinafter referred to as the "marketing agreement" and "order," respectively, regulating the handling of grapefruit grown in the Indian River District in Florida. The proposed amendments have not received the approval of the Secretary of Agriculture.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereafter set forth, and to any appropriate modifications thereof.

The following amendments to the marketing agreement and order have been proposed by the Indian River Grapefruit Committee, the administrative agency established pursuant to the marketing agreement and order.

1. Revise § 912.7 *Handle or ship* by placing a period after the word "thereof" and deleting the phrase "in the United States, Canada, or Mexico". As revised, § 912.7 would read as follows:

§ 912.7 Handle or ship.

"Handle" or "ship" means to sell or transport grapefruit, or in any other way to place grapefruit, in the current of commerce between the regulation area and any point outside thereof.

2. Revise paragraph (a) of § 912.46 *Recommendations for volume regulation* by adding after "next succeeding week" the following: "in the manner provided in § 912.47". As revised, said paragraph (a) would read as follows:

§ 912.46 Recommendations for volume regulation.

(a) The committee may, during any week, recommend to the Secretary the total quantity of grapefruit which it deems advisable to be handled during the next succeeding week in the manner provided in § 912.47: *Provided,* That such regulations shall not be recommended during the period beginning with and including the first full week in January and ending with but not including the first full week in May after regulations during such period have limited the volume of grapefruit handled during 12 weeks.

* * * * *

3. Revise § 912.47 *Issuance of volume regulation* by designating the text of the present section as paragraph (a), revising such text by adding after "a specified week" the following: "to a particular marketing zone, as specified in this section", by deleting the word "such" where it appears in the proviso, and by adding a new paragraph (b). As revised § 912.47 would read as follows:

§ 912.47 Issuance of volume regulation.

(a) Whenever the Secretary finds, from the recommendations and information, submitted by the committee, or from other available information, that to limit the quantity of grapefruit which may be handled during a specified week to a particular marketing zone, as specified in this section, will tend to effectuate the declared policy of the act, he shall fix such quantity: *Provided,* That regulations shall not, in the aggregate, limit the volume of grapefruit shipments during more than 12 weeks of the period beginning with and including the first full week in January and ending with but not including the first full week in May. Such regulations may, as authorized by the act, be made effective irrespective of whether the season average price of grapefruit is in excess of the parity price specified therefor in the act. The quantity so fixed for any week may be increased by the Secretary at any time during such week. The Secretary may upon recommendation of the committee, or upon other available information, terminate or suspend any regulation at any time.

(b) The following are marketing zones:

(1) Zone 1: Destinations outside the regulation area;

(2) Zone 2: Destinations outside the regulation area but within the 48 contiguous States of the United States (including the District of Columbia), Canada, and Mexico.

The Fruit and Vegetable Division, Agricultural Marketing Service, has proposed that consideration be given to making such other changes in the marketing agreement and order as may be necessary to make the entire marketing agreement and order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing may be obtained from the Director, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, or from M. F. Miller, Lakeland Marketing Field Office, Florida Citrus Mutual Building, Post Office Box 9, Lakeland, FL 33802.

Dated: May 22, 1972.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[FR Doc.72-7967 Filed 5-24-72;8:54 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 11939]

HAWKER SIDDELEY AVIATION DE HAVILLAND MODEL DH-114 "HERON" AIRPLANES

Proposed Airworthiness Directive

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Hawker Siddeley de Havilland Model DH-114 "Heron" airplanes. As the result of a review of the type design of the Heron airplane, the FAA has determined that slackness of the nuts securing the lower two flap hinge-to-wing attachment bolts at Rib No. 7 could reduce the fatigue life of the bolts, and that there may be fatigue cracks in the attachment flanges of the fork joint fitting (P/N 14 WF.1) and eye joint fitting (P/N 14 WF.3) between the inner and center flaps at Rib No. 2 and in the small angle brackets on the forward face of the rear vertical flange of Rib No. 01. Since these conditions are likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require replacement of the lower two flap hinge-to-wing attachment bolts and nuts at Rib No. 7 with improved bolts and nuts which can be tightened to a greater torque; periodic inspections of

the fork joint fitting and eye joint fitting between the inner and center flaps at Rib No. 2 and replacement of fittings found to be cracked; and periodic inspections of the small angle brackets on the forward face of the rear vertical flange of Rib No. 01 and replacement of brackets found to be cracked on Hawker Siddeley de Havilland Model DH–114 "Heron" airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rule Docket, 800 Independence Avenue SW., Washington, DC 20591. All communications received on or before June 26, 1972, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the rules docket for examination by interested persons.

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

HAWKER SIDDELEY. Applies to de Havilland Model DH–114 "Heron" airplanes.

Compliance is required as indicated.

To prevent failure of the lower flap hinge-to-wing attachment bolts at Rib No. 7, the fork joint fitting (P/N 14 WF.1) and the eye joint fitting (P/N 14 WF.3) at Rib No. 2, and the angle brackets at Rib No. 01, accomplish the following:

(a) Within the next 500 hours' time in service after the effective date of this AD, unless already accomplished, replace the lower two flap hinge-to-wing attachment bolts and nuts at Rib No. 7 with new bolts (P/N A.25/10E) and nuts (P/N 14W 5781) in accordance with Hawker Siddeley Modification News Sheet Modification No. Heron 1303, dated December 31, 1969, as amended by Amendment No. 1, dated May 7, 1970, or an FAA-approved equivalent.

(b) Before the accumulation of a total of 13,000 hours' time in service, or within the next 300 hours' time in service after the effective date of this AD, whichever occurs later, unless already accomplished within the last 900 hours' time in service, and thereafter at intervals not to exceed 1,200 hours' time in service from the last inspection, visually inspect the attachment flanges of the forward fork joint fitting (P/N 14 WF.1) and forward eye joint fitting (P/N 14 WF.3), located between the inner and center flap sections, for cracks near the fitting-to-flap attachment bolt holes (two per fitting) using a glass of at least 10-power magnification in accordance with section 4 of Hawker Siddeley Technical News Sheet Series: Heron (114), No. W.16, Issue 1, dated May 4, 1970, or an FAA-approved equivalent. If cracks are found, before further flight replace the cracked parts in accordance with Hawker Siddeley Repair Drawing RD.14 WF.109, dated January 23, 1970, or an FAA-approved equivalent.

(c) Within the next 2,400 hours' time in service after the effective date of this AD and thereafter at intervals not to exceed 2,400 hours' time in service from the last inspection, visually inspect the corner radius of the small angle brackets on the forward face of the rear vertical flange of Rib No. 01 for cracks using a glass of at least 10-power magnification in accordance with section 5 of Hawker Siddeley Technical News Sheet Series: Heron (114), No. W.16, Issue 1, dated May 4, 1970 or an FAA-approved equivalent. If cracks are found, before further flight replace the cracked parts with new parts, P/N 14 W.5621, or 14 W.5623, as applicable.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

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

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

[FR Doc.72–7879 Filed 5–24–72;8:47 am]

[14 CFR Part 71]

[Airspace Docket No. 72–RM–7]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Aberdeen, S. Dak., control zone and transition area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Federal Aviation Administration, Park Hill Station, Post Office Box 7213, Denver, CO 80207. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 10255 East 25th Avenue, Aurora, CO 80010.

Three new public approach procedures have been developed for Aberdeen Municipal Airport. To protect these approaches, additional controlled airspace must be designated. Accordingly, it is necessary to alter the Aberdeen control zone and transition area to adequately protect the aircraft executing the new approach procedures.

In consideration of the foregoing, the FAA proposes the following airspace action.

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

ABERDEEN, S. DAK.

Within a 5-mile radius of Aberdeen Municipal Airport (latitude 45°27'00" N., longitude 98°25'00" W.) and within 3 miles each side of the Aberdeen VORTAC 131° radial, extending from the 5-mile-radius zone to 8 miles southeast of the VORTAC; within 2 miles each side of the Aberdeen VORTAC 312° radial, extending from the 5-mile-radius zone to 9 miles northwest of the VORTAC.

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

ABERDEEN, S. DAK.

That airspace extending upward from 700 feet above the surface within a 15½-mile radius of the Aberdeen VORTAC; and within 5½ miles southwest and 9½ miles northeast of the Aberdeen VORTAC 131° radial, extending from the 15½-mile-radius area to 21½ miles southeast of the VORTAC, and within 3½ miles southwest and 5 miles northeast of the Aberdeen VORTAC 312° radial, extending from the 15½-mile-radius area to 22 miles northwest of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 22½-mile radius of the Aberdeen VORTAC; and within 6 miles northeast and 9½ miles southwest of the Aberdeen VORTAC 312° radial, extending from the 22½-mile-radius area to 29 miles northwest of the VORTAC.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Aurora, Colo., on May 16, 1972.

M. M. MARTIN,
Director, Rocky Mountain Region.

[FR Doc.72–7881 Filed 5–24–72;8:47 am]

[14 CFR Part 71]

[Airspace Docket No. 72–EA–57]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Hopewell, Va., transition area (37 F.R. 2211).

A review of the terminal airspace requirements for Hopewell, Va., indicates a need to expand the transition area over Hopewell Airport to provide airspace protection for aircraft executing the instrument approach and departure procedures for the airport.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after

publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Hopewell, Va., proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Hopewell, Va., 700-foot-floor transition area and insert the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the center 37°18'00'' N., 77°13'00'' W. of Hopewell Airport, Hopewell, Va.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on May 9, 1972.

LOUIS J. CARDINALI,
Acting Director, Eastern Region.

[FR Doc.72-7880 Filed 5-24-72;8:47 am]

[14 CFR Part 71]

[Airspace Docket No. 72-EA-54]

FEDERAL AIRWAY

Proposed Extension

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would extend VOR Federal airway No. 312 from Coyle, N.J., to Woodstown, N.J., via the intersection of the Coyle 264° T (274° M) and Woodstown 065° T (074° M) radials.

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, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal 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 also will be available for examination at the office of the Regional Air Traffic Division Chief.

The FAA proposes to extend V-312 from Coyle via the intersection of Coyle 264° T (274° M) and Woodstown 065° T (074° M) radials; to Woodstown, and establish the maximum authorized altitude for the airway segment at 8,000 feet MSL. This proposed segment would provide a charted route for clearing enroute traffic from over Coyle to the Philadelphia terminal area.

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

Issued in Washington, D.C., on May 17, 1972.

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

[FR Doc.72-7882 Filed 5-24-72;8:47 am]

[14 CFR Part 71]

[Airspace Docket No. 72-SO-51]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Raleigh, N.C., transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, Post Office Box 20636, Atlanta, GA 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Region, Room 724, 3400 Whipple Street, East Point, GA.

The Raleigh transition area described in § 71.181 (37 F.R. 2143) would be amended as follows: "* * * long. 78°-39'23'' W.) * * *" would be deleted and "* * * long. 78°39'23'' W.); within a 6.5-mile radius of Horace Williams Airport (lat. 35°55'50'' N., long. 79°04'00'' W.) * * *" would be substituted therefor.

The proposed alteration is required to provide controlled airspace protection for IFR operations at Horace Williams Airport. A prescribed instrument approach procedure to this airport, utilizing Raleigh radar, is proposed in conjunction with the alteration of this transition area.

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

Issued in East Point, Ga., on May 15, 1972.

DUANE W. FREER,
Acting Director, Southern Region.

[FR Doc.72-7883 Filed 5-24-72;8:47 am]

[14 CFR Part 71]

[Airspace Docket No. 72-NW-10]

FEDERAL AIRWAY SEGMENT

Proposed Designation

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate VOR Federal airway No. 357 segment from Walla Walla, Wash., direct Moses Lake, Wash., thence via the intersection of the Moses Lake 285° T (264° M) and Wenatchee, Wash., 132° T (110° M) radials; to Wenatchee.

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, Northwest Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, FAA Building, Boeing Field, Seattle, Wash. 98108. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal 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 also will be available for examination at the office of the Regional Air Traffic Division Chief.

The Federal Aviation Administration proposes to designate V-357 segment from Walla Walla via Moses Lake; intersection of Moses Lake 285° T (264° M) and Wenatchee 132° T (110° M) radials; to Wenatchee. This proposed airway segment would provide a charted route for air traffic operating between Walla

Walla and Wenatchee and would facilitate flight planning on this route.

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

Issued in Washington, D.C., on May 17, 1972.

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

[FR Doc.72-7884 Filed 5-24-72;8:47 am]

Office of Pipeline Safety

[49 CFR Part 192]

[Notice 72-3; Docket No. OPS-18]

FEDERAL SAFETY STANDARDS FOR GAS PIPELINES

Proposed Marking Requirements for Transmission Lines and Distribution Mains

The Department of Transportation is considering an amendment to Part 192 that would modify the requirement for marking the location of gas transmission lines and establish new marking requirements for distribution mains. The proposed amendment would make the marking requirements for gas pipelines consistent with the requirements of § 195.410 of Title 49 for the marking of liquid pipelines.

The present requirement for marking gas pipelines is limited under § 192.707 to transmission lines. However, it is apparent that marking distribution mains is also necessary for the safe operation of pipelines. The accident reporting system instituted by the Department shows that a significant number of accidents involving distribution mains and transmission lines have been caused by outsiders who are not connected with an operator or his contractor. In fact, interference by outsiders has accounted for approximately 63 percent of the individual leaks reported to the Department under the system.

If the proposed requirement for marking distribution mains is adopted, more outsiders would be alerted to the presence of underground pipelines than under the present rule which only applies to transmission lines. In addition, new requirements which prescribe locations for markers and specify the wording to be used on them would increase the likelihood that outsiders will be warned of the potential hazard and will seek assistance in determining the exact location of a pipeline.

Equally important, the proposed amendment may influence operators to encourage local governments to establish construction permit systems which are tied in with gas utility locations. A permit system related to pipeline locations is beneficial in reducing the potential for accidents which arise from excavations conducted by outsiders.

Interested persons are invited to participate in making the proposed rule by submitting written data, views, or arguments as they so desire. Communications should identify the regulatory docket and the notice number, and be submitted in duplicate to the Office of Pipeline Safety, Department of Transportation, 400 Sixth Street SW., Washington, DC 20590. Communications received before June 30, 1972, will be considered before final action is taken on the notice. All comments will be available for examination by interested persons at the Office of Pipeline Safety before and after the closing date for comments. The proposal may be changed in light of comments received.

This notice is issued under the authority of the Natural Gas Pipeline Safety Act of 1968, 49 U.S.C. 1671, et seq.; § 1.58 of the regulations of the Office of the Secretary of Transportation, 49 CFR 1.58(d); and the redelegation of authority to the Director, Office of Pipeline Safety, dated November 6, 1968, 33 F.R. 16468.

In consideration of the foregoing, it is proposed to amend Part 192 of Title 49 of the Code of Federal Regulations by revising § 192.707 to read as follows:

§ 192.707 Line markers required for transmission lines and distribution mains.

(a) Except as provided in paragraph (b) of this section, each operator shall place and maintain a line marker over each buried transmission line and distribution main at—

(1) Each crossing of a public road, railroad, and navigable waterway;

(2) A sufficient number of fences and property boundaries to accurately show the location of the line or main; and

(3) Places where it is necessary to reduce the possibility of damage or interference.

Where feasible, line markers required by this paragraph shall be placed so that the immediately preceding and following markers are visible from each marker.

(b) Line markers are not required in heavily developed areas where—

(1) In the case of buried transmission lines, placement of a marker is impracticable, and the local government maintains current substructure records; and

(2) In the case of buried distribution mains, placement of a marker is impracticable, or the local government maintains current substructure records.

(c) Each operator shall place and maintain line markers along each section of a transmission line and distribution main that is located above the ground in an area accessible to the public.

(d) The following must be inscribed on each line marker:

(1) The words "Warning Gas Pipeline" in letters at least 1 inch high and one-quarter inch wide on a background of sharply contrasting color.

(2) The name of the operator and a telephone number (including area code) where the operator can be reached at all times.

(3) In the case of markers at navigable waterway crossings, the words "Do Not Anchor or Dredge" in letters at least 12 inches high and 1¾ inches wide on a background of sharply contrasting color.

However, line markers installed before (effective date) which are not inscribed in accordance with this paragraph may be used until April 1, 1975.

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

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

[FR Doc.72-7930 Filed 5-24-72;8:51 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 180]

GIBBERELLIC ACID

Proposed Tolerance for Pesticide Chemicals in or on Raw Agricultural Commodities

Dr. C. C. Compton, Coordinator, Interregional Research Project No. 4, State Agricultural Experiment Station, Rutgers University, New Brunswick, N.J. 08903, on behalf of the Agricultural Experiment Stations of Michigan, New Jersey, and North Carolina submitted a petition (PP 2E1223) proposing establishment of a tolerance for negligible residues of the plant regulator gibberellic acid in or on blueberries at 0.15 part per million.

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

1. The plant regulator is useful for the purpose for which the tolerance is proposed.

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

3. The proposed tolerance will protect the public health.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e)), the authority transferred to the Administrator of the Environmental Protection Agency (35 F.R. 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticides Programs (36 F.R. 9038), it is proposed that § 180.224 be revised as follows:

§ 120.224 Gibberellic acid; tolerances for residues.

Tolerances are established for negligible residues of the plant regulator gibberellic acid in or on the raw agricultural commodities artichokes, blueberries, citrus fruit, grapes, hops, leafy vegetables, and stone fruit at 0.15 part per million.

Any person who has registered or submitted an application for the registration of an economic poison under the Federal Insecticide, Fungicide, and Rodenticide Act containing any of the ingredients listed herein may request, within 30 days after publication hereof in the FEDERAL

REGISTER, that this proposal be referred to an advisory committee in accordance with section 408(e) of the act.

Interested persons may, within 30 days after publication hereof in the FEDERAL REGISTER, file with the Hearing Clerk, Environmental Protection Agency, Room 3125, South Agriculture Building, 12th Street and Independence Avenue SW., Washington, DC 20460, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: May 19, 1972.

LOWELL E. MILLER,
Acting Deputy Assistant Administrator for Pesticides Programs.

[FR Doc.72-7921 Filed 5-24-72;8:50 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 19512; FCC 72-430]

FM BROADCAST STATIONS

Table of Assignments for Certain Cities

In the matter of amendment of § 73.202, *Table of Assignments*, FM broadcast stations. (Winchendon, Mass.; Adrian, Mich.; and West Lafayette, Ind.), Docket No. 19512, RM-1791, 1820, 1822.

1. We have before us, for consideration, three petitions, each requesting the institution of rule making looking toward the assignment of a new FM channel. They each deal with different communities and will be discussed seriatim. All population statistics cited, are from the 1970 U.S. census.

RM-1791, WINCHENDON, MASS.

2. On April 29, 1971, Gardner Broadcasting Co., Inc., licensee of standard broadcast Station WGAW, a Class IV station at Gardner, Mass. (Gardner), filed a petition with this Commission requesting the assignment of FM Channel 249A to Winchendon, Mass. No other revisions, in our FM Table of Assignments, were proposed. No comments were filed in respect to the petition.

3. Winchendon Town, Mass. (population 6,635), is located in Worcester County (population 637,969). Our FM Table of Assignments contains no assignment for the community: nor is there any standard broadcast station located there. Hence, petitioner's proposal is to bring Winchendon its first local radio service.

4. After advising us that Winchendon enjoys a town meeting form of government, petitioner sets out the following historical, sociological, and economic statement to demonstrate the need of the community for the proposed radio service:

> Historically, Winchendon was originally an agricultural area but through the wise utilization of waste pine trees accumulated through clearing of woodland for crops, the city was led to the manufacture of wood products as a major industry. The cotton industry was introduced into Winchendon in 1843, and the town has since maintained a high reputation for its production of quality denim. Recently, agricultural [sic] has become increasingly less important to the area, but the importance of the manufacture of wood products has increased. Decline of the use of wooden items resulted in some temporary economic dislocations in the town, but now Winchendon can justifiably be characterized as a manufacturing town, although limited dairy and poultry farming still is carried on. In 1961, the Massachusetts Division of Employment Security reported 147 firms doing business in Winchendon, with 1,354 employees and an annual payroll of almost $5 million. Among the principal manufacturing firms in Winchendon are Patriot Industries, Inc. (a furniture company); Winchendon Dress, Inc.; New England Wooden Ware Corp.; General Box Co.; Alaska Freezer Co., Inc.; Ray Plastics, Inc.; the National Seat Co.; Phoenix Manufacturing Co.; F. L. Clapp Novelty Co.; and Temple Stuart Co. (furniture).

Gardner has surveyed the area and concludes that although Winchendon is an old community historically, it is forward looking with respect to its development. It is maintained that the proposed FM station could bring important local broadcasts of community events, reports on weather and road conditions, and public affairs programing. Although the station is viewed as a prospective commercial operation petitioner asserts that substantial amounts of the programing can and will be made up of unique educational elements.

5. In light of the above set out showing, and the facts that, no existing FM assignment will be disturbed, there has been no opposition voiced, and that petitioner has demonstrated its interest, we consider it in the public interest to explore Gardner Broadcasting Co., Inc.'s, proposal to assign FM Channel 249A to Winchendon, Mass., in this rule making proceeding.

RM-1820, ADRIAN, MICH.

6. On May 3, 1971, Gerity Broadcasting Co. (Gerity), licensee of standard broadcast Station WABJ at Adrian, Mich., filed a petition with this Commission (later supplemented) requesting the assignment of FM Channel 237A to Adrian, Mich., as a simple "drop-in." An opposition was filed by Lenawee Broadcasting Co. (Lenawee), licensee of FM Station WLEN broadcasting on Channel 280A at Adrian, Mich. A response to the opposition was filed by petitioner.

7. There is but one FM channel assigned to Adrian, Mich., which is occupied by Lenawee, ibid paragraph 6. The community also has but one standard broadcast station, licensed to petitioner, a Class IV operation, ibid paragraph 6. The population of the county seat of Lenawee County (population 81,609), Adrian, Mich., is 20,382.

8. In its petition and supplemental filings Gerity makes basically only two points in its attempt to advance the assignment of Channel 237A to Adrian: Early in its pleadings, it alleges that Channel 237A can only be used in a small area near Adrian in light of our minimum mileage separation requirements and our requirement of a minimum signal which must be put over the entire principal community to be served. It originally attempts to demonstrate the compliance of Channel 237A, at Adrian, with the above requirements by making an engineering showing from a plot of land it owns. Second, it makes the following statement as to the first and second new service the assignment it proposes will bring in Lenawee County:

> * * * a Class A facility operating from the proposed Gerity site would encompass within its 1 mv/m (60 dbu) contour an area of 675 square miles * * *. Of this area, 57.5 square miles or 8.5 percent would be * * * an area which does not receive 1 mv/m or greater service from any existing or proposed FM station. An additional 169 square miles within the 1 mv/m contour, or 25 percent of the total, would be * * * an area receiving only one 1 mv/m or greater FM signal. Finally, an additional 232 square miles or 34.3 percent of the total area within the 1 mv/m contour of the Gerity proposal receives only two 1 mv/m or greater FM signals, and of these two signals only that of WLEN, which is received in 162.5 square miles of this area, can be considered "local" * * *.

9. Lenawee opposes the proposed assignment primarily on three grounds: First, it alleges that there is no location from which Adrian can be served in its entirety with the minimum signal required for the principal community due to the minimum mileage spacing requirements from Channel 237A at Battle Creek, Mich., and Channel 238 at Detroit, Mich. We have carefully examined each of the engineering filings in this matter with the result that we make a tentative finding that Lenawee is correct on this point insofar as its data refers to the specific plot of land cited by Gerity. However, we also make a tentative finding that there are other parcels of available property, approximately 7 miles southwest of Adrian from which a Channel 237A transmitter could serve the community of Adrian in full compliance with all of the Commission's technical regulations. In concluding on this point we wish to note that the Commission, in this rule making proceeding, is not determining who the ultimately successful applicant for any assignment to Adrian will be or which site can ultimately be chosen as the transmitter location.

10. Lenawee's second and third objections are that, the assignment of a second FM channel to Adrian would do severe economic harm to its station at Adrian (WLEN), and that Gerity has made no appropriate showing as to the need of the community for an additional service. It has been long established Commission policy to make ultimate decisions with respect to Carroll issues at the time of an application for a specific station rather than in rule making proceedings. Our foremost task in this proceeding is to determine the need of Adrian for the proposed service. After a careful examination of the entire record, the Commission

does agree with Lenawee, that the needed discussion of the economic, sociological, and governmental activity in Adrian is lacking in petitioner's presentation. Normally, in allocation proceedings, there is a detailed discussion of the commercial and business life and structure, the sociological life and the governmental activity, in a community so as to demonstrate the importance of the community and the need of the community for the additional service proposed. Too, oftentimes, presentations are made as to how a newly proposed station will better be able to meet the needs of its principal community and area.

11. Petitioner, we believe, in view of the size of Adrian and the fact that it is its county seat, should have an opportunity to cure the above-described deficiency in comments to this notice of proposed rule making. Hence, in view of the above and the record in its entirety, we find it in the public interest to propose the assignment of Channel 237A to Adrian, Mich.

RM–1822, WEST LAFAYETTE, IND.

12. On June 14, 1971, Mr. Thomas Jurek filed a petition with this Commission requesting the assignment of FM Channel 280A to West Lafayette, Ind. No other changes in our FM allocation table are requested or required. An opposition to the petition was filed by Radio Lafayette, Inc. (licensee of standard broadcast Station WAZY and FM Station WAZY–FM, both at Lafayette, Ind.).[1] A reply to the opposition was filed by Mr. Jurek.

13. Tippecanoe County, Ind., has a population of 109,378 persons. It contains the small independent city of West Lafayette, Ind., with 19,157 residents. Our FM Table of Assignments contains no assignment for West Lafayette. There is one standard broadcast station located in the community, WBAA, an unlimited time station, licensed to Purdue University.

14. Petitioner vigorously underscores the fact that West Lafayette, Ind., although adjacent to Lafayette, Ind., is an independent community and city separated from Lafayette by the Wabash River. It occupies a land area of 4.2 square miles with its city's government having a mayor and seven councilmen. Purdue University is located in the community and has a student population of about 25,000 on its West Lafayette campus. Statistics are offered indicating that West Lafayette is both growing more rapidly, and has a higher per capita income, than Lafayette. Mr. Jurek advises us that West Lafayette is the situs of a number of growing industries, including Centralab Electronics, CTS Corp., Lafayette Pharmacal, Lafayette Pipe Co., and Warren Industrial Aggregates Corp. In addition, petitioner states:

* * * The community has 25 churches; a high school, junior high school, and four elementary schools; a police department with 26 officers and five cars; a public library with 35,000 volumes; and a fire department with two stations, 23 men, four pieces of equipment, and a car.

After discussing these facts petitioner forwards the view that they indicate West Lafayette is an independent and significant city which requires its own first local FM radio service.

15. Radio Lafayette, Inc.'s, main thrust in its opposition to the proposal of assigning Channel 280A to West Lafayette lies in its engineering study which indicates that the channel could also be assigned to the communities of Frankfort or Delphi, Ind. Petitioner responds by observing that the mere possibility of assigning Channel 280A to other communities is irrelevant unless it can be established that the other communities have a greater need for the channel and have no possibility of other FM assignments being made to them. A preclusion study indicates that the proposed assignment of Channel 280A to West Lafayette would not have adverse effects on the six adjacent channels. The requested assignment would foreclose future assignment only on Channel 280A. There are four communities within the precluded area where the channel could be assigned: Crawfordsville, Ind. (population 13,842), which has FM Channel 292A assigned and occupied by WNDY (FM) and standard broadcast Station WCVL licensed; Frankford, Ind. (population 14,956), which has FM Channel 259 assigned and occupied by WILO–FM and standard broadcast Station WILO licensed; Logansport, Ind. (population 19,255), which has FM Channels 237A and 272A assigned with one occupied by WSAL–FM and the other having no application pending for its use, also licensed in the community is standard broadcast Station WSAL; and Delphi, Ind. (population 2,582), which has no FM assignment or standard broadcast station licensed in it.

16. In view of the showing made by Mr. Jurek with regard to the significance of West Lafayette as an independent governmental entity and community and the size and existing facilities at the other communities to which Channel 280A can be assigned, we have come to the judgment, that the public interest would be served by setting forth petitioner's proposal (the assignment of Channel 280A to West Lafayette, Ind.) in this rule making proceeding, in order to explore the public interest factors involved in such an allocation.

17. With the above material and public interest findings before us, we propose, for consideration, the following revisions in our FM Table of Assignments (§ 73.202 of our rules) with respect to the cities listed below:

City	Channel No.	
	Present	Proposed
West Lafayette, Ind		280A
Winchendon, Mass		249A
Adrian, Mich	280A	237A, 280A

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

19. Showings required: All proponents, including those who support RM–1820 (Adrian, Mich.), should file comments with respect to the need of the proposed assignments. They may do so, in large part, by describing the economics, sociology, and importance of the subject community. This, in order to give the Commission the information it must have to render the required judgment that the assignment would be in the public interest. In the event a proponent is of the view that an adequate public interest showing has been made, a comment should be filed incorporating formal pleadings by reference and stating a current intent to apply for the FM channel of interest, if assigned. Failure to file may lead to denial of a request.

20. Cutoff procedure: As in other recent FM rule-making proceedings, the following procedures will govern:

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered, if advanced in reply comments.

(b) With respect to petitions for rule making which conflict with the proposals in this notice, they will be considered as comments in the proceeding, and public notice to this effect will be given, as long as they are filed before the date for filing initial comments herein. If filed later than that, they will not be considered in connection with the decisions herein.

21. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before July 5, 1972, and reply comments on or before July 17, 1972. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

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

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

Adopted: May 17, 1972.

Released: May 23, 1972.

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

[FR Doc.72–7953 Filed 5–24–72;8:53 am]

[1] This opposition was late filed. Notwithstanding this fact it is being considered in this proceeding in view of its contents and Mr. Jurek's opportunity to comment on it, which he did.

[47 CFR Part 73]

[Docket No. 19510; FCC 72-426]

TELEVISION BROADCAST STATIONS

Table of Assignments; Booneville, Miss.

In the matter of amendment of § 73.606(b), table of assignments, television broadcast stations. (Booneville, Miss.), Docket No. 19510, RM-1746.

1. On February 11, 1971, the Mississippi Authority for Educational Television (hereafter "MAET"), filed a petition requesting that Channel 12 be assigned to Booneville, Miss., for noncommercial educational use. The current and proposed assignments to Booneville are:

City	Channel No.	
	Present	Proposed
Booneville, Miss.	*20	*12, *20

No other revisions in the Table of Assignments were proposed. Statements in respect to the petition were filed by Roy H. Park Broadcasting of Tennessee, licensee of Station WDEF-TV, Channel 12—, Chattanooga, Tenn.; the Association of Maximum Service Telecasters (AMST); Capitol Broadcasting Co., licensee of Station WJTV, Channel 12+, Jackson, Miss.; and by Rustcraft Broadcasting Co., licensee of Station WRDW-TV, Channel 12+, Augusta, Ga.[1] MAET filed a response to the statements.

2. MAET is the instrumentality of the State of Mississippi that is responsible for coordinating all educational broadcast activities in the State. One of the specific duties is that of developing a statewide educational network. In furtherance of this objective, MAET filed a petition for rule making to allocate educational channels to eight cities in Mississippi. In that proceeding (Docket No. 19263, RM-1684), the Commission allocated channels to the eight cities including Channel *20[2] to Booneville, even though MAET had requested no UHF assignment for Booneville, preferring to wait for a VHF assignment as herein requested.

3. The bases of MAET's request is that Channel 12 can be assigned to Booneville in compliance with the minimum spacing requirements and other technical criteria, and that significant economies will result in the operation of a VHF rather than a UHF station. To strengthen this request, MAET proposes to operate Channel *12 with a directional antenna and precision frequency control to restrict radiation towards Jackson, Miss., by "providing 'better-than-standard' cochannel protection to the service area of Station WJTV * * *" MAET states that hearings were held in Booneville on the need for a VHF facility, and, with the exception of Station WJTV, the testimony was that the terrain in the area in question is the most rugged in the State and VHF facilities are needed to adequately serve the area. It was further asserted that the all-channel set ratio to total sets is very low in the area, because over 90 percent of the schools have VHF-only receivers. Because of the low ratio of UHF sets in the area, very little educational television service is available in the area. MAET contends that the income level in the area is low placing a formidable bar to set replacement in an area with a lower than average educational level where continuing educational programs are the most needed.

4. Another hearing by MAET was held in Jackson and following the hearing it was unanimously voted to apply for reservation of Channel *12 at Booneville. MAET asserts that it will implement the proposed operations on Channel *12 if the assignment is made.

5. There were no outright oppositions to the proposal, but AMST requested that the assignment, if made, conform to the minimum spacing requirements. Station WDEF-TV, Chattanooga, Tenn. requests that MAET present a plan of offset carrier operations to protect all existing Channel 12 operations. Station WRDW-TV, Augusta, Ga., does not oppose the proposal, but requests reimbursement for costs required to change frequency from 12+ to 12—.

6. Station WJTV, Jackson, Miss., raises concern about the possible disruptive effects of an unrestricted Channel *12 station in Booneville on the reception and enjoyment of its own television service in northeast Mississippi. WJTV contends, in its engineering showing, that such "unrestricted operation" would cause cochannel interference and that the Booneville allocation should be offset against WJTV to avoid such disruption. While WJTV argues that possible UHF operations should be fully explored, it concludes that, should Channel *12 be assigned as requested, that such assignment be conditioned requiring the proposed MAET directional system and the frequency offset referred to herein.

7. In reply, MAET "shores up" its engineering exhibit by specifying the proposed offsets as follows:

Station	Offset	
	Present	Proposed
Booneville, Miss.		12—
WDEF-TV, Chattanooga, Tenn.	12—	12+
WRDW, Augusta, Ga.	12+	12—
WFGA, Jacksonville, Fla.	12—	12+

MAET also reiterated the technical feasibility and compliance of the proposal.

8. Petitioner shows that there is an area near Booneville where sites are available which will meet the minimum mileage separations of the rules for the assignment of Channel 12. A prospective site in the area has been selected, from which petitioner indicates that the requisite principal community signal could be provided to Booneville. A definite carrier offset pattern is made a part of the notice so comments are invited from the licensees of stations which may have to change carrier offset to accommodate the proposed Channel 12 drop-in.

9. Our television allocations plan provides for the consideration of petitions for rule making to assign channels meeting the mileage separation standards of § 73.610 of our rules. These standards recognize the probability of cochannel and adjacent channel interference being caused and, accordingly, there is no requirement in our rules that a station so assigned, utilize a directional antenna system. Station WJTV does raise however, a public interest question of loss of service from an unrestricted assignment and we will entertain comments concerning the gains and losses of service to WJTV and to an assignment at Booneville operating both with and without a directional antenna to determine whether, if the allocation is made, it should be on a restricted basis.

10. Even though there is an available UHF frequency in Booneville, Channel 12, as proposed, can be assigned there in accordance with all the rules and policies of the Commission. Thus, we have decided to give the petitioner and other parties the opportunity to explore, in a rule making proceeding, the proposed assignment. Commenting parties should file comments explaining fully the use of and need for Channel *12 at Booneville, as well as any other public interest considerations, such as the question of reimbursement to any station requiring a change in its offset pattern and the question of a directional operation.

11. Based on the material before us, we propose to consider the following revisions in our Television Table of Assignments (§ 73.606(b) of the rules) with respect to the cities listed below:

City	Channel No.	
	Present	Proposed
Jacksonville, Fla.	4+, *7, 12—, 17, 30, 47, *59	4+, *7, 12+, 17, 30, 47, *59
Augusta, Ga.	6+, 12+, 26, 54	6+, 12—, 26, 54
Booneville, Miss.	*20	*12—, *20
Chattanooga, Tenn.	3+, 9, 12—, *45, 61	3+, 9, 12+, *45, 61

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

13. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before July 5, 1972, and reply comments on or before July 17, 1972. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

14. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 14 copies of

[1] The Rustcraft pleading was not timely filed, but the Commission grants leave for the late filing and will consider it on the merits because it involves a possible cochannel offset.

[2] MAET has a pending application for construction permit on Channel *20. Should the Commission drop-in Channel *12, it may well delete the Channel *20 reservation at Booneville.

all written comments, reply comments, pleadings, briefs, or other documents, shall be furnished the Commission.

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

Adopted: May 17, 1972.

Released: May 22, 1972.

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

[FR Doc.72-7955 Filed 5-24-72;8:53 am]

[47 CFR Part 73]

[Docket No. 19511; FCC 72-428]

TELEVISION BROADCAST STATIONS

Table of Assignments for Certain Cities, in Calif.

In the matter of amendment of § 73.606, table of assignments, television broadcast stations. (Vallejo-Fairfield and Sacramento, Calif.), Docket No. 19511, RM-1839, 1948.

1. Notice of proposed rule making is given in the above-entitled matter.

2. On July 28, 1971, Daniel C. McGrath filed a petition requesting that Channel 66 be assigned to Vallejo-Fairfield, Calif., as the first television service to those two cities. On March 29, 1972, Grayson Television Co., Inc., filed a petition to delete Channel 15 from Sacramento, Calif.; to delete Channel 31 from Stockton, Calif., and to assign Channel 31 to Sacramento and Channel 64 to Stockton. No other revisions in the Television Table of Assignments were proposed and there were no statements filed in respect to either petition.

THE MCGRATH PETITION

3. Petitioner sets forth that a station operating on Channel 66 would serve, in addition to Vallejo-Fairfield, Vacaville, Napa, Dixon, Davis, and many more smaller communities in the counties of Solano, Yolo, Napa, and southeastern Sonoma. It is claimed that Vallejo and Fairfield, the homes of Mare Island Naval Shipyard and Travis Air Force Base, have a combined population in excess of 100,000 persons. The only signals available in the area are from San Francisco and Sacramento but petitioner claims that there is little or no local area information on those television stations. A technical study indicates that there will be no short spacings to Channel 66 and that the assignment will conform to all the Commission's technical rules. Petitioner states that he will apply for a construction permit if the assignment is made.

4. According to the 1970 U.S. Census Advance Sheets, the populations of Vallejo and Fairfield were 66,733 and 44,146, respectively, for a total population of 110,879. According to the 1971-72 edition of Television Factbook, the cities of Vallejo and Fairfield receive a Grade A signal from the San Francisco and Sacramento stations. Vallejo is located approximately 30 miles from San Francisco and 50 miles from Sacramento. The approximate distances from Fairfield to San Francisco and Sacramento are 40 miles each.

5. Based on the data furnished by Mr. McGrath, as well as other data, we are of the opinion, based on the intent of the Communications Act of 1934, as amended, and existing Commission policies and priorities, that a rule making should be instituted to explore the question of making a first commercial assignment to Vallejo-Fairfield, Calif., because it will provide a first local service to those cities.

6. Therefore, we propose to consider the following revision in the Television Table of Assignments (§ 73.606 of the rules) with respect to the cities listed below:

City	Channel No.	
	Present	Proposed
Vallejo-Fairfield, Calif.		66

THE GRAYSON PROPOSAL

7. The Grayson proposal requests a shifting of Channel 31 from Stockton to Sacramento, assignment of Channel 64 to Stockton and the deletion of Channel 15 from Sacramento. Grayson asks that an order to show cause be issued as to the Channel 15 deletion.

8. Grayson acquired, by assignment, the construction permit on Channel 15 (Station KMUV) that was originally granted to Hercules Broadcasting Co. The original specified site was not adequate. During the pendency of the assignment application, the Commission adopted the first report and order in Docket No. 18261 (the Land Mobile Proceeding), which provided, as pertinent here:

> 50. Finally, we are adopting a freeze on all unoccupied television assignments on Channels 14 through 20 that might affect the use of channels being made available in the 10 urbanized areas by the land mobile radio services. Existing stations, and those for which there are outstanding construction permits, are to be permitted to use maximum powers and antenna heights now permitted under applicable sections of our rules * * * 23 FCC 2d 325, 344.

Because the original transmitter site was not satisfactory, KMUV has filed an application for a modified construction permit. A broadcast operation on Channel 15 in Sacramento will not be permitted because of the proximity to the San Francisco-Oakland, Calif., area as the operation at the newly specified site will result in an increase in the operating limits on the use of the channels by the land mobile services.

9. The Grayson proposal for use of Channel 31 at Sacramento is in technical compliance with the Commission's minimum spacing requirements and the other technical rules. Also meeting the Commission's spacing and other technical rules would be the use of Channel 64 at Stockton. Grayson requests that the Commission issue an order to show cause why Channel 15 should not be removed from Sacramento. The issuance of a show cause order to modify the construction permit is not necessary since it proposed the modification.

10. The Commission, at the time it considered the original construction permit application, made the finding that a commercial television operation on Channel 15 in Sacramento would serve the public interest. Also we need not, at this time, delete Channel 15 at Sacramento. However, we will mark it as a "frozen" channel as we have done in the Table of Assignments in the other cases. Based on the submission of Grayson, as well as other data we will institute a rule making proceeding to drop-in Channels 31 and 64 at Sacramento and Stockton, respectively.

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

City	Channel No.	
	Present	Proposed
Sacramento, Calif.	3, *6, 10, 15, 40	3, *6, 10, 15,[1] 31, 40
Stockton, Calif.	13+, 31, 58	13+, 58 64

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

13. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before July 5, 1972, and reply comments on or before July 17, 1972. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

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

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

Adopted: May 17, 1972.

Released: May 22, 1972.

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

[FR Doc.72-7954 Filed 5-24-72;8:53 am]

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[1] Channel 15 will not be available for television use until further action by the Commission.

[47 CFR Parts 73, 76]

[Docket No. 19513; FCC 72-439]

SPONSORSHIP IDENTIFICATION RULES

Notice of Proposed Rule Making

1. Notice is hereby given of proposed amendment of the Commission's "sponsorship identification" rules (§§ 73.119, 73.289, 73.654, 73.789, and 76.221 for AM, FM, TV, international broadcast stations, and cable television systems, respectively, which are identical in the respects pertinent here) in order to clarify the requirements set forth therein. The first proposed amendment is concerned with more plainly stating the requirements for properly identifying the person or group paying for the broadcast of program material and the use of the term "sponsor" in connection therewith. The second concerns the maintenance of lists of chief officers and directors of committees and groups in situations where broadcast material (other than that advertising commercial products or services) is paid for or furnished by such committees or groups. In addition, it is proposed that the separate sponsorship identification rules for each of the different broadcast services be eliminated and that one set of sponsorship identification rules applicable to all the broadcast services be substituted therefor in a new subpart of the broadcast rules. No substantive change is made in combining these rules for the different broadcast services into one set of rules and where a particular requirement may be pertinent only to a particular service, appropriate language would be included to indicate this. The proposed substantive changes in the rules are discussed herein and there is set forth in an appendix hereto the full text of the proposed sponsorship identification rules as revised and combined.[1] Finally, and since the Commission has adopted sponsorship identification rules for cable television which are identical in substance with those in the broadcast services, we propose to amend the cable television rules to accord with the revisions proposed in the broadcast rules.

PART I

2. Under the requirements of section 317(a) of the Communications Act of 1934, as amended, and the Commission's rules promulgated thereunder, broadcast matter for which payment is made or valuable material or services are furnished by any person or group shall be announced as paid for or furnished by that person or group at the time of the broadcast. However, because of differences of interpretation arising primarily in applying these rules to political broadcasts, the Commission believes it advisable to revise these rules to clear up any misunderstanding about whether the statute and rules require a licensee, who knows or has reason to know the facts, to adequately identify the person or persons paying for or furnishing the material broadcast. We believe it clear that the requirement for full and fair descriptions of the person or persons paying for or furnishing the consideration for the matter broadcast is reasonable and dictated by the public interest; and that where a political broadcast is presented, promoting one candidate directly or through criticism of his opponent, by a committee which is really a campaign instrumentality for a candidate or a political organization, the public should be made plainly aware of the latter fact. The public's basic right to know by whom it is being informed, particularly as to a political matter or controversial public issue, is too basic to need lengthy discussion here. And in furtherance of this objective, both the statute and our rules require licensees to exercise reasonable diligence to obtain from their employees and from other persons with whom they deal directly in connection with any program matter broadcast, the information necessary to enable the licensee to make a proper sponsorship identification announcement.[2]

3. Nevertheless, although there is a requirement for full and fair disclosure in the present language of paragraph (f) of § 73.654 of the TV rule, and in the corresponding paragraphs (e) of §§ 73.119, 73.289, and 73.789 of the radio rules, such disclosure is not always achieved, and the decision of the U.S. Court of Appeals for the Sixth Circuit illustrates the need for clarification here (United States v. WHAS, Inc., 385 F. 2d 784 (1967)). In that case, the Court differed with the Commission as to the meaning to be given the rules and concluded that the licensee was permitted to rely upon § 73.654(g) exclusively since it appeared to be more particularly applicable to the factual situation than the other paragraphs of the rules because, "simply by eliminating the alternatives," it can be read as follows:

> In the case of any program * * * which is sponsored * * * by a * * * committee * * *, the announcement required by this section shall disclose the name of such * * * committee * * *.

The effect of the Court's interpretation was to allow a committee that was only a straw entity for a political campaign organization to lend its name to that organization so that the ostensibly nonpartisan committee could be identified as the sponsor of the political program broadcast even though the licensee knew or should have known that the Committee had not paid for the broadcast time and had not prepared the material broadcast.

4. To avoid this result and construction of the rules, we propose the following changes. The separate paragraph describing the requirements for committees will be eliminated and the committee situation will be treated in the preceding paragraph which now describes several of the factual situations that may arise in paying for time or furnishing material for broadcast. The proposed text is set forth in paragraph 15 herein.

5. The Commission proposes also to define the use of the term "sponsored" for purposes of the "sponsorship identification" rules to clear up any possible uncertainty about its meaning. Some uncertainty may exist under the WHAS decision, because the rules, and particularly paragraph (a) in the radio, TV and CATV rules, paragraph (f) in the radio rules and paragraph (g) in the TV rules, use the terms "sponsored, paid for, or furnished" in sequence, and to preclude any argument that presented in this fashion, the term "sponsored" means something different from "paid for or furnished." Such an interpretation would of course be in conflict with the basic requirement of section 317 that matter broadcast is to "* * * be announced as paid for or furnished, as the case may be * * *." Accordingly, the proposed rules, in a new subparagraph (a)(1), define the term "sponsored" as "paid for" in accordance with its accepted usage and would permit its use only to identify the person or group paying for the matter broadcast. (See, In re Violation of section 317 of the Communications Act, Wichita Television Corp., Inc.), 40 FCC 40, 42 (May 27, 1959); Radio Station WATR, 40 FCC 76, 78 (March 30, 1960).

6. Therefore we propose to amend paragraphs (f) and (g) of § 73.654, and the corresponding paragraphs (e) and (f) of §§ 73.119 and 73.289 and 73.789, by combining them to read as set forth in paragraph 15, below. We also propose to add a new paragraph (a)(1) to read as set forth in paragraph 15 below.

PART II

7. Paragraph (g) of § 73.654, and the corresponding and substantially identical paragraphs (f) of §§ 73.119 and 73.289, require that where a corporation, committee, association, or other unincorporated group broadcasts program material other than commercial product or service announcements, not only shall announcement be made disclosing the name of such corporation, committee, group, etc., but also that a list of its chief executive officers, members of the executive committee, or members of the board of directors shall be maintained and available for public inspection at one of the stations in the community, in each service, which carried the program.

8. This provision has been in the rules for many years, but apparently attention was drawn to it by our action of November 1968 amending it so as to specify a definite retention period for such lists, i.e., 2 years. This led to a number of inquiries by licensees and their attorneys (apparently previously unaware of the requirement) including a formal "Petition for Declaratory Ruling," filed on December 10, 1968 (RM-1381).

9. The petition alleges that this provision is both not entirely clear and, apparently, extremely and overly broad. For example, it is noted that paragraph

[1] Reference herein to lettered subsections of the rules relates to the current designations—and not to their revision as proposed below.

[2] See In Re Albuquerque Broadcasting Co., Public Notice 93622, May 17, 1946, 40 F.C.C. 1.

(g) in television, or (f) in radio, refers to paragraph (d) of these sections, which relates to the furnishing of material in connection with political broadcasts or the discussion of public controversial issues; but that it apparently is not limited to material coming under paragraph (d), since the reference is in the disjunctive ("or").[3] Question is raised as to whether an announcement is required, and whether lists of officers, etc., must be kept, in five situations:

(a) Presentation of public service announcements furnished by the American Red Cross concerning a matter presumably not in any sense controversial, such as water safety.

(b) Spots citing the benefits of fluoridation in the local water supply, furnished by the local Dental Society, this being a matter to which groups in some communities are actively opposed.

(c) Spots furnished by the United Givers Fund, soliciting financial support. It is asserted that some of the activities supported by UGF, such as Planned Parenthood, may be opposed by some groups in the community.

(d) Spots presented during United Nations week, or some similar observance, which may be furnished by the U.N. Information Office, a local group of "Friends of the U.N.," or perhaps a national group supporting that organization. It is pointed out that some groups oppose continued U.S. participation in the U.N. or its continued presence on U.S. soil.

(e) Anticigarette program material furnished by a local, State, or national medical society.

10. It is urged that these situations frequently arise and that the ambiguity should be clarified, and that a simple change in this paragraph (paragraph (f) in the radio rules, (g) in the TV rules) be made so as to tie the requirement exclusively to the concept of paragraph (d), i.e., to political broadcasts or discussions of controversial issues of public importance. This could be done, it is said, by simply changing "or" to "and" in the third line of the paragraph.

11. Insofar as the petition requests a change in the announcement requirements imposed by the various paragraphs of § 73.119 and other sponsorship identification rules, we are of the view that a change is not warranted. We have emphasized before the high public interest in the audience's knowing who is attempting to persuade it, and we also call attention to the difficulty in determining that a matter may not be "controversial," for example the case of spot announcements of a religious nature referred to in the Sponsorship Identification "Primer" adopted in 1963.[4]

12. However, we are of the view that with respect to getting and maintaining lists of groups furnishing other than commercial material, the rule in its present form may well be too broad and unduly burdensome on stations. It appears simply unimportant for the public to be able to ascertain the names of officers and directors of the Red Cross, United Givers Fund, the American Cancer Society, and similar groups, just because they furnish material for broadcast, such material often of a completely noncontroversial nature. Therefore, we believe that the petition is essentially correct in urging that this requirement should be limited to material covered by paragraph (d) of the rules—that relating to political broadcasts or controversial issues of public importance. However, we believe that the requirement should extend to material relating to matters which may be controversial issues of public importance, as well as those which definitely are in that category.

13. We, therefore, propose to amend paragraph (g) of § 73.654 and the corresponding paragraph (f) of §§ 73.119, 73.289, and 73.789 to read as set forth in paragraph 15, below. It should be noted that the revised requirements will appear in the combined new paragraph described under part I, supra.

14. It also should be noted that the proposed revision near the end of the new paragraph (f) would require each station carrying the material covered by the rule to keep the specified lists. The present requirement extends only to one station in each service in each community which carried the material. We believe that, particularly as now limited, the rule should apply to each station, rather than permitting one or more stations to rely on another's keeping the required list.

PROPOSED AMENDMENTS TO THE RULES

15. It is proposed by this rule making to combine the four sponsorship identification rules for the different services into one new section in Subpart H, with cross reference sections in the earlier provisions. It is also proposed for the reasons set forth above to add a new paragraph (a)(1) to define the meaning of the word "sponsored"; and to combine paragraphs (e) and (f) of §§ 73.119, 73.289, and 73.789 and (f) and (g) of § 73.654 along the lines set forth below. The proposed new paragraph (a)(1), and the new combined paragraph (e) relate to the "WHAS" matter discussed under part I above. The underlined text in the next to the last sentence of the new paragraph (e) relates to the matters raised in the petition discussed under Part II above. The proposed text for the new section is as follows:

§ 73.1207 Sponsored Programs.

(a) * * *

(1) For the purposes of this section, the term "sponsored" shall be deemed to have the same meaning as "paid for."

* * * * *

(e) The announcement required by this section shall fully and fairly disclose the true identity of the person or persons by whom or in whose behalf such payment is made or promised, or from whom or in whose behalf such services or other valuable consideration is received, or by whom the material or services referred to in paragraph (d) of this section are furnished. Where an agent or other person contracts or otherwise makes arrangements with a station on behalf of another, and such fact is known or should be known to the station, the announcement shall disclose the identity of the person or persons in whose behalf such agent is acting instead of the name of such agent. Where the material broadcast is or relates to a political broadcast, or a matter which is or may be a controversial issue of public importance and the person or persons paying for or furnishing the program matter belong to a committee, association, or other unincorporated group, the station shall require that a list of the chief executive officers or members of the executive committee or of the board of directors of the corporation, committee, association, or other unincorporated group shall be made available for public inspection at the studios or general offices of the station. Such lists shall be kept and made available for a period of 2 years.

16. Authority for adoption of the rules proposed herein is found in sections 4(i), 303(r), and 317 of the Communications Act of 1934, as amended.

17. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before June 26, 1972, and reply comments on or before July 10, 1972. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

18. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all comments, replies, pleadings, briefs, and other documents shall be furnished the Commission. Responses will be available for public inspection during regular business hours in the Commission's Broadcast and Docket Reference Room at its headquarters in Washington, D.C.

Adopted: May 17, 1972.

Released: May 23, 1972.

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

A new section 73.1207 is added to read as follows:

§ 73.1207 Sponsored programs.

(a) When a broadcast station transmits any matter for which money, services, or other valuable consideration is either directly or indirectly paid or promised to, or charged or received by, such station, the station shall broadcast an announcement that such matter is sponsored, paid for, or furnished, either in whole or in part, and by whom or on whose behalf such consideration was supplied: *Provided, however,* That "service or other valuable consideration" shall not include any service or property fur-

[3] Paragraphs (a), (b), (c), and (d) of these sections of the rules, which impose the general announcement requirements, are substantially identical (except for the reference to the particular broadcast service).

[4] See Example 36, in re Public Notice Applicability of Sponsorship Identification Rules, FCC 63-409, May 6, 1963, 40 FCC 141, 151.

nished without charge or at a nominal charge for use on, or in connection with, a broadcast unless it is so furnished in consideration for an identification in a broadcast of any person, product, service, trademark, or brand name beyond an identification which is reasonably related to the use of such service or property on the broadcast.

(1) For the purposes of this section, the term "sponsored" shall be deemed to have the same meaning as "paid for."

(b) The licensee of each broadcast station shall exercise reasonable diligence to obtain from its employees, and from other persons with whom it deals directly in connection with any program matter for broadcast, information to enable such licensee to make the announcement required by this section.

(c) In any case where a report (concerning the providing or accepting of valuable consideration by any person for inclusion of any matter in a program intended for broadcasting) has been made to a broadcast station, as required by section 508 of the Communications Act of 1934, as amended, of circumstances which would have required an announcement under this section had the consideration been received by such broadcast station an appropriate announcement shall be made by such station.

(d) In the case of broadcast matter which is or relates to a political broadcast or does or may involve the discussion of public controversial issues for which any films, records, transcriptions, talent, scripts, or other material or services of any kind are furnished, either directly or indirectly, to a station as an inducement to the broadcasting of such matters, an announcement shall be made both at the beginning and conclusion of such broadcast on which such material or services are used that such films, records, transcription, talent, scripts, or other material or services have been furnished to such station in connection with the broadcasting of such program: *Provided, however,* That only one such announcement need be made in the case of any such program of 5 minutes' duration or less, either at the beginning or conclusion of the broadcast.

(e) The announcement required by this section shall fully and fairly disclose the true identity of the person or persons by whom or in whose behalf such payment is made or promised, or from whom or in whose behalf such services or other valuable consideration is received, or by whom the material or services referred to in paragraph (d) of this section are furnished. Where an agent or other person contracts or otherwise makes arrangements with a station on behalf of another, and such fact is known or should be known to the station, the announcement shall disclose the identity of the person or persons in whose behalf such agent is acting instead of the name of such agent. Where the material broadcast is or relates to a political broadcast, or a matter which is or may be a controversial issue of public importance and the person or persons paying for or furnishing the program matter belong to a committee, association or other unincorporated group, the station shall require that a list of the chief executive officers or members of the executive committee or of the board of directors of the corporation, committee, association, or other unincorporated group shall be made available for public inspection at the studios or general offices of the station. Such lists shall be kept and made available for a period of 2 years.

(f) In the case of broadcast matter advertising commercial products or services, an announcement stating the sponsor's corporate or trade name, or the name of the sponsor's product, when it is clear that the mention of the name of the product constitutes a sponsorship identification, shall be deemed sufficient for the purposes of this section and only one such announcement need be made at any time during the course of the program.

(g) The announcements otherwise required by section 317 of the Communications Act of 1934, as amended, are waived with respect to the broadcast of "want ad" or classified advertisements sponsored by individuals. The waiver granted in this paragraph shall not extend to classified advertisements or want ads sponsored by any form of business enterprise, corporate, or otherwise. Whenever sponsorship announcements are omitted pursuant to this paragraph the following conditions shall be observed:

(1) The licensee shall maintain a list showing the name, address, and the telephone number where available of each advertiser and shall attach this list to the program log for each day's operation; and

(2) Shall make this list available to members of the public who have a legitimate interest in obtaining the information contained in the list.

(h) Commission interpretations in connection with the provisions of this section have been summarized in the Commission's public notice entitled "Applicability of Sponsorship Identification Rules," May 6, 1963 (FCC 63-409, 28 F.R. 4732, 40 FCC 141) and printed in full in different volumes of the Federal Communications Reports.

(i) The announcements required by section 317(b) of the Communications Act of 1934, as amended, are waived with respect to feature motion picture films produced initially and primarily for theater exhibition.

NOTE: The waiver heretofore granted by the Commission in its report and order of November 21, 1960 (FCC 60-1369; 25 F.R. 11224, Nov. 26, 1960), continues to apply to programs filmed or recorded on or before June 20, 1963 when § 73.654, the predecessor television rule, went into effect.

[FR Doc.72-7956 Filed 5-24-72;8:53 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Parts 230, 239, 240]

[Release No. 33-5246]

REGISTRATION OF TRANSACTIONS INVOLVING MERGERS, CONSOLIDATIONS, AND ACQUISITIONS OF ASSETS

Notice of Proposed Rule Making

The Securities and Exchange Commission is considering the recission of Rule 133 (17 CFR 230.133) and the adoption of new Rule 145 (17 CFR 230.145) relating to the application of the registration provisions of the Securities Act of 1933 (Act) to transactions involving business combinations of the character described in Rule 133. These proposals are designed to implement the purposes and policies underlying the Act and are based on the Commission's further reexamination of the operation of Rule 133, the interpretations of and problems under the rule, the recommendations of the 1969 Disclosure Policy Study Report, and the comments received on previously proposed revisions of the rule and related proposals as published on October 9, 1969, in Securities Act Release No. 5012 (34 F.R. 17180).

This notice contains a general discussion of the background, purpose, and general effect of the proposals to assist in a better understanding of them. However, attention is directed to the proposals themselves for a more complete understanding of their provisions. Further, the proposed recission of Rule 133 and adoption of Rule 145 is to be considered in the context of and in conjunction with several other proposals which the Commission is herewith publishing for comment or has adopted, including:

1. Notice of proposed adoption of Rule 153A (17 CFR 230.153a) under the Act;
2. Notice of proposed revision of Form S-14 (17 CFR 239.23) under the Act;
3. Notice of proposed amendment of Rule 14a-2(d) (17 CFR 240.14a-2(d)) under the Securities Exchange Act of 1934 (Exchange Act);
4. Notice of proposed amendment of Rule 14a-6 (17 CFR 240.14a-6) under the Exchange Act; and
5. Rule 144 (17 CFR 230.144) under the Act.

BACKGROUND AND PURPOSE

Congress, in enacting the Federal securities statutes, created a continuous disclosure system designed to protect investors and to assure the maintenance of fair and honest securities markets. The Commission in administering and implementing the objectives of these statutes has sought to coordinate and integrate this disclosure system, and the proposals to rescind Rule 133 and to adopt Rule

145 and related matters are a further effort in this direction.

The proposals to rescind Rule 133 and to adopt Rule 145 are designed to implement the fundamental purposes of the Act as expressed in its preamble:

> To provide full and fair disclosure of the character of the securities sold in interstate commerce and through the mails, and to prevent fraud in the sale thereof * * *

Rule 145 would also operate to inhibit the creation of public markets in securities of issuers concerning which adequate current information is not available to the public. This approach is consistent with the philosophy underlying the Act, that a disclosure law would provide the best protection for investors. Thus, if a security holder who is being offered a new security in a business combination transaction as specified in Rule 145 has available to him the material facts about the transaction, he will then be in a position to make an informed investment judgment. In order to provide such information in connection with public offerings of these securities, Rule 145 in effect would require the filing of a registration statement with the Commission and the delivery to security holders of a prospectus containing accurate and current information concerning the proposed business combination transaction.

EXPLANATION OF THE PROPOSALS

Proposed rescission of Rule 133. Rule 133 presently provides that for purposes only of section 5 of the Act, the submission to a vote of stockholders of a corporation of a proposal for certain mergers, consolidations, reclassifications of securities or transfers of assets is not deemed to involve a "sale," "offer," "offer to sell," or "offer for sale" of the securities of the new or surviving company to the security holders of the predecessor company. The rule further provides that persons in a control relationship with the predecessor corporation are deemed to be underwriters within the meaning of section 2(11) of the Act. Except for certain limited amounts, such securities cannot be sold without registration.

The "no-sale" theory embodied in Rule 133 has been based on the rationale that the types of transactions specified in the rule are essentially corporate acts and there is absent the volitional act on the part of the individual stockholder required for a "sale". The basis of this theory is that the exchange or alteration of the stockholder's security occurs not because he consents thereto, but because the corporate action, authorized by a specified majority of the interests affected, converts his security into a different security.

Based on the Commission's experience in administering the provisions of the Act and Rule 133 thereunder, and having given consideration to the Disclosure Study Report and to the comments received on the Commission's published proposed revision of Rule 133 (Securities Act Release No. 5012, October 9, 1969), the Commission is of the view that the "no-sale" approach embodied in Rule 133 overlooks the substance of the transactions specified therein and ignores the fundamental nature of the relationship between the stockholders and the corporation and between stockholders. That such relationships are in part controlled by statutory provisions of the state of incorporation does not preclude as a matter of law the application of the broad concept of "sale" as contained in section 2(3) of the Act. The concepts of "sale," "offer," "offer to sell," and "offer for sale" in section 2(3) are broader than the commercial or common law contractual meanings of such terms.

Transactions of the character described in Rule 133 do not in the Commission's opinion occur solely by operation of law and without the element of individual stockholder volition. A stockholder faced with a Rule 133 proposal must decide on his own volition whether or not the proposal is one in his own best interests. The basis on which the "no-sale" theory is predicated, namely, that the exchange or alteration of the stockholder's security occurs not because he consents thereto but because the corporation by authorized corporate action converts his securities, in the Commission's opinion, is at best only correct in a formalistic sense and overlooks the reality of the transaction. The corporate action, on which such great emphasis is placed, is derived from the individual consent given by each stockholder in voting on a proposal to merge, consolidate or reclassify a security. In voting, each consenting stockholder is expressing his voluntary and individual acceptance of the new security, and generally the disapproving stockholder is defending his decision as to whether to accept the new security or, if he exercises his dissenter's rights, a cash payment. The corporate action in these circumstances, therefore, is not some type of independent fiat but is only the aggregate effect of the voluntary decisions made by the individual stockholders to accept or reject the exchange. Formalism should no longer deprive investors of the disclosure to which they would be entitled, and admittedly should have.

The Commission also is aware that Rule 133 has caused anomalous applications of the provisions of the securities laws. For example, transactions which are deemed not to involve "sales" for purposes of section 5 of the Act, nevertheless are deemed to be "purchases" for purposes of constituting controlling persons of the predecessor corporation underwriters if they resell securities received in such transactions in amounts sufficient to constitute a "distribution" and also are deemed "purchases" for purposes of section 16 of the Exchange Act. Moreover, while resales of more than a given number of shares of a successor corporation by a controlling security holder of a predecessor corporation are deemed to involve a "distribution", resales of a much larger number of shares of the same class and received in the same corporate transaction by a noncontrolling stockholder of the predecessor corporation would not be deemed a "distribution". Similarly, transactions which are not deemed to be "sales" for purposes of section 5 of the Act, nevertheless are deemed to be "sales" for purposes of the antifraud provisions of the Act and Exchange Act and "sales" for purposes of the Public Utility Holding Company Act of 1935, the Trust Indenture Act of 1939, and the Investment Company Act of 1940.

In addition, the Commission has difficulty in reconciling Rule 133 with certain exemptive provisions of the Act. For example, section 3(a)(9) of the Act exempts from the registration provisions of the Act the issuance of securities in a reclassification only where no commission or other remuneration is paid or given directly or indirectly for solicitation. Notwithstanding, Rule 133 in effect provides an exemption from registration for the issuance of securities in a reclassification even though a commission or other remuneration is paid for solicitation. Further, section 3(a)(10) exempts from the registration provisions of the Act securities issued only in court or administratively supervised reorganizations. Yet Rule 133 in effect provides that securities issued in reorganizations of the type described therein are not subject to the registration provisions of the Act even though there is no judicial or administrative supervision.[1]

Furthermore, the Commission in administering Rule 133 has experienced situations whereby companies have utilized the rule to avoid or evade the registration provisions of the Act. This has resulted in large quantities of unregistered securities being distributed to the public and has not been in the public interest or for the protection of investors.

The Commission recognizes that the "no-sale" concept has been in existence in one form or another for a long period of time. Certain persons who commented on the October 9, 1969, proposed revision to Rule 133 have cited this as a reason for retaining the present Rule 133 and others have asserted that the Commission lacked the power to revise the rule. The Commission does not concur with these comments. Administrative agencies as well as courts from time to time change their interpretation of statutory provisions in the light of reexamination, new considerations, or changing conditions which indicate that earlier interpretations are no longer in keeping with the statutory objectives.

In view of the above, the Commission is of the opinion that transactions covered by Rule 133 are included within the meaning of "sale," "offer," "offer to sell," or "offer for sale" as those terms are de-

[1] The legislative history of the Act contains the following statement with respect to this matter:

"Reorganizations carried out without such judicial supervision possess all the dangers implicit in the issuance of new securities and are, therefore, not exempt from the Act. For the same reason the provision (sec. 3(a)(10)) is not broad enough to include mergers or consolidations of corporations entered into without judicial supervision." H.R. Rept. No. 85, 73d Cong., first sess. (May 4, 1933), at p. 16.

fined by section 2(3) of the Act. The Commission no longer sees any persuasive reason why, as a matter of statutory construction or policy in light of the broad remedial purposes of the Act and of public policy which strongly supports registration, that this should not be the interpretative meaning.

Proposed Rule 145. Paragraph (a) of proposed Rule 145 would provide that the submission to a vote of security holders of a proposal for certain reclassifications of securities, mergers, consolidations, or transfers of assets, is deemed to involve an "offer," "offer to sell," or "offer for sale" of the securities to be issued in the transaction. The effect of the rule is to require registration of securities to be issued in connection with such transactions, unless an exemption from registration is available. In this regard, the purpose and effect of Rule 145 is the same as the proposed revision of Rule 133 which the Commission published for comment on October 9, 1969, i.e., in effect to rescind Rule 133 and promulgate a rule requiring registration. Registration Form S–14 would be amended for this purpose. In the interest of clarity, the present proposal would expressly rescind Rule 133 and redesignate the previously published proposed revision of Rule 133 as proposed Rule 145.

Notice of a meeting of stockholders for voting on transactions of the character specified in proposed Rule 145 is generally sent or furnished to security holders. Since the proposed rule in effect would apply the registration provisions of the Act to these transactions, questions have been raised as to whether such notices would constitute statutory prospectuses and offers to sell a security. Accordingly, paragraph (b) of proposed Rule 145 is designed to resolve these questions by providing that any written communication which contains no more than certain information as specified in paragraph (b) of the rule shall not be deemed a prospectus for purposes of section 2(10) of the Act and shall not be deemed an offer for sale of the security involved for purposes of section 5 of the Act.

Several commentators on the proposed revision of Rule 133 suggested that the Commission clarify the status of persons who acquire in a business combination transaction a substantial amount of securities registered on proposed Form S–14, but who do not become affiliates of the issuing company. In order to delineate the circumstances in which a person may be deemed an underwriter for purposes of resales of securities received in a registered offering relating to the type of transaction described in proposed Rule 145, specific objective standards have been included in the rule. Paragraph (c) provides that any person who offers or sells registered securities acquired in a Rule 145 business combination transaction shall be deemed to be engaged in a distribution and therefore to be an underwriter of such securities, within the meaning of section 2(11) of the Act, if the amount of securities acquired in such transaction exceeds the following: (1) If securities of the same class are admitted to trading on a national securities exchange, the lesser of (a) 1 percent of the shares of other units of the class outstanding as shown by the registration statement, or (b) the average weekly reported volume of trading in such securities on all securities exchanges during the 4 calendar weeks preceding the effective date of such statement; (2) if securities of the same class are not traded on a national securities exchange but are traded in the over-the-counter market, 1 percent of the shares or other units of the class outstanding as shown by the registration statement; or (3) if on the effective date of the registration statement the acquiring company's securities are not publicly traded, 5 percent of the shares or other units registered.

Notwithstanding the foregoing, paragraph (d) provides that the person would not be deemed to be engaged in a distribution of the securities and therefore not an underwriter if his resales are made in routine trading transactions which complied with the conditions of paragraphs (c) (Current Public Information), (e) (Limitation on Amount of Securities Sold), (f) (Manner of Sale), and (g) (Broker's Transactions) of Rule 144 under the Act. Such resales would be permissible within successive 6-month periods, but no accumulation would be permitted, i.e., the person could not skip 6 months and then sell an accumulated amount in the following 6 months. A person who receives securities in a business combination transaction covered by proposed Rule 145 and becomes an affiliate of the issuer would be in the same position as any other affiliate of the issuer, i.e., he would be able to resell his securities under Rule 144 if all of the conditions of that rule can be satisfied.

Paragraph (e) of proposed Rule 145 would provide that the term "person" as used in paragraphs (c) and (d) of the rule shall have the same meaning as the definition of that term in paragraph (a) (2) of Rule 144 under the Act.

Proposed Rule 153A. Proposed Rule 153A would define the term "preceded by a prospectus," in connection with transactions of the kind referred to in proposed Rule 145, to mean the sending of a prospectus prior to the vote of security holders on the transaction to all security holders of record entitled to vote thereon at their addresses of record on the transfer records of the company. The language of the proposed rule has been revised to be consistent with that of proposed Rule 145 but in substance is the same as the draft published in 1969. The persons who will receive stock in a transaction within the purview of proposed Rule 145 will usually be determined either (1) by the fixing of a record date for shareholders so entitled or, (2) by the closing of the stock transfer records of the acquired company, usually accomplished as of a date shortly before the "closing" of a stock-for-assets reorganization. The group of persons thus determined may, because of interim transfers, vary somewhat from the group of persons to whom the final Form S–14 prospectus was mailed. Proposed Rule 153A would provide that the mailing of the final prospectus to shareholders entitled to vote on the transaction would be deemed to satisfy the prospectus delivery requirements of section 5(b)(2).

Proposed revisions to Form S–14. The Commission believes that registration of securities issued in transactions of the character specified in Rule 145 is practical and not unduly burdensome. However, the Commission is aware that registration of such securities imposes additional burdens on issuers, and, in order to minimize these burdens to the extent feasible, it would propose to revise Form S–14 to provide that the prospectus to be used shall consist of a proxy or information statement meeting the requirements of the Commission's proxy or information rules under section 14 of the Exchange Act. In the case of companies which are subject to those rules the filing of the registration statement on Form S–14 satisfies the requirement for filing a proxy statement and form of proxy or information statement pursuant to those rules, and the transmittal of such material to security holders will meet the requirements of the Act for the furnishing of a prospectus. Thus, registration will involve little additional work on the part of companies subject to those rules and who are required to solicit votes from their security holders because the informational requirements will be the same for both. Where a company is not subject to the proxy rules, or is subject thereto but is not required to solicit votes from its security holders, the prospectus would contain the same information which would be required by the proxy rules. In this regard, the information requirements under section 14 of the Exchange Act are not as burdensome to smaller companies as are those under the Act.

Questions have been raised as to when the prospectus covering securities offered in Rule 145-type transactions would be delivered to security holders. Accordingly, the Commission is proposing to amend Form S–14 to specify in the instructions thereto when the prospectus would have to be delivered, viz., no less than 20 days prior to the meeting date if not in conflict with applicable State law.

Further, the Commission recognizes that certain persons, who receive securities in business combinations covered by Rule 145 and who would be deemed to be underwriters in connection with their resales of these securities under paragraph (c) of the rule, may desire to distribute such securities. Thus, the Commission is also proposing to amend the instructions as to the use of Form S–14 so that this form is available for the registration of securities involved in such distributions.

Proposed amendments to Proxy Rules 14a–2(d) and 14a–6. Rule 14a–2(d) under the Exchange Act provides that the proxy rules do not apply to any solicitation involved in the offer or sale of securities registered under the Act. This provision would be amended to provide that the exemption from the proxy rules does not apply to solicitations involved

in the offer or sale of registered securities to be issued in a Rule 145-type transaction.

Rule 14a–6 would be amended to provide that both the proxy rules and the registration requirements will apply to material filed with respect to Rule 145 transactions. Thus, material filed with the registration statement will be deemed to have been filed under the proxy or information rules also, without the necessity of filing copies under those rules.

Withdrawal of proposed Rule 181 (17 CFR 230.181). The Commission has hereby determined to withdraw proposed Rule 181 which it published for comment in Securities Act Release No. 5012 as part of the Rule 133 proposals. The proposal would have defined the phrase "transactions not involving a public offering" in section 4(2) of the Act to include transactions involving business combinations where the number of offerees did not exceed 25. This proposal is being withdrawn because a definition of a nonpublic offering solely based on a numerical test is in the Commission's opinion inconsistent with the Supreme Court's decision in Ralston Purina.[2] The Commission is currently studying the possibility of promulgating a rule under section 4(2) which would be designed to be consistent with Ralston Purina and at the same time provide objective standards for determining when the exemption is available for private placements.

Proposed Rule 169 (17 CFR 230.169). The Commission's Disclosure Policy Study in its 1969 report proposed the adoption of Rule 169. The rule would define certain terms used in the definition of "underwriter" in section 2(11) of the Act so that certain persons, e.g., a constituent corporation, its officers or directors, etc., involved in business combinations would not be deemed to be underwriters. In Securities Act Release No. 5012 the Commission invited comments on proposed Rule 169, although it was not proposed for adoption. The Commission has determined not to notice Rule 169 for adoption in connection with proposed Rule 145 and the other related proposals because, in its view, whether persons are statutory underwriters as defined in section 2(11) as a result of their activities in connection with business combinations is a question of fact, and, for these purposes, is not an appropriate subject for a rule.

Operation of proposed Rule 145. Should the rule be adopted, it will operate prospectively and a reasonable time will be allowed prior to its effectiveness. Comments are invited with respect to the period of time to be allowed prior to the effective date of the rule and the stage at which it should apply to current or proposed transactions. In the event Rule 133 is rescinded, such rescission would not operate retroactively. The rule would remain in effect as to transactions of the character described therein consummated prior to the effective date of the rescission.

[2] Securities and Exchange Commission v. Ralston Purina Co., 346 U.S. 119 (1953).

Application of Rule 144. Notwithstanding the adoption and effectiveness of Rule 144, until the Commission takes definitive action on the pending proposals, the provisions of Rule 133 will continue to apply to transactions of the character described therein, including provisions with respect to the resale of securities acquired in transactions to which that rule applies.

Commission action:

§ 230.133 [Rescinded]

I. Part 230 of Chapter II of Title 17 of the Code of Federal Regulations would be amended by rescinding § 230.133 and adding new §§ 230.145 and 230.153a reading as follows:

§ 230.145 Reclassifications of securities, mergers, consolidations, and acquisitions of assets.

(a) An "offer," "offer to sell," or "offer for sale" shall be deemed to be involved, within the meaning of section 2(3) of the Act, so far as the security holders of a corporation are concerned where, pursuant to statutory provisions in the State of incorporation or provisions contained in the certificate of incorporation, there is submitted to the vote of such security holders a plan or agreement for—

(1) A reclassification of securities of such corporation, other than a stock split or reverse stock split, which involves the substitution of a security for another security;

(2) A statutory merger or consolidation in which securities of such corporation will become or be exchanged for securities of any other corporation; or

(3) A transfer of assets of such corporation to another person in consideration of the issuance of securities of such other person or any of its affiliates.

(b) For the purposes of this section the term "prospectus" as defined in section 2(10) of the Act and the term "offer to sell" in section 5 of the Act shall be deemed not to include the following:

(1) Any written communication which contains no more than the following information: The name of the issuer of the securities to be offered, or the person whose assets are to be sold, in exchange for the securities to be offered, the date, time, and place of the meeting of security holders to vote on or consent to any transaction specified in paragraph (a) of this section, a brief description of the transaction to be acted upon and any statement or legend required by State law or administrative authority.

(2) Any written communication subject to and meeting the requirements of § 240.14a–12(a) of this chapter and filed in accordance with paragraph (b) of that section.

(c) For the purposes of this section any person who offers or sells registered securities acquired in a transaction specified in paragraph (a) of this section shall be deemed to be engaged in a distribution and therefore to be an underwriter of such securities, within the meaning of section 2(11) of the Act, if the amount of securities acquired in such transaction exceeds the following:

(1) If securities of the same class are admitted to trading on a national securities exchange, the lesser of (i) 1 percent of the shares or other units of the class outstanding as shown by the registration statement, or (ii) the average weekly reported volume of trading in such securities on all securities exchanges during the 4 calendar weeks preceding the effective date of such statement;

(2) If securities of the same class are not traded on a national securities exchange but are traded in the over the counter market, 1 percent of the shares or other units of the class outstanding as shown by the registration statement; or

(3) If on the effective date of the registration statement there is no public trading market for the securities of the class covered by the registration statement, 5 percent of the shares or other units of such class registered.

(d) Notwithstanding the provisions of paragraph (c) of this section, a person specified therein shall not be deemed to be engaged in a distribution and therefore not to be an underwriter of registered securities acquired in a transaction specified in paragraph (a) of this section which are sold by such person in accordance with the provisions of paragraphs (c), (e), (f), and (g) of § 230.144.

(e) The term "person" as used in paragraphs (c) and (d) of this section shall have the same meaning as the definition of that term in paragraph (a)(2) of § 230.144.

§ 230.153a Definition of "Preceded by a Prospectus" as used in section 5(b)(2) of the Act, in relation to certain transactions requiring approval of security holders.

The term "preceded by a prospectus", as used in section 5(b)(2) of the Act with respect to any requirement for the delivery of a prospectus to security holders of a corporation in connection with transactions of the character specified in paragraph (a) of § 230.145: i.e. A reclassification of securities of such corporation, or a statutory merger or consolidation involving such corporation, or a transfer of assets of such corporation to another person, shall mean the sending of a prospectus prior to the vote of security holders on such transaction, to all security holders of record of such corporation entitled to vote on the proposed transaction at their address of record on the transfer records of the corporation.

II. Part 240 of Chapter II of Title 17 of the Code of Federal Regulations would be amended as follows:

§ 240.14a–2 Solicitations to which §§ 240.14a–1 to 240.14a–11 apply.

* * * * *

(d) Any solicitation involved in the offer or sale of securities registered under the Securities Act of 1933: *Provided*, That this paragraph shall not apply to securities to be issued in any transaction referred to in paragraph (a) of § 230.145 of this chapter.

* * * * *

§ 240.14a–6 Material required to be filed.

* * * * *

(i) Notwithstanding the foregoing provisions of this section, any proxy statement, form of proxy or other soliciting material included in a registration statement filed under the Securities Act of 1933 on Form S–14 (17 CFR 239.26) shall be deemed filed both for the purposes of that Act and for the purposes of this section, but separate copies of such material need not be furnished pursuant to this section. However, any additional soliciting material used after the effective date of the registration statement on Form S–14 shall be filed in accordance with this section but separate copies of such material need not be filed as an amendment of such registration statement.

NOTE: Copies of Form S–14, as proposed, have been filed as part of this document with the Office of the Federal Register. Additional copies are available upon request from the Securities and Exchange Commission, Washington, D.C. 20549.

All interested persons are invited to submit their views and comments on the foregoing proposals, in writing, to Neal S. McCoy, Chief Counsel, Division of Corporation Finance, Securities and Exchange Commission, Washington, D.C. 20549, on or before June 16, 1972. Such communications should refer to Rule No. S7–144. All such communications will be available for public inspection.

(Sec. 2(3), 48 Stat. 74, secs. 1–4, 68 Stat. 683, 15 U.S.C. 77b(3); sec. 6, 48 Stat. 78, sec. 1, 79 Stat. 1051, 15 U.S.C. 77f; sec. 7, 48 Stat. 78, 15 U.S.C. 77g; sec. 10, 48 Stat. 81, sec. 205, 48 Stat. 906, sec. 8, 68 Stat. 685, 15 U.S.C. 77j; sec. 19(a), 48 Stat. 85, sec. 209, 48 Stat. 908, 15 U.S.C. 77s(a); sec. 14, 48 Stat. 895; sec. 5, 78 Stat. 569, 570, sec. 3, 82 Stat. 455, sec. 3–5, 84 Stat. 1497, 15 U.S.C. 78n; sec. 23, 48 Stat. 901, sec. 203(a), 49 Stat. 704, sec. 8, 49 Stat. 1379, sec. 10, 78 Stat. 580, 15 U.S.C. 78w)

By the Commission.

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

MAY 2, 1972.

[FR Doc.72–7893 Filed 5–24–72;8:50 am]

Notices

DEPARTMENT OF AGRICULTURE

Packers and Stockyards Administration

ALSBURY SALES PAVILION, INC., ET AL.

Deposting of Stockyards

It has been ascertained, and notice is hereby given, that the livestock markets named herein, originally posted on the respective dates specified below as being subject to the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), no longer come within the definition of a stockyard under said Act and are, therefore, no longer subject to the provisions of the Act.

Facility number, name, location of stockyard, and date of posting

CO–118, Alsbury Sales Pavilion, Inc., Glenwood Springs, Colo., March 23, 1957.
KY–146, Madison Sales Company, Inc., Richmond, Ky., October 9, 1961.
MI–138, Sturgis Livestock Auction Market, Sturgis, Mich., September 21, 1961.
NB–108, Aurora Auction Market, Aurora, Nebr., October 8, 1966.
WI–101, Equity Livestock Auction Market, Altoona, Wis., May 15, 1959.

Notice or other public procedure has not preceded promulgation of the foregoing rule. There is no legal justification for not promptly deposting a stockyard which is no longer within the definition of that term contained in the Act.

The foregoing is in the nature of a rule relieving a restriction and may be made effective in less than 30 days after publication in the FEDERAL REGISTER. This notice shall become effective upon publication in the FEDERAL REGISTER.

(42 Stat. 159, as amended and supplemented; 7 U.S.C. 181 et seq.)

Done at Washington, D.C., this 22d day of May 1972.

EDWARD L. THOMPSON,
Acting Chief, Registrations, Bonds, and Reports Branch, Livestock Marketing Division.

[FR Doc.72–7969 Filed 5–24–72;8:54 am]

GORDON COUNTY LIVESTOCK COMMISSION 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 stock yards 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.

GA–173, Gordon County Livestock Commission, Calhoun, Ga.
MI–142, Michigan Live Stock Exchange, Manchester, Mich.
MS–149, Columbus Stockyard, Inc., Columbus, Miss.
MO–224, Interstate Producer's Livestock Association, Cuba, Mo.
MO–223, Blansit Dairy Cattle, Inc., Ozark, Mo.
PA–147, Hoffman Sales Stables, Hummelstown, Pa.
WI–129, Equity Livestock Auction Market, Eau Claire, Wis.

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 22d day of May 1972.

EDWARD L. THOMPSON,
Acting Chief, Registrations, Bonds, and Reports Branch, Livestock Marketing Division.

[FR Doc.72–7970 Filed 5–24–72;8:54 am]

Rural Telephone Bank

TELEPHONE BANK BOARD

First Notice of Election of Board Members

Notice is hereby given that, pursuant to section 405(d) of the Rural Electrification Act of 1936, as amended (the Act), a meeting to elect six industry members of the Telephone Bank Board for 2-year terms will be held in the Jefferson Auditorium, South Building, Department of Agriculture, at 9 a.m. on September 14, 1972. This meeting and election will be conducted as follows:

1. *Mailing of first notice.* (a) A copy of this notice is being mailed to all entities which have received a loan or loan commitment pursuant to section 201 of the Act (REA telephone borrowers), and to those borrower-controlled organizations holding Class C stock in the Rural Telephone Bank, to the last address furnished by them to the Rural Electrification Administration. This mailing will include the following forms:

(1) Voting Representative Certification.
(2) Nominations for Directors.

(b) A Proxy Designation form will be mailed later for use by voting representatives unable to vote in person.

2. *Organizations controlled by REA borrowers.* (a) Organizations, other than those holding Class C stock in the Rural Telephone Bank, claiming to be controlled by REA telephone borrowers and therefore entitled to vote under section 405(d) of the Act shall, prior to 9 a.m., August 10, 1972, apply for certification as such to the Governor of the Rural Telephone Bank and furnish the following information:

(1) Date of incorporation.
(2) A list of REA telephone borrowers holding stock or membership in the applicant and the total number of votes such REA borrowers are entitled to cast for directors of the applicant.
(3) A list of all others holding stock or membership in the applicant and the total number of votes they are entitled to cast for directors of the applicant.
(4) A list of directors of the applicant, showing affiliation of each, if any, with an REA telephone borrower.
(5) A list of officers of the applicant, showing affiliation of each, if any, with an REA telephone borrower.
(6) A copy of the applicant's bylaws.

(b) Applications for certification shall be submitted by the Governor to the Telephone Bank Board for approval or denial at its regular meeting in August 1972. No applications for certification shall be accepted after 9 a.m. on August 10, 1972.

3. *Voting representatives.* (a) Before participating in any election or nominating procedure, a representative of an REA telephone borrower, of a borrower-controlled organization holding Class C stock, or of a certified borrower-controlled organization must submit to the Assistant Secretary of the Rural Telephone Bank a Voting Representative Certification executed by the president or vice president and the secretary of the borrower or organization he is representing, certifying that he is that borrower's or organization's representative, duly authorized to cast its vote at the meeting. Only a director, manager, or employee of the borrower or organization may be certified as its voting representative.

(b) A voting representative shall continue to be such until there has been filed with the Assistant Secretary of the Rural Telephone Bank a later Voting Representative Certification. Any such later instrument shall void any proxy executed by the previously certified voting representative.

(c) A voting representative may vote by proxy in an election of directors by designating a voting representative of another borrower or borrower-controlled

organization as his proxy on the Proxy Designation form, filing it with the Assistant Secretary of the Rural Telephone Bank prior to the start of the meeting, and furnishing a copy of the Proxy Designation to the voting representative designated to exercise his proxy. No voting representative may vote the proxies of more than 10 voting representatives. A voting representative who has given a proxy may vote in person and such vote shall revoke the proxy previously given and shall have the same effect as if the proxy had not been executed.

4. *Nominations.* (a) Each cooperative-type REA telephone borrower may nominate not more than three persons who are managers, directors, or employees of cooperative-type REA telephone borrowers, or organizations controlled by them, to be directors on the Telephone Bank Board; and each commercial-type REA telephone borrower may nominate not more than three persons who are managers, directors or employees of commercial-type REA telephone borrowers, or organizations controlled by them, to be directors on the Telephone Bank Board. The Nominations for Directors form shall be completed by the borrower's voting representative and mailed, in an envelope on which "Nominations" has been entered in the lower left corner, to Assistant Secretary, Rural Telephone Bank, South Building, U.S. Department of Agriculture, Washington, D.C. 20250. All such envelopes received by him by 9 a.m., August 10, 1972, shall be opened and tabulated by tellers nominated by the Governor and approved by the Telephone Bank Board.

(b) All managers, directors, and employees of cooperative-type REA borrowers, or organizations controlled by them, receiving at least 10 nominations shall be entered on the official ballot as candidates for the three positions on the Telephone Bank Board allocated to the cooperative segment of the industry. All managers, directors, and employees of commercial-type REA borrowers, or organizations controlled by them, receiving at least 10 nominations shall be entered on the official ballot as candidates for the three positions on the Telephone Bank Board allocated to the commercial segment of the industry.

(c) The official ballot will contain blank spaces for writing in the names of three additional candidates for commercial-type positions and blank spaces for writing in the names of three additional candidates for cooperative-type positions.

(d) At the meeting to elect directors, nomination forms received after 9 a.m., August 10, 1972, and before 9 a.m., September 14, 1972, shall be opened and tabulated by tellers nominated by the Governor and approved by the voting representatives. Any candidate receiving a total of 10 nominations, including nominations received before 9 a.m., August 10, 1972, who was not included on the official ballot, shall be considered as having been nominated from the floor.

5. *Final notice of meeting.* As soon as possible after the August meeting of the Telephone Bank Board but at least 10 days before the election meeting, the Governor shall publish in the FEDERAL REGISTER a final notice of the meeting, including the names of the candidates who qualified for listing on the official ballot. The Governor shall also mail such notice to each REA telephone borrower and organization certified as being controlled by REA telephone borrowers or holding Class C stock. The notice will remind each borrower or organization of the need to complete and submit the Voting Representative Certification, if one has not been completed and submitted, and remind each voting representative of his right to complete a Proxy Designation form, which will be included in this mailing, and Nominations for Directors form, previously submitted. Failure of any borrower or organization to receive notice of the meeting shall not invalidate any action which may be taken at the meeting.

6. *Conduct of the meeting.* (a) The presence of 20 voting representatives shall constitute a quorum for the conduct of the meeting.

(b) The Governor shall act as chairman of the meeting which shall be conducted in accordance with the current edition of "Robert's Rules of Order," except as otherwise provided herein.

7. *Voting.* (a) Each REA telephone borrower and organization certified as being controlled by REA telephone borrowers or holding Class C stock shall be entitled to only one vote with respect to each of the six positions for which a director is to be elected.

(b) One ballot will be distributed to each voting representative for himself and for each of not more than 10 proxies held by him and not revoked as shown by the records kept by the Assistant Secretary of the Rural Telephone Bank. To be elected a director, a candidate must receive a majority of all ballots cast. If less than three cooperative-type positions and three commercial-type positions are filled as a result of the first balloting, those receiving such a majority on the first balloting shall be declared elected. Additional ballots will then be distributed in the same manner until three cooperative-type positions and three commercial-type positions have been filled by a majority of the ballots cast in a succeeding balloting or ballotings.

(c) On all other matters related to the election coming before the meeting, each voting representative shall have only one vote, irrespective of the number of proxies held by him.

Dated: May 22, 1972.

DAVID A. HAMIL,
Governor, Rural Telephone Bank.

[FR Doc.72-7968 Filed 5-24-72;8:55 am]

DEPARTMENT OF COMMERCE

Office of Import Programs

BOSTON UNIVERSITY SCHOOL OF MEDICINE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00149-33-90000. Applicant: Boston University School of Medicine, 80 East Concord Street, Boston, MA 02118. Article: X-ray diffraction camera. Manufacturer: Elliot Automation Radar Systems, Ltd., United Kingdom. Intended use of article: The article will be used in research involving cancer cell and membrane structure studies.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article is a focusing type camera which yields higher intensity in the X-ray beam than a pinhole camera thereby reducing exposure time. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated March 24, 1972, that the characteristics of the article described above are pertinent to the applicant's research studies. HEW further advises that it knows of no comparable domestic instrument which provides the pertinent capabilities of the article.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article for such purposes as the article is intended to be used which is being manufactured in the United States.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72-7895 Filed 5-24-72;8:48 am]

CHICAGO OSTEOPATHIC HOSPITAL

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decison on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public

Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72–00192–33–46040. Applicant: Chicago Osteopathic Hospital, 5200 South Ellis Avenue, Chicago, IL 60615. Article: Electron microscope, Model Elmiskop 51. Manufacturer: Siemens and Halske Aktiengesellschaft, West Germany. Intended use of article: The article is intended to be used as an aid in the rapid diagnosis of poorly differentiated tumors which cannot be identified by conventional light microscopy, in rapid screening of needle biopsy specimens of diseased kidneys, and in rapid screening of muscle biopsies in patients with primary or secondary myopathies by investigators interested in ultrastructure of fetal lung, early changes in cirrhosis of liver, ultrastructure of placenta, and ultrastructure of fetal kidney. The article will also be used in training of residents in Surgical Pathology in tissue ultrastructure and in the preparation of selected tissue specimens to introduce medical students to the field of ultrastructure.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. The foreign article is a relatively simple, low resolution electron microscope designed for confident use by beginning students with a minimum of detailed programing. The most closely comparable domestic instrument is the Model EMU–4C electron microscope manufactured by the Forgflo Corp. The Model EMU–4C electron microscope is a relatively complex instrument designed for research, which requires a skilled electron microscopist for its operation. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated April 14, 1972, that the relative simplicity of design and ease of operation of the foreign article is pertinent to the applicant's educational purposes. We, therefore, find that the Model EMU–4C electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72–7896 Filed 5–24–72;8:48 am]

ALBERT EINSTEIN COLLEGE OF MEDICINE ET AL.

Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

The following is a consolidated decision on applications for duty-free entry of electron microscopes pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.). (See especially § 701.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72–00223–33–46040. Applicant: Albert Einstein College of Medicine, 1300 Morris Park Avenue, Bronx, NY 10461. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments N.V.D., the Netherlands. Intended use of article: The article is intended to be used to study the central nervous system of both vertebrates and invertebrates in relation to understanding nervous function. In addition the article will be used to train scientists in the research techniques of ultrastructure. Application received by Commissioner of Customs: November 9, 1971. Advice submitted by Department of Health, Education, and Welfare on: April 14, 1972.

Docket No. 72–00232–33–46040. Applicant: Veterans Administration Hospital, 150 South Huntington Avenue, Boston, MA 02130. Article: Electron microscope, EM 300. Manufacturer: Philips Electronic Instruments N.V.D., the Netherlands. Intended use of article: The article is intended to be used in two research projects, one dealing with the fine structural analysis of the nervous system in normal and disease states and the other dealing with arthritis research. The materials to be studied included:

1. Central and peripheral nervous system tissue from both patients and experimental animals.

2. Muscles from both patients and experimental animals.

3. Tissue and cell cultures prepared from human patients and hyperimmunized animals, and

4. Cells and tissue of both patients and animals with connective tissue disorders in particular arthritis. Application received by Commission of Customs: November 12, 1971. Advice submitted by Department of Health, Education, and Welfare on: April 14, 1972.

Docket No. 72–00238–33–46040. Applicant: Veterans Administration Hospital, 4801 Linden Boulevard, Kansas City, MO 64128. Article: Electron microscope, Model EM 300 and accessories. Manufacturer: Philips Electronic Instruments N.V.D., the Netherlands. Intended use of article: The article is intended to be used for ultrastructural characterization of a wide variety of pathological human tissue with emphasis on liver, hematologic, and neoplastic pathology. Many of these objects of study will require differentiation and cellular interrelationships of fibrillar protein such as collagen, myosin, fibrin, and amyloid. Application received by Commissioner of Customs: November 16, 1971. Advice submitted by Department of Health, Education, and Welfare on: April 14, 1972.

Comments: No comments have been received in regard to any of the foregoing applications.

Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for the purposes for which the articles are intended to be used, is being manufactured in the United States.

Reasons: Each foreign article has a specified resolving capability of 3.5 angstroms. The most closely comparable domestic instrument is the Model EMU–4C electron microscope which is manufactured by the Forgflo Corp. (Forgflo). The Model EMU–4C has a specified resolving capability of 5 angstroms. (Resolving capability bears an inverse relationship to its numerical rating in angstrom units, i.e., the lower the rating, the better the resolving capability.) We are advised by the Department of Health, Education, and Welfare in the respectively cited memoranda, that the additional resolving capability of the foreign articles is pertinent to the purposes for which each of the foreign articles to which the foregoing applications relate is intended to be used. We, therefore, find that the Forgflo Model EMU–4C is not of equivalent scientific value to any of the articles to which the foregoing applications relate, for such purposes as these articles are intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72–7894 Filed 5–24–72;8:48 am]

GEORGETOWN UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00089-33-46040. Applicant: Georgetown University, School of Medicine and Dentistry, 3900 Reservoir Road NW., Washington, DC 20007. Article: Electron microscope, EM 801. Manufacturer: Associated Electrical Industries, United Kingdom. Intended use of article: The article is intended to be used in studies of materials of a diverse biological nature; mainly mammalian tissue from human biopsy and tissue from a variety of experimental animals. Several of the studies include experiments on (1) fine structure of various endocrine organs in situ and in vitro and the effects of various physiological mediators and pharmacological agents upon cytological organelles and inclusions, (2) development of mammalian blastocysts particularly to determine how large molecules enter the blastocoel, (3) determining the morphology of uterine tube epithelium in rats to characterize the ciliated and secretory cells, and (4) the localization of lysosomal enzymes within odontoclasts of canine resorbing teeth and alveolar bone. The article will also be used in teaching a course entitled "Biomedical Techniques-Essentials of Electron Microscopy" to graduate students.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article is equipped with a tilt stage having a guaranteed resolving power of 5 angstroms. The most closely comparable domestic instrument is the Model EMU-4C electron microscope manufactured by Forgflo Corp. (Forgflo). The Model EMU-4C can be equipped with a tilt stage but the guaranteed resolving power of this stage is 8 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving power.) We are advised by the Department of Health, Education, and Welfare in its memorandum dated February 25, 1972, that the guaranteed resolving power of the tilt stage of the foreign article is pertinent to the applicant's research studies. We, therefore, find that the Model EMU-4C electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72-7897 Filed 5-24-72;8:48 am]

HUNTINGTON INSTITUTE OF APPLIED MEDICAL RESEARCH

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00191-33-46040. Applicant: Huntington Institute of Applied Medical Research, 734 Fairmount Avenue, Pasadena, CA 91105. Article: Electron microscope, Model HU-11E. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article is intended to be used for investigations of the ultrastructure of the normal and pathological tissues of the central nervous system. A variety of electron microscope techniques will be utilized in an investigation of the morphological substrate of the blood brain barrier and the anatomical elements involved in the secretion and reabsorption of the cerebrospinal fluid.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article has a specified resolving capability of 3.5 angstroms. The most closely comparable domestic instrument is the Model EMU-4C electron microscope manufactured by the Forgflo Corp. The Model EMU-4C has a specified resolving capability of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability.) We are advised by the Department of Health, Education, and Welfare in its memorandum dated April 14, 1972, that the additional resolving capability of the foreign article is pertinent to the purposes for which the foreign article is intended to be used. We, therefore, find that the Model EMU-4C is not of equivalent scientific value to the foreign article for such purposes as the article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72-7898 Filed 5-24-72;8:48 am]

INSTITUTE FOR CANCER RESEARCH

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00290-01-77030. Applicant: The Institute for Cancer Research, 7701 Burholme Avenue, Philadelphia, PA 19111. Article: NMR spectrometer, Model JNM-MH-60-II. Manufacturer: Japan Electron Optics Lab. Co., Ltd., Japan. Intended use of article: The article will be used to study organic chemicals of various types, principally nitrogen heterocycles (purine derivatives), sugar compounds and organophosphorus compounds which are being synthesized. The properties to be studied are the effects (inhibitory, or substrate) of analogs on a variety of enzymes. The objectives of the research are to control and analyze the synthesis of organic compounds to be used for the study of mechanism of enzyme action.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the applicant prepared the order for the foreign article.

Reasons: The captioned application is a resubmission of Docket No. 70-00351-01-77030 which was denied without prejudice to resubmission on December 3, 1969. The foreign article provides frequency sweep spin decoupling. The most closely comparable domestic instrument available at the time the applicant prepared the order for the foreign article was the Model A-60D manufactured by Varian Associates (Varian). The Model A-60D could provide only field sweep spin decoupling. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated February 13, 1971, and the National Bureau of Standards (NBS) in its memorandum dated March 16, 1972, that frequency sweep decoupling is pertinent to the applicant's intended use. Both NBS and HEW further advise that they know of no instrument or apparatus of equivalent scientific value to the foreign article for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the applicant prepared the order for the article.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the applicant prepared the order for the article.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72-7899 Filed 5-24-72;8:48 am]

MASSACHUSETTS INSTITUTE OF TECHNOLOGY ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6 (c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the FEDERAL REGISTER.

Amended regulations issued under cited Act, as published in the February 24, 1972, issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C.

Docket No. 72-00479-33-46040. Applicant: Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, MA 02139. Article: Electron microscope, Model JEM 100B. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used in a wide variety of investigations being conducted in the biology department. Notable among these are the investigation of the growth and development of tumor viruses, the growth of malignant human cells, and the genetic control of virus structure. Application received by Commissioner of Customs: April 5, 1972.

Docket No. 72-00483-33-46040. Applicant: Mount Sinai School of Medicine of the City University of New York, 100th Street and Fifth Avenue, New York, N.Y. 10029. Article: Electron microscope, Model HS-8. Manufacturer: Hitachi Ltd., Japan. Intended use of article: The article is intended to be used in teaching electron microscopy to medical students and to a limited number of advanced graduate students, residents in pathology, and trainees in liver diseases. The article will also be used in research on the structure of liver cells in various forms of jaundice to determine the primary target of the immediate cause of the jaundice, usually cholestatic in type and to determine the injury to cell structure secondary to cholestasis. Application received by Commissioner of Customs: April 6, 1972.

Docket No. 72-00484-79-16095. Applicant: National Accelerator Laboratory, Universities Research Association, Inc., 2100 Pennsylvania Avenue NW., Room 828, Washington, DC 20006. Article: Cerenkov counters. Manufacturer: European Organization for Nuclear Research, Switzerland. Intended use of article: The article is intended to be used in studies of the properties of light emitted by Cerenkov radiation when the particles pass through the helium gas within the counter. These particle identification signals will be used to trigger other experimental detectors. Application received by Commissioner of Customs: April 6, 1972.

Docket No. 72-00485-33-46070. Applicant: Brigham Young University, Provo, Utah 84601. Article: Scanning electron microscope, Model SSM-2. Manufacturer: Hitachi Ltd., Japan. Intended use of article: The article is intended to be used as a teaching and training instrument for undergraduate and graduate students in the biological sciences in the courses entitled Electron Microscopy, Electron Microscopy Laboratory, Cell Biology, and Ultrastructural Interpretation. Application received by commissioner of Customs: April 6, 1972.

Docket No. 72-00487-33-46040. Applicant: The Miriam Hospital, 164 Summit Avenue, Providence, RI 02906. Article: Electron microscope, Model EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for ultrastructural studies of renal biopsy material in conjunction with a developing renal dialysis and transplantation program. Studies will also be conducted on skeletal muscle biopsies removed from patients with various muscular dystrophies. Neuropathology studies will be undertaken on surgical material on patients with lipoidoses and various degenerative disorders. Skin disorders will be investigated ultrastructurally by study of sequential skin biopsies and of skin lesions excised at operation. The article will also be used for educational purposes in a course in electron microscopy as part of the training of resident physicians and postdoctoral fellows in pathology with emphasis on application of newly learned electron microscopy techniques to study of pathological tissues. Application received by Commissioner of Customs: April 7, 1972.

Docket No. 72-00488-33-46500. Applicant: Wills Eye Hospital, 1601 Spring Garden Street, Philadelphia, PA 19130. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used in the investigation, at the ultrastructural level, of the deposition of abnormal storage materials in certain corneal diseases and determination of the ultrastructure morphology of retinas from congenitally malformed eyes and pigmented ocular tumors, benign and malignant. Trabeculectomy specimens from glaucoma patients, will be studied for changes in the aqueous outflow channels. Application received by Commissioner of Customs: April 10, 1972.

Docket No. 72-00489-33-46500. Applicant: University of Pennsylvania School of Medicine, 36th and Spruce Streets, Philadelphia, Pa. 19104. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for examination of mammalian tissues from experimental animals and humans during a number of investigations into disease processes. Among these investigative areas are the interactions of tumor viruses with normal cells and the subsequent events leading to neoplasia, the pathogenesis of subacute bacterial endocarditis using bacterial infection of the normal heart valves of experimental animals, and the investigation of tissue changes in organ transplantation. The article will also be used in the course covering the Theory and Practice of Electron Microscopy, for graduate students and residents in pathology. Application received by Commissioner of Customs: April 10, 1972.

Docket No. 72-00490-01-07500. Applicant: Texas A. & M. University, Chemistry Department, College Station, Tex. 77843. Article: Precision calorimetry system No. 8700. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for Ph. D. dissertation research on the determination of heats of vaporization, heats of reaction in solution, and incremental heats of reaction occurring during titration calorimetry. The article will also be used in the course Chemistry 691, Research to carry out the experimental work related to the Ph. D. dissertation. Application received by Commissioner of Customs: April 10, 1972.

Docket No. 72-00491-75-40600. Applicant: U.S. Atomic Energy Commission, Los Alamos Area Office, Los Alamos, N. Mex. 87544. Article: Mass separator. Manufacturer: Nucletec S.A., Switzerland. Intended use of article: The article is intended to be used for the investigations of nuclear cross sections needed for the development of breeder reactors to meet the Nation's future power requirements. Application received by Commissioner of Customs: April 11, 1972.

Docket No. 72-00492-33-46040. Applicant: Eunice Kennedy Shriver Center for Mental Retardation, Inc., 200 Trapelo Road, Waltham, MA 02154. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instrument, N.V.D., the Netherlands. Intended use of article: The article is intended to be used for electron microscopic studies concerning the normal and abnormal morphogenesis of the brain with the aim of defining the morphological basis of mental retardation and related disorders. Another investigation to be carried out will involve identification of subcellular particles which have been obtained after gradient centrifugation of fragmented material, the study of specific organelles, the evaluation of the structural changes in certain human metabolic diseases. The article will also be used for training in electron microscopy in relation to neuropathology. Application received by Commissioner of Customs: April 11, 1972.

Docket No. 72-00493-33-46040. Applicant: University of Hawaii, Pacific Biomedical Research Center, 1960 East-West Road, Honolulu, Hawaii 96822. Article: Electron microscope, Model EM 201. Manufacturer: Philips Electronic Instruments, N.V.D., the Netherlands. Intended use of article: The article is

intended to be used to investigate the structure of the cells and subcellular organelles of a variety of invertebrate animals in the course of investigations of (1) the mechanism of motility of cilia and flagella and of chromosome movement in the mitotic apparatus; (2) the fibrillar structures involved in the furrowing of cells during division; (3) the breakdown of the cortical granules and the formation of the hyaline layer at fertilization; and (4) the structure of the egg cortex and its role in embryonic determination. The article will also be used in training graduate students in electron microscopy as part of the doctoral program in the areas of biological research as described above. Application received by Commissioner of Customs: April 11, 1972.

Docket No. 72-00494-75-20700. Applicant: Columbia University, Nevis Laboratories, Post Office Box 137, 136 South Broadway, Irvington, NY 10533. Article: Lead glass blocks. Manufacturer: Ohara Optical Glass Manufacturing Co., Ltd., Japan. Intended use of article: The article is intended to be used in an elementary particle physics experiment. The lead glass will be mated to photomultiplier tubes and associated electronics and the assembly used to detect very high energy electrons and protons which deposit all their energy in the lead glass. Application received by Commissioner of Customs: April 14, 1972.

Docket No. 72-00495-65-46070. Applicant: University of Wisconsin, 750 University Avenue, Madison, WI 53706. Article: Scanning electron microscope, Model JSM-50A. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used in the study of clay minerals and other layer-lattice minerals (micas, chlorite) to determine on as fine a scale as possible the chemical and mineralogical homogeneity of these materials and the relationship of any variation to the physical form of crystallites. Another application of the article will be to study the relationship between composition and crystal imperfections in thin films of materials such as aluminum or gold. The article will also be used in the course, Geology 349, Electron Microprobe Analysis, to teach students and interested staff members how to use the electron probe to obtain elemental analysis data and how to handle the data collected to obtain quantitative results. Application received by Commissioner of Customs: April 14, 1972.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72-7900 Filed 5-24-72;8:48 am]

MOUNT SINAI SCHOOL OF MEDICINE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00470-33-46040. Applicant: Mount Sinai School of Medicine, Fifth Avenue and 100th Street, New York, NY 10029. Article: Electron microscope, Model HU-11E. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used by several investigators at the neurovirology laboratory who have recently succeeded in growing SMCA (suckling mouse cataract agent) in tissue culture. SMCA, which causes disease of the central nervous system of mice has never before been passaged in tissue culture and this recent success will enable much work to be done to characterize the agent, to better understand the changes that the agent induces in the cells of the central nervous system.

Comments: Comments have been received from the Forgflo Corp. (Forgflo), which allege, inter alia, "The Forgflo Model EMU-4C is of equivalent scientific value to the instrument (foreign article) for which duty-free entry has been requested for the purposes stated in the application for which the instrument is intended to be used."

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the foreign article was ordered (March 5, 1971).

Reasons: The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated August 20, 1971, that the "best resolution (i.e., resolution limit or resolving power) available" is pertinent to the applicant's research program involving studies, at the macromolecular level, on a "slow virus" causing cataracts in mice. Resolving power bears an inverse relationship to its numerical rating in Angstrom units (Å), i.e., the lower the rating, the better the resolving power. The foreign article has a guaranteed resolving power of 3.5 Å. The most closely comparable domestic instrument available at the time the foreign article was ordered was the Model EMU-4C electron microscope manufactured by Forgflo. The EMU-4C had a guaranteed resolving power of 5 Å. Section 701.11(a) of the regulations provides as to the comparison of the pertinent specifications of the foreign article with similar pertinent specifications of the most closely comparable domestic instrument: "The *guaranteed specifications* for the foreign article will be considered in the comparison * * *. Similarly, the *guaranteed specifications* for the most closely comparable domestic instrument will be considered * * *" (italics added). Thus, only the guaranteed specifications of the foreign and domestic instruments are to be considered by the Deputy Assistant Secretary in his determination of scientific equivalency.

Notwithstanding the foregoing, Forgflo comments that "* * * The EMU-4C is guaranteed 5 Å day to day in the customer's laboratory. It can be expected to routinely produce a resolution superior to this. This compares very favorably to the (foreign article), if the fact is considered that their guarantee is factory certification not necessarily in the customer's laboratory." Forgflo's remarks underscore the fact that under certain conditions and with the appropriate specimen it is possible to attain better resolving power with an electron microscope than the manufacturer is willing to guarantee. The foreign manufacturer's literature states that better than 1 Å has been attained with the foreign article in demonstrated applications.

Accordingly, we find that the Model EMU-4C was not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the foreign article was ordered.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72-7901 Filed 5-24-72;8:49 am]

MOUNT SINAI SCHOOL OF MEDICINE OF THE CITY UNIVERSITY OF NEW YORK

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00159-01-07520. Applicant: Mount Sinai School of Medicine of the City University of New York, 100th Street and Fifth Avenue, New York, N.Y. 10029. Article: Microcalorimeter. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used for the measurement of heat of reaction in the binding study of morphine to the brain membrane which is extremely important for the understanding of morphine addiction and possible treatment. The article will also be used in teaching advance courses in physical and chemical techniques and in biophysical sciences.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article is designed primarily for measurement of heats of reaction in dilute solution involving small sample volumes and has a sensitivity of 1 microcalorie. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated March 24, 1972, that the best sensitivity available and the ability to function with the smallest quantities of reactants is pertinent to the applicant's research studies. HEW further advises that it knows of no comparable domestic instrument that provides the pertinent specifications of the article.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc.72-7902 Filed 5-24-72;8:49 am]

NEW YORK HOSPITAL, CORNELL MEDICAL CENTER ET AL.

Notice of Consolidated Decision on Applications for Duty-Free Entry of Ultramicrotomes

The following is a consolidated decision on applications for duty-free entry of ultramicrotomes pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.). (See especially § 701.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00224-33-46500. Applicant: New York Hospital, Cornell Medical Center, 1300 York Avenue, New York, NY 10021. Article: Ultramicrotome, Model "Om U3." Manufacturer: C. Reichert Optische Werke A.G., Austria. Intended use of article: The article is intended to be used for serial sections of the arachnoid granulations and villi of experimental animals for examination with the electron microscope. The fine structures and architecture of the endothelium will be studied. Application received by Commissioner of Customs: November 9, 1971. Advice submitted by Department of Health, Education, and Welfare on: April 14, 1972.

Docket No. 72-00231-33-46500. Applicant: University of California, Davis, Davis, Calif. 95616. Article: Ultramicrotome, Model, Om U3. Manufacturer: C. Reichert Optische Werke A.G., Austria. Intended Use of Article: The article is intended to be used to make ultrathin sections of portions of infundibular and uterovaginal junctions of oviducts of domestic fowl, turkeys, pheasants, quail, and possible other avian species containing sperm-host glands and of blastodiscs of just ovulated ova, partially formed and laid eggs from the same species. These ultrathin sections will in turn be used in the study of the intimate mechanisms of embryogenesis in birds. The article will also be used by graduate students for training in the use of the equipment as one essential part of research training in investigations involving ultramicromorphology. Application received by Commissioner of Customs: November 12, 1971. Advice submitted by Department of Health, Education, and Welfare on: April 14, 1972.

Comments: No comments have been received with respect to any of the foregoing applications.

Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for such purposes as these articles are intended to be used, is being manufactured in the United States.

Reasons: Each of the foreign articles provides a range of cutting speeds from 0.5 to 10 millimeters per second. The most closely comparable domestic instrument is the Model MT-2B ultramicrotome which is manufacturerd by Ivan Sorvall, Inc. (Sorvall). The Model MT-2B has a range of cutting speeds from 0.09 to 3.2 millimeters per second. The conditions for obtaining high quality sections that are uniform in thickness depend to a large extent on the hardness, consistency, toughness, and other properties of the specimen materials, the properties of the embedding materials and the geometry of the block.

In connection with a prior application (Docket No. 69-00118-33-46500) which relates to the duty-free entry of an article similar to those to which the foregoing applications relate, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting (among such [other] obvious factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned." In connection with another prior case (Docket No. 69-00665-33-46500) relating to the duty-free entry of an article similar to those described above, HEW advised that "The range of cutting speeds and a capability for the higher cutting speeds is * * * a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section." In connection with still another prior case (Docket No. 70-00077-33-46500) relating to the duty-free entry of an article similar to those described above, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness, etc." requires a maximum range in cutting speed and, further, that "The production of ultrathin serial sections of specimens that have great variation in physical properties is very difficult." Accordingly, HEW advises in its respectively cited memoranda, that cutting speeds in excess of 4 millimeters per second are pertinent to the satisfactory sectioning of the specimen materials and the relevant embedding materials that will be used by the applicants in their respective experiments.

For these reasons, we find that the Sorvall Model MT-2B utlramicrotome is not of equivalent scientific value to the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72-7904 Filed 5-24-72;8:49 am]

NORTHWESTERN UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00249-65-46070. Applicant: Northwestern University, Department of Materials Science, the Technological Institute, Evanston, Ill. 60201. Article: Scanning electron microscope, Model JSM-U3. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan. Intended use of article: The article will be used in research involving precipitation, nucleation and growth phenomena. The formation of silicon carbide and silica from a solid solution of silicon containing carbon and/or oxygen will be studied. Another area of study involves catalysts which are used in polymerization reactions and for environmental control uses.

Comments: Comments have been received from Ultrascan Co. (Ultrascan) which state "* * * we cannot object if the JSM-U3 (foreign article) can be demonstrated to have 100 Å (angstroms) resolution as claimed by the supplier. It is our understanding, however, that the JSM-U3 has 200 Å resolution in conformity with specifications of instruments of American manufacture."

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for

such purposes as this article is intended to be used, was being manufactured in the United States at the time the article was ordered (September 24, 1970).

Reasons: The National Bureau of Standards (NBS) in its memorandum dated January 7, 1972, advises that for the applicant's intended research involving (1) precipitation, nucleation, and growth phenomena, such as the formation of silicon carbide and silica from a solid solution of silicon containing carbon and/or oxygen; and (2) catalysts used in polymerization reactions as well as for environmental control, the stated requirements for a guaranteed 100 angstroms resolution is pertinent. The foreign manufacturer has guaranteed 100 angstroms resolution in their specifications which form a part of this application. NBS also advises that it knows of no domestically manufactured instrument providing an equivalent capability as of the order date.

The Department of Commerce knows of no instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article was intended to be used, which was being manufactured in the United States as of the order date.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72-7903 Filed 5-24-72;8:49 am]

STATE UNIVERSITY OF NEW YORK AT BUFFALO ET AL.

Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

The following is a consolidated decision on applications for duty-free entry of electron microscopes pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.). (See especially § 701.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00166-33-46040. Applicant: State University of New York at Buffalo, School of Medicine, Department of Anatomy, 317 Capen Hall, Buffalo, N.Y. 14214. Article: Electron microscope, Model JEM 100B. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan. Intended use of article: The article will be used to determine the origin and structure of pigment material in aging cells and morphological ultrastructural features of such cells as well as to study the pathogenesis of intracranial tumors. The article will also be used for the training of graduate and medical students who will be carrying on research projects in partial fulfillment of the requirements for graduate degrees. Application received by Commissioner of Customs: October 5, 1971. Advice submitted by Department of Health, Education, and Welfare on: April 7, 1972.

Docket No. 72-00240-33-46040. Applicant: Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, MA 02139. Article: Electron microscope Model JEM-100B. Manufacturer: JEOLCO, Ltd., Japan. Intended use of article: The article is intended to be used as a key instrument in a wide variety of investigations such as growth and development of tumor viruses, the growth of malignant human cells, and the genetic control of virus structure. Application received by Commissioner of Customs: November 16, 1971. Advice submitted by Department of Health, Education, and Welfare on: April 21, 1972.

Docket No. 72-00241-01-46040. Applicant: Cornell University, Department of Applied Physics, Clark Hall, Ithaca, N.Y. 14850. Article: Electron microscope, Model JEM-100B and accessories. Manufacturer: JEOLCO, Ltd., Japan. Intended use of article: The article is intended to be used to study the 3-D structure of biomacromolecules particularly the quaternary structure of enzymes and the location of their active sites. In addition structure of other biomolecular configurations, such as fibrinogen and ribosomes are to be investigated. Application received by Commissioner of Customs: November 16, 1971. Advice submitted by Department of Health, Education, and Welfare on: April 21, 1972.

Comments: No comments have been received in regard to any of the foregoing applications.

Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for the purposes for which the articles are intended to be used, is being manufactured in the United States.

Reasons: Each foreign article has a specified resolving capability of 3 angstroms. The most closely comparable domestic instrument is the Model EMU-4C electron microscope which is manufactured by the Forgflo Corp. (Forgflo). The Model EMU-4C has a specified resolving capability of 5 angstroms. (Resolving capability bears an inverse relationship to its numerical rating in Angstrom units, i.e., the lower the rating, the better the resolving capability.) We are advised by the Department of Health, Education, and Welfare in the respectively cited memoranda, that the additional resolving capability of the foreign articles is pertinent to the purposes for which each of the foreign articles to which the foregoing applications relate is intended to be used. We, therefore, find that the Forgflo Model EMU-4C is not of equivalent scientific value to any of the articles to which the foregoing applications relate, for such purposes as these articles are intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72-7905 Filed 5-24-72;8:49 am]

UNIVERSITY OF ARKANSAS MEDICAL SCHOOL

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00168-00-78050. Applicant: University of Arkansas Medical School, 4301 West Markham Street, Little Rock, AR 72201. Article: Circular dichroism attachment, Model CD-HC. Manufacturer: Rehovoth Instrument Ltd., Israel. Intended use of article: The article will be used as a mobile attachment to a recording spectrometer used by graduate students for studying the structure of proteins.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The article can be used to temporarily enable a spectrometer in the possession of the applicant to measure circular and linear dichroism without limiting the general usefulness of the instrument. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated March 31, 1972, that the capability of the article described above is pertinent to the applicant's research studies. HEW further advises that it knows of no comparable domestic instrument that provides the pertinent capability.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72-7906 Filed 5-24-72;8:49 am]

UNIVERSITY OF CINCINNATI

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of

the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72–00129–33–81595. Applicant: University of Cincinnati, Department of Environmental Health, Kettering Laboratory, Eden and Bethesda Avenues, Cincinnati, Ohio 45219. Article: Wright dust feed mechanism. Manufacturer: L. Adams, Ltd., United Kingdom. Intended use of article: The article will be used to generate a cloud of very fine particles of coal dust at a constant concentration for six or more continuous hours per day in experiments designed to study the effect and fate of inhaled coal dust in order to establish safe working conditions for coal workers.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article has a low feed rate and is capable of continuous feed for many hours. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated March 24, 1972, that the characteristics of the article described above are pertinent to the applicant's research studies. HEW further advises that it knows of no comparable domestic instrument which provides the pertinent capabilities of the article.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article for such purposes as the article is intended to be used which is being manufactured in the United States.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72–7907 Filed 5–24–72;8:49 am]

UNIVERSITY OF IOWA ET AL.

Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

The following is a consolidated decision on applications for duty-free entry of electron microscopes pursuant to section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.). (See especially § 701.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington D.C.

Docket No. 72–00171–91–46040. Applicant: University of Iowa, Department of Botany, Iowa City, Iowa 52240. Article: Electron microscope, Model HU–12. Manufacturer: Hitachi Ltd., Japan. Intended use of article: The article will be used in several research projects including: (1) An investigation of chloroplast ultrastructure in order to correlate certain alterations found in chloroplast membrane structure with changes observed in the photosynthetic capacity of a line of cultured plant cells; (2) the study of viruslike particles found in the nuclei of a line of cultured plant cells that has lost the ability to differentiate in order to determine their location, origin, and mode of transmission; and (3) the examination of isolated nucleic acids from chloroplasts and viruslike particles. The article will also be used in the Botany Department course 2:214, electron microscopy, a one-semester course with an average enrollment of eight graduate students. Application received by Commissioner of Customs: October 5, 1971. Advice submitted by Department of Health, Education, and Welfare on: April 14, 1972.

Docket No. 72–00199–33–46040. Applicant: The University of Chicago, Department of Biophysics, 5640 South Ellis Avenue, Chicago, IL 60637. Article: Electron microscope, HU–12. Manufacturer: Hitachi Perkin-Elmer, Japan. Intended use of article: The article is intended to be used in a two-phase project which consists of the following:

1. Design, construction, and study of performance of modifications to a conventional electron microscope which is intended to result in a new and powerful tool for biological investigations.

2. Biological research, particularly the study of unstained macromolecules and ribosomes with regard to protein synthesis.

The article will also be used in the education of students either in course or in thesis research projects. Application received by Commissioner of Customs: October 21, 1971. Advice submitted by Department of Health, Education, and Welfare on: April 14, 1972.

Comments: No comments have been received in regard to any of the foregoing applications.

Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for the purposes for which the articles are intended to be used, is being manufactured in the United States.

Reasons: Each foreign article has a specified resolving capability of 3 angstroms. The most closely comparable domestic instrument is the Model EMU–4C electron microscope which is manufactured by the Forgflo Corp. (Forgflo). The Model EMU–4C has a specified resolving capability of 5 angstroms. (Resolving capability bears an inverse relationship to its numerical rating in angstrom units, i.e., the lower the rating, the better the resolving capability.) We are advised by the Department of Health, Education, and Welfare in the respectively cited memoranda, that the additional resolving capability of the foreign articles is pertinent to the purposes for which each of the foreign articles to which the foregoing applications relate is intended to be used. We, therefore, find that the Forgflo Model EMU–4C is not of equivalent scientific value to any of the articles to which the foregoing applications relate, for such purposes as these articles are intended to be used. The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72–7908 Filed 5–24–72;8:49 am]

UNIVERSITY OF MASSACHUSETTS

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72–00178–01–19000. Applicant: University of Massachusetts, Chemistry Department, Amherst, Mass. 01002. Article: Digital precision density meter, Model DMA 02C. Manufacturer: Anton Paar KG., Austria. Intended use of article: The article will be used to measure the apparent partial molar volume of various globular proteins in dilute solution, as a function of the temperature of the solution over the temperature range 0° to 70° centigrade, at various pH values in the range 2–5, to gain knowledge of the denaturation process.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides an accuracy of 1.5×10^{-6} grams/cubic centimeter (gm./cc.) for relative densities of solvent and solution which differ by 0.05 gm./cc. over a temperature range of −10° to 70° C. The most closely comparable domestic instrument is the Ultra Micro Densitometer which was formerly manufactured by Arden Instruments, Incorporated and which is currently supplied by the American Instrument Company (Aminco). The

Aminco instrument has an accuracy of 1 x 10^{-5} gm./cc. at a solvent-solution density difference of 0.015 gm./cc. and a temperature range of 10° to 90° C. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated April 7, 1972, that the superior accuracy, range of solvent-solution density difference and temperature range of the foreign article is pertinent to the applicant's research studies. We, therefore, find that the Aminco Ultra Micro Densitometer cited above is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc.72-7909 Filed 5-24-72;8:49 am]

STANFORD UNIVERSITY ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the FEDERAL REGISTER.

Amended regulations issued under cited Act, as published in the February 24, 1972, issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C.

Docket No. 72-00423-00-77040. Applicant: Stanford University, 820 Quarry Road, Palo Alto, CA 94304. Article: Fast adiabatic passage radio frequency transition unit. Manufacturer: Auckland Nuclear Accessory Co., Ltd., New Zealand. Intended use of article: The article is to be a component on the Stanford polarized ion source and will be used to study "spin-dependent" effects of nuclear forces and properties of nuclear states. The article will also be used for education of graduate students in physics. Application received by Commissioner of Customs: March 6, 1972.

Docket No. 72-00460-33-84100. Applicant: Yale University, Purchasing Department, 260 Whitney Avenue, New Haven, CT 06520. Article: Teleprinter projector, Model 2510T. Manufacturer: I. P. Sharp Associates Ltd., Canada. Intended use of article: The article is intended to be used to supplement IBM 2741 telecommunications terminals which are connected to an IBM 360 Model 67 computer. The article will project the computer output upon a screen for viewing by all members of the group for their individual analysis in the Health Services research training program. Application received by Commissioner of Customs: March 21, 1972.

Docket No. 72-00462-65-46040. Applicant: Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, MA 02139. Article: Electron microscope, Model Elmiskop 101. Manufacturer: Siemens AG, West Germany. Intended use of article: The article is intended to be used in research on the mechanical and physical properties of materials. One of two immediate projects involves the direct observation of transformation in metals, to investigate the nucleation and growth of the crystalline regions of splat-cooled Cu-Zr alloys and to investigate the very early stages of precipitation in two systems: Al-4 percent Cu and Cu-3 percent Ti to determine when the nature of the alloy changes from a solid solution mixture to a distinct two-phase structure (precipitate and matrix). The other project involves the use of weak-beam microscopy to image strain fields in materials in the investigation of dense arrays of defects formed during deformation, to observe the interaction of defects, and to observe the early stages of precipitation. Another investigation, via transmission electron microscopy, of the defect structure of the earth's mantle will also be carried out. In addition, the article will be used in the laboratory sections for a number of courses. Application received by Commissioner of Customs: March 28, 1972.

Docket No. 72-00464-33-46040. Applicant: U.S. Environmental Protection Agency, Biological Laboratory, Sabine Island, Gulf Breeze, Fla. 32561. Article: Electron microscope, EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used to study the normal and pathologic cells and tissues of estuarine and marine invertebrates, and fishes. In addition to experimental studies, the instrument will be used to diagnose possible causes of death in marine organisms from "Wild" or natural populations. The article will also be used for limited instruction in the use of the electron microscope to staff members of the immediate laboratory and of surrounding educational institutions. Application received by Commissioner of Customs: March 28, 1972.

Docket No. 72-00465-33-46040. Applicant: Medical Research Institute, Country Club Road, Melbourne, Fla. 32901. Article: Electron microscope, Model EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used to examine viruses, viral components, bacteria and bacterial fractions, localize antigens and cells by immunoassay, monitor pathological events of intracellular infections, determine the cellular effects of heavy metal pollutants, measure the immunochemotherapeutic value of various drugs *in vivo* on cancer cells and associated tissues, and evalute the effects *in vitro* and *in vivo* of various chemical compounds on cariogenic bacteria found in dental plaque. In addition the article is intended to be used for laboratory studies of the techniques for the examination of cells and cell structure and of biologically important macromolecules and their synthesis and in an introduction to the current techniques of molecular biology. Application received by Commissioner of Customs: March 28, 1972.

Docket No. 72-00467-33-46040. Applicant: Cornell University, School of Appl. & Eng. Physics, 144 Clark Hall, Ithaca, N.Y. 14850. Article: Electron microscope, Model EM 201. Manufacturer: Philips Electronic Instruments N.V.D., the Netherlands. Intended use of article: The article is intended to be used in the following investigations in the area of further development of techniques and applications of electron microscope autoradiography:

(a) Refinement of procedures involved in developing of autoradiograms to improve the efficiency and resolution of the technique;

(b) Development of equipment and techniques to permit the use of autoradiographic studies of water soluble compounds,

(c) Investigation involving the localization of sites of synthesis, storage, release, and destruction of neurotransmitter substance.

A second area of research involves the ultrashadowing of biological macromolecules using high melting metals in an electron bombardment gun. A third project involves the freeze etching of membrane surfaces to localize membrane bound macromolecules (e.g enzymes, drug receptors, etc.). The article will also be used in two courses to demonstrate the capability of the electron microscope in studies of finestructure, in electron microscope autoradiography and in studies of macromolecules at optimum resolution. Application received by Commissioner of Customs: March 31, 1972.

Docket No. 72-00469-33-46040. Applicant: Wills Eye Hospital, 1601 Spring Garden Street, Philadelphia, PA 19130. Article: Electron microscope, Model Elmiskop 101. Manufacturer: Siemens AG, West Germany. Intended use of article: The article is intended to be used for studies utilizing biologic material of ocular origin, both human and experimented animal tissue. All parts of the eye will be studied including cornea, angle structures, iris, ciliary body, pars plana, choroid retina, and optic nerve. At various times, tissue of the central nervous system and cutaneous tissue may

be studied. Application received by Commissioner of Customs: March 31, 1972.

Docket No. 72-00470-81-87540. Applicant: University of Hawaii, 2565 The Mall, Honolulu, Hawaii 96822. Article: Self-recording bottom mounted wave recorder and analyzer. Manufacturer: Cornes and Co., United Kingdom. Intended use of article: The article is intended to be used to obtain records of actual wave height versus time for 1½ or 2 hours daily for a month unattended. Application received by Commissioner of Customs: April 3, 1972.

Docket No. 72-00471-33-46500. Applicant: Virginia Mason Research Center, 1000 Seneca Street, Seattle, WA 98101. Article: Ultramicrotome, Model OM U3. Manufacturer: C. Reichert Optische Werke AG, Austria. Intended use of article: The article is intended to be used to examine human tumor and tumor cells at high resolution, to determine the manner in which nerve cells of the brain are interconnected, and to study normal human tissue and those with specific diseases. Application received by Commissioner of Customs: April 3, 1972.

Docket No. 72-00472-81-17500. Applicant: The Johns Hopkins University, Purchasing Department, Charles and 34th Streets, Baltimore, Md. 21218. Article: Three (3) Model 4 recording current meters. Manufacturer: Ivar Aanderaa, Norway. Intended use of article: The article is intended to be used to study the current velocities, conductivities and temperatures in the Chesapeake Bay region to obtain a better understanding of these phenomena. Application received by Commissioner of Customs: April 3, 1972.

Docket No. 72-00477-01-77040. Applicant: University of Wyoming, Department of Chemistry, Box 3838, University Station, Laramie WY 82070. Article: Mass spectrometer, Model CH-5. Manufacturer: Varian MAT, GmbH, West Germany. Intended use of article: The article is intended to be used as a research instrument in graduate and undergraduate research programs involving problems in organic, inorganic, and physical chemistry. The experiments will include:

1. Comparison of the thermal photochemical, and electron-bombardment induced fragmentation of alkyl azides.

2. Structure study of a compound from the reaction of diborane and dimethylberyllium.

3. Study of the thermal stability and mechanism of thermal decomposition of three types of compounds, i.e., alkyl azides, antimony III chloride-aromatic complexes and amine complexes of group IB and IIB elements.

Application received by Commissioner of Customs: April 5, 1972.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72-7910 Filed 5-24-72;8:49 am]

TEMPLE UNIVERSITY SCHOOL OF MEDICINE ET AL.

Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

The following is a consolidated decision on applications for duty-free entry of electron miscroscopes pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.). (See especially § 701.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00134-33-46040. Applicant: Temple University School of Medicine, Department of Anatomy, 3420 North Broad Street, Philadelphia, PA 19140. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, the Netherlands. Intended use of article: The article is intended to be used in the following research studies: (1) Follow substrates through synthesis and secretion in cells that make steroid hormones; (2) determine the structural organization of skeletal and cardiac muscles in normal and pathological material from man and various experimental animals; (3) determining the position of Na-K-activated ATPase by cytochemistry; (4) determining the nature of radiation damage in the parotid gland. Application received by Commissioner of Customs: September 15, 1971. Advice submitted by Department of Health, Education, and Welfare on: April 7, 1972.

Docket No. 72-00144-33-46040. Applicant: Ortho Research Foundation, Virology Division of Diagnostics Research, Route 202, Rariton, N.J. 08869. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, N.V.D., the Netherlands. Intended use of article: The article is intended to be used as a research tool for these studies: (1) Replication of the agent(s) of hepatitis by hybridizing the hepatitis associated antigen (HAA) with known viruses complete or incomplete; (2) antigenic variants among HAA strains; (3) the role of reverse transcriptase in the understanding of oncogenesis, in hepatitis and slow viruses; and (4) surface antigens of Neisseria gonorrhoeae and the interaction of these antigens with tagged specific antibodies. Application received by Commissioner of Customs: September 21, 1971. Advice submitted by Department of Health, Education, and Welfare on: April 7, 1972.

Docket No. 72-00145-33-46040. Applicant: Harvard University, Purchasing Department, 75 Mount Auburn Street, Cambridge, MA 02138. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, N.V.D., the Netherlands. Intended use of article: The article is intended to be used in the investigation of the organization of the nervous system which involves the study of ultrathin sections of the brain and spinal cord obtained from rats and other laboratory animals. In addition the article will be used for studies of the development of the nervous system and for the training of graduate students and postdoctoral fellows preparing for a career in neurocanatomical research and teaching of medical students. Application received by Commissioner of Customs: September 21, 1971. Advice submitted by Department of Health, Education, and Welfare on: April 7, 1972.

Docket No. 72-00156-33-46040. Applicant: Indiana University-Purdue University, 630 West New York Street, Indianapolis, IN 46202. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, N.V.D., the Netherlands. Intended use of Article: The article is intended to be used in research for studies of the ultrastructure of human tumors, human neoplasms, and other lesions with the view of more precise delineation of the nature of neoplasms examined on the Surgical Pathology Service. Studies on the ultrastructure of melanosomes, premelanosomes, and precursor cellular particulates as part of a study on the pathogenesis of melanoma will also be carried out. In addition the article will be used for ultrastructural studies of (a) a variety of cytoplasmic aggregates derived from a related degenerative etiology of which is obscure; (b) the kidney in an experimental study of mechanisms of hypertension; and (c) lymphoid cells at different stages of differentiation of their immunologic functions. The article will also be used for teaching courses in General Pathology, Systemic Pathology; Surgical Pathology and Methods and Techniques of Electron Microscopy. Application received by Commissioner of Customs: September 24, 1971. Advice submitted by Department of Health, Education, and Welfare on: April 7, 1972.

Docket No. 72-00169-33-46040. Applicant: The University of Texas Medical Branch, Office of the Purchasing Agent, Galveston, Tex. 77550. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronics Instruments, the Netherlands. Intended use of article: The article will be used to examine the fine structure of cells of the endocrine organs, liver, carotid body and heart; to study, in detail, cytoplasmic crystals and myelin; to study the fine structure of sympathetic and parasympathetic paraganglion cells together with the mechanism of release of their hormones; to study cytochemical localization of acetyl-CoA carboxylase in hepatocytes and cells of the mammary gland; to study the effects of drugs on motoneurons of the spinal cord; to analyze the effects of cholesterol inhibitors on the lens of the eye; as well as for several other studies. Application received by Commissioner of Customs: October 5, 1971. Advice submitted by Department of Health, Education, and Welfare on: April 7, 1972.

Docket No. 72-00177-33-46040. Applicant: Wesleyan University, Biology Department, Room 257, Hall-Atwater Laboratories, Middletown, Conn. 06457. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronics, N.V.D., the Netherlands. Intended use of article: The article is intended for use in research and teaching in cellular biology (including invertebrate pathology, cellular anatomy, cellular physiology, morphogensis) as well as virology at the tissue, cellular and macromolecular levels. Examples of investigations to be undertaken are as follows: (1) Study of substructures of microtubules and more especially those of the flagellae of Drosophila sperm tails; (2) studies involving the intracellular transport of RNA and secretory proteins in various insect cells; (3) studies of the relationship of DNA molecules to the bacterial cell membrane; and (4) analysis of the fine structure of the chromosomes of a protozoan Tetrahymena. Application received by Commissioner of Customs: October 12, 1971. Advice submitted by Department of Health, Education, and Welfare on: April 7, 1972.

Docket No. 72-00180-33-46040. Applicant: Temple University Medical School, Department of Medicine, 3401 North Broad Street, Philadelphia, PA 19140. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronics, N.V.D., the Netherlands. Intended use of article: The article is to be used in studying blood vessels, blood cells, and fibrinogen and its derivatives to elucidate the changes that precede and accompany thrombosis. The applicant is particularly interested in investigating changes produced by conditions that predispose to initiation of thrombosis and changes that enable the growth of the thrombosis once it starts. The article will also be used by graduate students and post doctoral fellows who are engaged in research in the field of thrombosis with the aim of training the participants for future independent work and contributing significant new knowledge in the field by completion of a publishable study. Application received by Commissioner of Customs: October 7, 1971. Advice submitted by Department of Health, Education, and Welfare on: April 7, 1972.

Comments: No comments have been received in regard to any of the foregoing applications.

Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for the purposes for which the articles are intended to be used, is being manufactured in the United States.

Reasons: Each foreign article has a specified resolving capability of 3 angstroms. The most closely comparable domestic instrument is the Model EMU-4C electron microscope which is manufactured by the Forgflo Corp. (Forgflo). The Model EMU-4C has a specified resolving capability of 5 angstroms. (Resolving capability bears an inverse relationship to its numerical rating in angstrom units, i.e., the lower the rating, the better the resolving capability.) We are advised by the Department of Health, Education, and Welfare in the respectively cited memoranda, that the additional resolving capability of the foreign articles is pertinent to the purposes for which each of the foreign articles to which the foregoing applications relate is intended to be used. We, therefore, find that the Forgflo Model EMU-4C is not of equivalent scientific value to any of the articles to which the foregoing applications relate, for such purposes as these articles are intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72-7911 Filed 5-24-72;8:50 am]

WASHINGTON STATE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00208-01-01100. Applicant: Washington State Department of Agriculture, Post Office Box 128, Olympia, WA 98504. Article: Semiautomatic falling number apparatus, Type HA No. 293 and accessories. Manufacturer: Falling Number AB, Sweden. Intended use of article: The article will be used to measure the ability of alpha-amylase to liquify a starch gel in wheat by falling number, defined as the time in seconds for the stirrer to fall a measured distance through a hot aqueous flour gel undergoing liquefaction.

Comments: No comments have been received with respect to this application.

Decision: The determination required of the Secretary of Commerce by the Act cannot be made with respect to this application.

Reasons: Public Law 89-651 provides inter alia, for duty free treatment with respect to—

> Articles entered for use of any nonprofit institution, whether public or private, established for educational or scientific purposes * * * if no instrument or apparatus of equivalent scientific value for the purposes for which the instrument or apparatus is intended to be used is being manufactured in the United States. (Section 6(c)(1).)

Under the Act, the only function of the Secretary of Commerce is to determine "whether an instrument or apparatus of equivalent scientific value to such (the foreign) article, for the purposes for which the instrument or apparatus is intended to be used, is being manufactured in the United States." (Section 6(c)(3), headnote 6(c).) In order for the Secretary to make this determination of domestic availability (i.e., "being manufactured in the United States"), it is clear that some scientific use for the foreign article, whether educational or research, must be intended.

The article which is the subject this application is a semiautomatic falling number apparatus and accessories. It is intended to be used to enforce State regulations requiring the falling numbers test to be performed on wheat as a means of segregating wheat with sprout damage. The foreign article does not possess any scientific value for the purposes for which it is intended to be used. Therefore, it is not possible to make the determination of equivalency of scientific value required by the previously quoted headnote 6(c) of section 6(c)(3) of the Act. (See Dockets Nos. 67-00014-00-00000 and 68-00676-99-69900 for two prior applications involving similar circumstances in which foreign articles were determined not to possess scientific value in connection with intended use.)

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72-7914 Filed 5-24-72;8:50 am]

WESLEYAN UNIVERSITY ET AL.

Notice of Consolidated Decision on Applications for Duty-Free Entry of Ultramicrotomes

The following is a consolidated decision on applications for duty-free entry of ultramicrotomes pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.). (See especially § 701.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00230-33-46500. Applicant: Wesleyan University, Department of Biology, Hall-Atwater Laboratories, Law Avenue, Middletown, Conn. 06457. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article is intended to be used in sectioning ovarian nurse cells from several species of moths, germinal and sensory tissues from Drosophila melanogaster, membrane-chromosome complex of micro-organisms, colleterial glands of silkmoths, and secretory granules in terminal nerve endings. These sections will be used in experiments to determine the ultrastructure of the tissues and to discern ultrastructural changes induced by

a variety of substances. Application received by Commissioner of Customs: November 12, 1971. Advice submitted by Department of Health, Education, and Welfare on: April 14, 1972.

Docket No. 72-00239-33-46500. Applicant: University of Pennsylvania, Department of Neurology, 3400 Spruce Street, Philadelphia, PA 19104. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article is intended to be used to study biological tissues, mainly mammalian tissues derived from humans, and exhibit both normal and pathologic structure to determine at the ultrastructural level the pattern of assembly of muscle, the ultrastructural localization of enzymes in muscle and the etiology and pathogenesis of human muscle disorders. Application received by Commissioner of Customs: November 16, 1971. Advice submitted by Department of Health, Education, and Welfare on: April 21, 1972.

Comments: No comments have been received with respect to any of the foregoing applications.

Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles for such purposes as these articles are intended to be used, is being manufactured in the United States.

Reasons: Each of the foreign articles provides a range of cutting speeds from 0.1 to 20 millimeters per second. The most closely comparable domestic instrument is the Model MT-2B ultramicrotome which is manufactured by Ivan Sorvall, Inc. (Sorvall). The Model MT-2B has a range of cutting speeds from 0.09 to 3.2 millimeters per second. The conditions for obtaining high-quality sections that are uniform in thickness, depend to a large extent on the hardness, consistency, toughness, and other properties of the specimen materials, the properties of the embedding materials, and geometry of the block.

In connection with a prior application (Docket No. 69-00665-33-46500), which relates to the duty-free entry of an article that is identical to those to which the foregoing applications relate, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting (among such [other] factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned. The range of cutting speeds and a capability for the higher cutting speeds is, therefore, a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section."

In connection with another prior application (Docket No. 70-00077-33-46500) which also relates to an article that is identical to those described above, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness etc." requires a maximum range in cutting speed and, further, that the "production of ultrathin serial sections of specimens that have a great variation in physical properties is very difficult." Accordingly, HEW advises in its respectively cited memoranda, that cutting speeds in excess of 4 millimeters per second are pertinent to the satisfactory sectioning of the specimen materials and the relevant embedding materials that will be used by the applicants in their respective experiments. For these reasons, we find that the Sorvall Model MT-2B ultramicrotome is not of equivalent scientific value to the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72-7912 Filed 5-24-72;8:50 am]

WOODS HOLE OCEANOGRAPHIC INSTITUTION ET AL.

Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

The following is a consolidated decision on applications for duty-free entry of electron microscopes pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 F.R. 3892 et seq.). (See especially § 701.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 72-00095-55-46040. Applicant: Woods Hole Oceanographic Institution, Water Street, Woods Hole, Mass. 02543. Article: Electron microscope, Model HU-12. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article is intended to be used to find and identify micro- to ultramicro-suspended particles in oceanic systems. In addition the article will be used to train graduate students in electron microscopy for courses in physiology and embryology. Application received by Commissioner of Customs: August 13, 1971. Advice submitted by Department of Health, Education, and Welfare on: February 25, 1972.

Docket No. 72-00143-33-46040. Applicant: The Ohio State University, Department of Pathology, 190 North Oval Drive, Columbus, OH 43210. Article: Electron microscope, Model HU-12. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article is intended to be used in the following research studies: (1) Atherosclerosis; (2) myocardial histochemistry; (3) breast carcinomas; (4) myocardial hypertrophy; (5) cardiac conduction system; and (6) malignancy-associated lymphocytic changes. The article is also intended for teaching and training of medical students, graduate students, interns, residents, and fellows as well as research personnel in the techniques and biomedical application of electron microscopy. Application received by Commissioner of Customs: September 21, 1971. Advice submitted by Department of Health, Education, and Welfare on: April 7, 1972.

Comments: No comments have been received in regard to any of the foregoing applications.

Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for the purposes for which the articles are intended to be used, is being manufactured in the United States.

Reasons: Each foreign article has a specified resolving capability of 3 angstroms. The most closely comparable domestic instrument is the Model EMU-4C electron microscope which is manufactured by the Forgflo Corp. (Forgflo). The Model EMU-4C has a specified resolving capability of 5 angstroms. (Resolving capability bears an inverse relationship to its numerical rating in angstrom units, i.e., the lower the rating, the better the resolving capability.) We are advised by the Department of Health, Education, and Welfare in the respectively cited memoranda, that the additional resolving capability of the foreign articles is pertinent to the purposes for which each of the foreign articles to which the foregoing applications relate is intended to be used. We, therefore, find that the Forgflo Model EMU-4C is not of equivalent scientific value to any of the articles to which the foregoing applications relate, for such purposes as these articles are intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director, Office of Import Programs.

[FR Doc.72-7913 Filed 5-24-72;8:50 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

BUREAU DIRECTOR ET AL.

Redelegations of Authority To Certify True Copies and Affix the Department Seal

The Assistant Secretary for Administration and Management has delegated authority to the Commissioner of Social Security to certify true copies of any

books, records, papers, or other documents on file within the Social Security Administration; to certify extracts from such material; to certify that such true copies are true copies of the entire file; and to certify the nonexistence of records on file; and to cause the Seal of the Department of Health, Education, and Welfare to be affixed to such certifications (34 F.R. 18049–50, dated November 7, 1969). The Commissioner of Social Security previously redelegated this authority to certain officials of the Social Security Administration, as set forth in 33 F.R. 2613–14, dated February 6, 1968, and 34 F.R. 13046–47, dated August 12, 1969.

Notice is hereby given that all prior redelegations of this authority to positions in the Social Security Administration's former Bureau of Data Processing and Accounts, as set forth in 34 F.R. 13046–47, have been rescinded, effective July 10, 1971.

Notice is also given that the foregoing authority to make certifications and affix the Department seal, with respect to books, records, papers, or other documents on file within components of the Social Security Administration's Bureau of Data Processing, has been redelegated to various Bureau officials, as follows:

To whom delegated	*Area of authority*
1. Bureau Director and Deputy Bureau Director.	Bureauwide.
2. Assistant Bureau Director and Deputy Assistant Bureau Director, Operations.	Divisions of Adjustment Operations, Claims Operations, Health Insurance Operations, Earnings Operations, and Registration Operations.
3. Director and Deputy Director, Division of Adjustment Operations.	Division of Adjustment Operations.
4. Director and Deputy Director, Division of Claims Operations.	Division of Claims Operations.
5. Director and Deputy Director, Division of Earnings Operations.	Division of Earnings Operations.
6. Director and Deputy Director, Division of Health Insurance Operations.	Division of Health Insurance Operations.
7. Director and Deputy Director, Division of Registration Operations.	Division of Registration Operations.

Authority herein delegated may not be redelegated.

These redelegations of authority were effective as of July 10, 1971.

Dated: May 15, 1972.

ROBERT M. BALL,
Commissioner of Social Security.

[FR Doc.72-7929 Filed 5-24-72;8:51 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-331]

IOWA ELECTRIC LIGHT AND POWER CO. ET AL.

Notice of Receipt of Application for Facility Operating License

Iowa Electric Light & Power Co., Security Building, Post Office Box 351, Cedar Rapids, IA 52406, the Central Iowa Power Cooperative, Post Office Box 389, Marion, IA 52302, and the Corn Belt Power Cooperative, 1300 Thirteenth Street North, Humboldt, IA 50548, pursuant to section 104(b) of the Atomic Energy Act of 1954, as amended, have filed an application, dated May 8, 1972, together with a final safety analysis report, for a license to operate a nuclear power reactor at their site near Palo, in Linn County, Iowa.

Each applicant will own an undivided interest (without physical possession) in the station, and will share expenditures for operation in the following proportions: Iowa Electric Light & Power Co., 70 percent; Central Iowa Power Cooperative, 20 percent; and Corn Belt Power Cooperative, 10 percent.

The reactor, designated as the Duane Arnold Energy Center, is of the boiling water type, designed for thermal operation at 1658 megawatts, with a gross electrical output of 589 megawatts.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. and in the Reference Section, Cedar Rapids Public Library, 426 Third Avenue SE., Cedar Rapids, IA 52401.

Dated at Bethesda, Md., this 18th day of May 1972.

For the Atomic Energy Commission.

ROGER S. BOYD,
Assistant Director for Boiling Water Reactors, Directorate of Licensing.

[FR Doc. 72-7885 Filed 5-24-72;8:47 am]

CIVIL AERONAUTICS BOARD

[Docket No. 24297]

ALCO/ALASKA AIRLINES, INC., ACQUISITION CASE

Notice Regarding Procedural Dates and Postponement of Hearing

For the reasons given in a letter dated May 19, 1972, submitted on behalf of Alaska Airlines, Inc., and in accordance with the requests therein, the following procedural dates are hereby established or rescheduled:

1. Additional Direct Exhibits, June 5, 1972.
2. Rebuttal Exhibits, June 20, 1972.
3. The hearing previously scheduled for May 31, 1972 (37 F.R. 9146, May 5, 1972) is postponed to June 27, 1972, at 10 a.m., local time, in Room 503, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before the undersigned examiner.

Dated at Washington, D.C., May 22, 1972.

[SEAL] ARTHUR S. PRESENT,
Hearing Examiner.

[FR Doc.72-7972 Filed 5-24-72;8:55 am]

[Docket No. 24072; Order 72-5-79]

AMERICAN AIRLINES, INC., ET AL.

Category Z Fares; Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 5th day of May 1972.

By Orders 72-1-10 and 72-3-19, dated January 6 and March 9, 1972, the Board instituted an investigation into and suspended insofar as they applied to interstate and overseas air transportation,[1] proposals of American Airlines, Inc.,[2] Pan American World Airways, Inc., and Trans World Airlines, Inc., to permit employees of the Army and Air Force Exchange System (AAFES)[3] to travel on official business at Category Z fares when requests for air transportation are made by using AAFES form 1500-22, rather than the regular government transportation requests (GTR's).

For the same reasons set forth in the above-mentioned orders, we conclude that the proposals, insofar as they apply to foreign air transportation, may be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful and should be investigated and suspended in accordance with section 1002(j)(2) of the Federal Aviation Act of 1958.[4]

Accordingly, pursuant to the Federal Aviation Act of 1958, as amended, and particularly sections 204(a), 403, 404, 801, and 1002 thereof,

It is ordered that: 1. An investigation be instituted to determine whether the application of tariff on third revised page 3 of American Airlines, Inc.'s, CAB No. 254, and (insofar as they apply to foreign air transportation) the application of tariff on 14th and 15th revised page 4-A of International Air Traffic Tariffs Corp., agent's CAB No. 374 and 16th revised page 3 of Trans World Airlines, Inc.'s, CAB No. 146 and rules, regulations, or practices affecting such provisions are, or will be, unjust, unreasonable, unjustly discriminatory, unduly preferential, or unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe what action may be taken to cancel such tariffs, and to prevent the use of such fares, rates, or charges, or such classifications, rules, regulations, or practices:

[1] The Board did not have authority at that time to suspend the fares in foreign air transportation.

[2] American's tariffs do not contain any interstate or overseas markets.

[3] The AAFES is a nonappropriated fund activity which provides Post Exchanges for military personnel. It allocates its profits to recreational activities for military personnel and their dependents.

[4] Public Law No. 92-259, which was signed by the President on Mar. 22, 1972.

2. Pending hearing and decision by the Board, the application of tariff on third revised page 3 of American Airlines, Inc.'s, CAB No. 254, and (insofar as they apply to foreign air transportation) the application of tariff on 14th and 15th revised page 4–A of International Air Traffic Tariffs Corp., agent's CAB No. 374, and 16th revised page 3 of Trans World Airlines, Inc.'s, CAB No. 146 are suspended and their use deferred from the 15th day after the effective date of this order to and including June 4, 1973, 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 investigation ordered herein is hereby consolidated into Docket 24072;

4. This order shall be submitted to the President[5] and shall become effective on May 20, 1972; and

5. Copies of this order will be filed with the aforesaid tariffs and served upon American Airlines, Inc., Pan American World Airways, Inc., and Trans World Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.72-7971 Filed 5-24-72;8:55 am]

CIVIL SERVICE COMMISSION

COST OF LIVING COUNCIL

Notice of Grant of Authority To Make Noncareer Executive Assignments

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Cost of Living Council to fill by noncareer executive assignment in the excepted service the position of Deputy Director, Office of the Director.

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

[FR Doc.72-7948 Filed 5-24-72;8:53 am]

DEPARTMENT OF COMMERCE

Notice of Title Change in Noncareer Executive Assignment

By notice of January 20, 1972, F.R. Doc. 72-855, the Civil Service Commission authorized the Department of Commerce to fill by noncareer executive assignment the position of Assistant to the Secretary, Office of the Secretary. This is notice that the title of this position is now being changed to Executive Assistant to the Secretary, Office of the Secretary.

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

[FR Doc.72-7949 Filed 5-24-72;8:53 am]

ENVIRONMENTAL PROTECTION AGENCY

Notice of Title Change in Noncareer Executive Assignment

By notice of February 23, 1971, F.R. Doc. 71-2460, the Civil Service Commission authorized the Environmental Protection Agency to fill by noncareer executive assignment the position of Director, Office of Congressional Affairs. This is notice that the title of this position is now being changed to Director of Legislation, Office of the Administrator.

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

[FR Doc.72-7950 Filed 5-24-72;8:53 am]

ENVIRONMENTAL PROTECTION AGENCY

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Environmental Protection Agency to fill by noncareer executive assignment in the excepted service the position of Legislative Counsel, Office of the Administrator, Office (for Standards and Enforcement) and General Counsel, Office of General Counsel.

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

[FR Doc.72-7946 Filed 5-24-72;8:53 am]

SELECTIVE SERVICE SYSTEM

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Selective Service System to fill by noncareer executive assignment in the excepted service the position of Executive Assistant to the Deputy Director.

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

[FR Doc.72-7947 Filed 5-24-72;8:53 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THE FEDERATIVE REPUBLIC OF BRAZIL

Entry or Withdrawal From Warehouse for Consumption

MAY 23, 1972.

On October 8, 1971, there was published in the FEDERAL REGISTER (36 F.R. 19626) a letter dated September 28, 1971, from the Chairman, President's Cabinet Textile Advisory Committee, to the Commissioner of Customs, establishing levels of restraint of 12,600,000 square yards and 4,725,000 square yards for cotton textiles and cotton textile products in Categories 9 and 22/23, respectively, produced or manufactured in the Federative Republic of Brazil, and exported to the United States during the 12-month period beginning October 1, 1971, and extending through September 30, 1972.

There is published below a letter of May 23, 1972, from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs amending the directive of September 28, 1971 by increasing the levels of restraint applicable to imports of cotton textiles and cotton textile products in Categories 9 and 22/23 from the Federative Republic of Brazil.

STANLEY NEHMER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources.

ASSISTANT SECRETARY OF COMMERCE

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20225

MAY 23, 1972.

DEAR MR. COMMISSIONER: This directive amends but does not cancel the directive issued to you on September 28, 1971 from the Chairman of the President's Cabinet Textile Advisory Committee, regarding imports into the United States of cotton textiles and cotton textile products in certain categories, produced or manufactured in the Federative Republic of Brazil.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of October 23, 1970, as amended, between the Governments of the United States and the Federative Republic of Brazil, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to amend, effective as soon as possible, the levels of restraint established in the aforesaid directive of September 28, 1971 for cotton textiles and cotton textile products in Categories 9 and 22/23, produced or manufactured in the Federative Republic of Brazil, as set forth below.

[5] This order was submitted to the President on May 10, 1972.

Category		12-month level of restraint
9	square yards	16,600,000
22/23	do	6,725,000

The actions taken with respect to the Government of the Federative Republic of Brazil and with respect to imports of cotton textiles and cotton textile products from the Federative Republic of Brazil have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such action, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

STANLEY NEHMER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources.

[FR Doc.72-8026 Filed 5-24-72;8:55 am]

COTTON, WOOL, MAN-MADE FIBER TEXTILES, AND TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THE REPUBLIC OF KOREA

Entry or Withdrawal From Warehouse for Consumption

MAY 19, 1972.

Under the bilateral Cotton Textile Agreement of December 30, 1971, and the bilateral Wool and Man-Made Fiber Textile Agreement of January 4, 1972, between the Governments of the United States and the Republic of Korea, the Republic of Korea has undertaken to limit its exports of cotton, wool, man-made fiber textiles and textile products to the United States to certain designated levels. Pursuant to these agreements, the Governments of the United States and the Republic of Korea have established an administrative mechanism intended to preclude circumvention of the licensing system for exports to the United States of cotton, wool, man-made fiber textiles and textile products produced or manufactured in the Republic of Korea. The purpose of this notice is to announce the implementation of this administrative mechanism. Effective 30 days after publication, entry into the United States for consumption and withdrawal from warehouse for consumption of any cotton, wool, man-made fiber textile and textile products produced or manufactured in the Republic of Korea, and exported to the United States from the Republic of Korea for which the Republic of Korea has not issued an appropriate export visa, fully described below, will be prohibited. Application of this visa system to wool, man-made fiber textiles and textile products exported from the Republic of Korea before the date of this publication is to become effective ninety (90) days following the date of publication.

The visa will be a stamp on the original copy of the invoice (Special Customs Invoice Form 5515 or other successor document, or commercial invoice when used) and will indicate the quantity of goods involved, in the appropriate unit or units of measure, the category or categories under which the goods are classified, and the signature of the official issuing the visa. The officials authorized to issue such visas are the following: Youn Sung Suk, Byung Wook Kim, Young Taik Kim, Jung Soon Yum, and Jong Woo Lee. A facsimile of the stamp, along with the signatures of the above officials, are published as enclosures to the letter set forth below.

Interested parties are advised to take all necessary steps to assure that cotton, wool, man-made fiber textiles and textile products produced or manufactured in the Republic of Korea which are to be entered into the United States for consumption or withdrawn from warehouse for consumption will meet the stated visa requirements.

There is published below a letter May 19, 1972, from the Chairman of the Committee for the Implementation of Textile Agreements, to the Commissioner of Customs implementing the administrative mechanism.

STANLEY NEHMER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources.

Korean Garments Exporters Association, Vice President: Youn Sung Suk.
Korean Sweaters Exporters Association, Managing Director: Byung Wook Kim.
Korea Yarn and Textile Export Association, Managing Director: Young Taik Kim.
Korean Knitted Goods Exporters Association, Managing Director: Jung Soon Yun.
Korea Cotton Textiles Export Association, Managing Director: Jong Woo Lee.

SECTION V (Continued)

8. (A) Did production of goods involve costs for "assists" (i.e.—dies, molds, tooling, printing plates, patterns, drawings, blueprints, artwork, engineering work, design and development, financial assistance) *not included* in the invoice price?
☐ Yes ☐ No. If yes, identify nature of assist involved ..... , and complete Part B.
(B) (1) Assists valued at ..... were supplied by:
("Unknown", if applicable)
☐ Manufacturer ☐ Importer ☐ Other (Identify) .....
(2) Assists were: ☐ (a) Supplied without cost. ☐ (b) Supplied on rental basis.
☐ (c) Invoiced separately. If (c), attach copy of invoice.

9. If the price(s) shown in column 6 is (are) higher than those shown in column 7, there is an indication of possible sales at less than fair value within the meaning of the United States Antidumping statutes. If this differential exists, please select one of the following alternatives:
(A) ☐ To the best of my knowledge and belief the differential between the column 6 and column 7 prices is the result of conditions of sale which would not result in sales at less than fair value within the meaning of the U.S. Antidumping laws.
OR
(B) ☐ There is attached hereto an explanation of the differences between the column 6 and column 7 prices.

NOTE.—In his discretion the appraiser may nonetheless require submission of the information called for under item 9. (B).

10. PURCHASE DECLARATION	11. NONPURCHASE DECLARATION
I declare that the merchandise described in this invoice is SOLD OR AGREED TO BE SOLD; that all the information contained herein is true and correct; and that there is no other invoice (s) except	I declare that the merchandise described in this invoice is shipped OTHERWISE THAN BY PURCHASE OR AGREEMENT TO PURCHASE; that all the information contained herein is true and correct; and that there is no other invoice (s) except
Explanation of Exceptions	Explanation of Exceptions
Date / Signature of Seller, Shipper, or Agent of Either	Date / Signature of Shipper or Agent

KOREA GARMENTS EXPORTERS ASSOCIATION
DATE OF ISSUE _____
CATEGORY NO. _____
QUANTITY _____ (UNIT:)
TEXTILE EXPORT VISA
NO. _____
Youn Sung Suk
YOUN SUNG SUK
VICE PRESIDENT
REPUBLIC OF KOREA

This form of invoice required generally if rate of duty based upon or regulated by value of goods and purchase Price of value of shipment exceeds $ 500. Otherwise, use commercial invoice.

False statements or willful omissions in any invoice or other documents executed and forwarded for United States Customs entry purposes will subject the goods to seizure and forfeiture or any person involved will be subject to a Penalty equal to the value of the goods. Publicity will be given to all seizures and penalties, including the disclosure of the identity of the offenders involved (19 U.S.C. 1592).

Vague or misleading information may result in expensive trouble to importer and delays in customs clearance.

Supplies of this form may be secured from consular offices of the United States and from The Director, Customs Information Exchange, 201 Varick Street, New York, N.Y., 10014. Privately printed forms must conform in all respects to the official form.

SECTION V (Continued)

8. (A) Did production of goods involve costs for "assists" (i.e.—dies, molds, tooling, printing plates, patterns, drawings, blueprints, artwork, engineering work, design and development, financial assistance) *not included* in the invoice price?

☐ Yes ☐ No. If yes, identify nature of assist involved ....., and complete Part B.

(B) (1) Assists valued at ..... ("Unknown," if applicable) were supplied by:

☐ Manufacturer ☐ Importer ☐ Other (Identify) .....

(2) Assists were: ☐ (a) Supplied without cost. ☐ (b) Supplied on rental basis.
☐ (c) Invoiced separately. If (c), attach copy of invoice.

9. If the price(s) shown in column 6 is (are) higher than those shown in column 7, there is an indication of possible sales at less than fair value within the meaning of the United States Antidumping statutes. If this differential exists, please select one of the following alternatives:

(A) ☐ To the best of my knowledge and belief the differential between the column 6 and column 7 prices is the result of conditions of sale which would not result in sales at less than fair value within the meaning of the U.S Antidumping laws.

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(B) ☐ There is attached hereto an explanation of the differences between the column 6 and column 7 prices.

NOTE.—In his discretion the appraiser may nonetheless require submission of the information called for under item 9. (B).

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Explanation of Exceptions	Explanation of Exceptions
Date / Signature of Seller, Shipper, or Agent of Either	Date / Signature of Shipper or Agent

KOREA SWEATER EXPORTERS ASSOCIATION
DATE OF ISSUE
CATEGORY NO. (UNIT:)
QUANTITY
TEXTILE EXPORT VISA
NO.
Byung Wook Kim
MANAGING DIRECTOR
REPUBLIC OF KOREA

This form of invoice required generally if rate of duty based upon or regulated by value of goods and purchase price or value of shipment exceeds $500. Otherwise, use commercial invoice.

False statements or willful omissions in any invoice or other documents executed and forwarded for United States Customs entry purposes will subject the goods to seizure and forfeiture or any person involved will be subject to a penalty equal to the value of the goods. Publicity will be given to all seizures and penalties, including the disclosure of the identity of the offenders involved (19 U.S.C. 1592).

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SECTION V (Continued)

8. (A) Did production of goods involve costs for "assists" (i.e.—dies, molds, tooling, printing plates, patterns, drawings, blueprints, artwork, engineering work, design and development, financial assistance) *not included* in the invoice price?

☐ Yes ☐ No. If yes, identify nature of assist involved ....., and complete Part B.

(B) (1) Assists valued at ..... ("Unknown," if applicable) were supplied by:

☐ Manufacturer ☐ Importer ☐ Other (Identify) .....

(2) Assists were: ☐ (a) Supplied without cost. ☐ (b) Supplied on rental basis.
☐ (c) Invoiced separately. If (c), attach copy of invoice.

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OR

(B) ☐ There is attached hereto an explanation of the differences between the column 6 and column 7 prices.

NOTE.—In his discretion the appraiser may nonetheless require submission of the information called for under item 9. (B).

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Explanation of Exceptions	Explanation of Exceptions
Date / Signature of Seller, Shipper, or Agent of Either	Date / Signature of Shipper or Agent

KOREA YARN AND TEXTILE EXPORT ASSOCIATION
DATE OF ISSUE
CATEGORY NO. (UNIT:)
QUANTITY
TEXTILE EXPORT VISA
NO.
Young Taik Kim
MANAGING DIRECTOR
REPUBLIC OF KOREA

This form of invoice required generally if rate of duty based upon or regulated by value of goods and purchase price or value of shipment exceeds $500. Otherwise, use commercial invoice.

False statements or willful omissions in any invoice or other documents executed and forwarded for United States customs entry purposes will subject the goods to seizure and forfeiture or any person involved will be subject to a penalty equal to the value of the goods. Publicity will be given to all seizures and penalties, including the disclosure of the identity of the offenders involved (19 U.S.C. 1592).

Vague or misleading information may result in expensive trouble to importer and delays in customs clearance.

Supplies of this form may be secured from consular offices of the United States and from The Director, customs Information Exchange, 201 Varick Street, New York, N.Y., 10014. Privately printed forms must conform in all respects to the official form.

U.S. GOVERNMENT PRINTING OFFICE: 1964-O-737-480 CPO 949-680

SECTION V (Continued)

8. (A) Did production of goods involve costs for "assists" (i.e.—dies, molds, tooling, printing plates, patterns, drawings, blueprints, artwork, engineering work, design and development, financial assistance) *not included* in the invoice price?

☐ Yes ☐ No. If yes, identify nature of assist involved ....., and complete Part B.

(B) (1) Assists valued at ..... ("Unknown," if applicable) were supplied by:

☐ Manufacturer ☐ Importer ☐ Other (Identify) .....

(2) Assists were: ☐ (a) Supplied without cost. ☐ (b) Supplied on rental basis.
☐ (c) Invoiced separately. If (c), attach copy of invoice.

9. If the price(s) shown in column 6 is (are) higher than those shown in column 7, there is an indication of possible sales at less than fair value within the meaning of the United States Antidumping statutes. If this differential exists, please select one of the following alternatives:

(A) ☐ To the best of my knowledge and belief the differential between the column 6 and column 7 prices is the result of conditions of sale which would not result in sales at less than fair value within the meaning of the U.S. Antidumping laws.

OR

(B) ☐ There is attached hereto an explanation of the differences between the column 6 and column 7 prices.

NOTE.—In his discretion the appraiser may nonetheless require submission of the information called for under item 9. (B).

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Explanation of Exceptions		Explanation of Exceptions	KOREA KNITTED GOODS EXPORTERS ASSOCIATION DATE OF ISSUE _____ CATEGORY NO. _____ QUANTITY _____ (UNIT:) TEXTILE EXPORT VISA NO. _____ Jung Soon Yun MANAGING DIRECTOR REPUBLIC OF KOREA
Date	Signature of Seller, Shipper, or Agent of Either	Date	Signature of Shipper or Agent

This form of invoice required generally if rate of duty based upon or regulated by value of goods and purchase price or value of shipment exceeds $500. Otherwise, use commercial invoice.

False statements or willful omissions in any invoice or other documents executed and forwarded for United States Customs entry purposes will subject the goods to seizure and forfeiture or any person involved will be subject to a penalty equal to the value of the goods. Publicity will be given to all seizures and penalties, including the disclosure of the identity of the offenders involved (19 U.S.C. 1592).

Vague or misleading information may result in expensive trouble to importer and delays in customs clearance.

Supplies of this form may be secured from consular offices of the United States and from The Director, Customs Information Exchange, 201 Varick Street, New York, N.Y., 10014. Privately printed forms must conform in all respects to the official form.

U.S. GOVERNMENT PRINTING OFFICE: 1964—O-727-486 GPO 949-680

SECTION V (Continued)

8. (A) Did production of goods involve costs for "assists" (i.e.—dies, molds, tooling, printing plates, patterns, drawings, blueprints, artwork, engineering work, design and development, financial assistance) *not included* in the invoice price?

☐ Yes ☐ No. If yes, identify nature of assist involved ....., and complete Part B.

(B) (1) Assists valued at ..... ("Unknown," if applicable) were supplied by:

☐ Manufacturer ☐ Importer ☐ Other (Identify) .....

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(A) ☐ To the best of my knowledge and belief the differential between the column 6 and column 7 prices is the result of conditions of sale which would not result in sales at less than fair value within the meaning of the U.S. Antidumping laws.

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Explanation of Exceptions		Explanation of Exceptions	KOREA COTTON TEXTILES EXPORT ASSOCIATION DATE OF ISSUE ... CATEGORY NO. ... QUANTITY ... (UNIT:) TEXTILE EXPORT VISA NO. ... Jong Woo Lee JONG WOO LEE MANAGING DIRECTOR REPUBLIC OF KOREA
Date	Signature of Seller, Shipper, or Agent of Either	Date	Signature of Shipper or Agent

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ASSISTANT SECRETARY OF COMMERCE

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

MAY 19, 1972.

DEAR MR. COMMISSIONER: On May 28, 1969, the Chairman, President's Cabinet Textile Advisory Committee directed you to prohibit, effective upon publication of notice in the FEDERAL REGISTER and until further notice, entry into the United States for consumption and withdrawal from warehouse for consumption of any cotton textiles and cotton textile products produced or manufactured in the Republic of Korea and exported from the Republic of Korea for which the Republic of Korea had not issued a visa. This letter supersedes the aforesaid letter of May 28, 1968, effective 30 days after publication of this letter in the FEDERAL REGISTER.

Under the provisions of the bilateral Cotton Textile Agreement of December 30, 1971, and the bilateral Wool and Man-Made Fiber Textile Agreement of January 4, 1972, between the Governments of the United States and the Republic of Korea, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective 30 days after publication of this letter in the FEDERAL REGISTER and until further notice, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1 through 64 and wool textile products in Categories 101–126, 128, and 131–132 and man-made fiber textile products in Categories 200–243, produced or manufactured in the Republic of Korea, for which the Republic of Korea has not issued an appropriate visa fully described below. The visa requirements, however, will become effective 90 days after publication of this letter in the FEDERAL REGISTER for wool textile products in Categories 101–126, 128, and 131–132 and man-made fiber textile products in Categories 200–243, produced or manufactured in the Republic of Korea and exported to the United States from the Republic of Korea before the date of publication.

The visa will be a stamp on the original copy of the invoice (Special Customs Invoice Form 5515 or other successor document, or commercial invoice when such form is used); and will indicate the quantity of cotton, wool, man-made fiber textiles and textile products involved in the appropriate unit or units of measure, the category or categories under which the textiles and textile products are classified, and the authorized signature of the official issuing the visa. A facsimile of the stamp, along with the signature of those officials authorized to issue visas, are enclosed.

You are further directed to allow entry into the United States for consumption and withdrawal from warehouse for consumption of designated shipments of cotton, wool, man-made fiber textiles and textile products produced or manufactured in the Republic of Korea and exported in the United States from the Republic of Korea, notwithstanding the designated shipment or shipments do not meet the aforementioned visa requirements, whenever requested to do so in writing by the Chairman of the Committee for the Implementation of Textile Agreements.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on April 29, 1972 (37 F.R. 8802).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of Korea and with respect to imports of cotton, wool, man-made fiber textiles and textile products from the Republic of Korea, have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

STANLEY NEHMER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources.

[FR Doc.72-7928 Filed 5-24-72;8:51 am]

ENVIRONMENTAL PROTECTION AGENCY

AMERICAN CYANAMID 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 2F1235) has been filed by American Cyanamid Co., Post Office Box 400, Princeton, NJ 08540, proposing establishment of an exemption from the requirement of a tolerance (40 CFR Part 180) for residues of (3-lauramidopropyl)trimethylammonium methyl sulfate 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 pesticide chemical is a procedure where a dye complex is formed with brom cresol purple and measured spectrophotometrically at 590 nanometers.

Dated: May 19, 1972.

LOWELL E. MILLER,
Acting Deputy Assistant Administrator for Pesticides Programs.

[FR Doc.72-7922 Filed 5-24-72;8:50 am]

ELANCO PRODUCTS CO.

Notice of Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 2H5015) has been filed by Elanco Products Co., Division of Eli Lilly & Co., Indianapolis, Ind. 46206, proposing establishment of a food additive tolerance (21 CFR Part 121) for residues of the fungicide 2-aminobutane in citrus molasses and dried citrus pulp at 90 parts per million from application of the fungicide to the raw agricultural commodity citrus fruit.

Dated: May 19, 1972.

LOWELL E. MILLER,
Acting Deputy Assistant Administrator for Pesticides Programs.

[FR Doc.72-7923 Filed 5-24-72;8:50 am]

MONSANTO CO.

Notice of Withdrawal of Petitions Regarding Pesticide Chemical and Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d)(1), 409(b)(5), 68 Stat. 512, 72 Stat. 1786; 21 U.S.C. 346a(d)(1), 348(b)(5)), the following notice is issued:

In accordance with § 180.8 *Withdrawal of petitions without prejudice* of the pesticide procedural regulations (40 CFR 180.8) and § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, MO 63166, has withdrawn its petitions (PP 1F1036 and FAP 1H2592), notice of which was published in the FEDERAL REGISTER of February 10, 1971 (36 F.R. 2824), proposing establishment of tolerances for combined residues of the herbicide 3',4'-dichloropropionanilide and its metabolites (calculated as the parent compound) in or on the raw agricultural commodities rice straw at 75 parts per million; rice grain at 2 parts per million; eggs and the meat, fat, and meat byproducts of cattle, goats, hogs, horses, poultry, and sheep at 0.1 part per million (negligible residue); milk at 0.05 part per million (negligible residue); and in or on rice bran at 10 parts per million and rice hulls at 6 parts per million resulting from carryover and concentration after application of the herbicide to growing rice.

Dated: May 19, 1972.

LOWELL E. MILLER,
Acting Deputy Assistant Administrator for Pesticides Programs.

[FR Doc.72-7924 Filed 5-24-72;8:50 am]

ROHM & 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 2F1258) has been filed by the Rohm & Haas Co., Independence Mall West, Philadelphia, Pa. 19105, proposing that the established tolerances (40 CFR Part 180) for residues of the fungicide which is a coordination product of zinc ion and maneb (manganous ethylenebisdithiocarbamate) containing 20 percent manganese, 2.5 percent zinc, and 75 percent ethylenebisdithiocarbamate (the whole

product calculated as zineb (zinc ethylenebisdithiocarbamate)) be reduced in or on the raw agricultural commodities apples to 7 parts per million; celery and corn fodder and forage to 5 parts per million; summer squash, cucumbers, melons with no residue present in the edible portion after the peel is removed and discarded, and tomatoes to 4 parts per million; bananas, preharvest use only, to 4 parts per million of which not more than 0.5 part per million shall be in the pulp after peel is removed and discarded; and corn grain to 0.1 part per million.

The analytical method proposed in the petition for determining residues of the fungicide is the method of C. F. Gordon, R. J. Schuckert, and W. E. Bornak, "Journal of the Association of Official Analytical Chemists," volume 50, pages 1102–8 (1967).

Dated: May 19, 1972.

LOWELL E. MILLER,
Acting Deputy Assistant Administrator for Pesticides Programs.

[FR Doc.72-7925 Filed 5-24-72;8:50 am]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19412; FCC 72R-137]

FRIENDLY BROADCASTING CO.

Memorandum Opinion and Order Modifying Issues

In regard applications of Friendly Broadcasting Co. for renewal of licenses for radio stations WJMO and WLYT (FM) Cleveland Heights, Ohio, Docket No. 19412, File No. BR-1844, File No. BRH-140.

1. This proceeding involves the applications of Friendly Broadcasting Co. (Friendly), seeking renewal of licenses for standard and FM broadcast stations at Cleveland Heights, Ohio. The applications were designated for hearing on various issues by Commission order and notice of apparent liability, released January 27, 1972 (FCC 72-73, 37 F.R. 3384). Presently before the Review Board is a petition to modify issues, filed March 10, 1972, by the Broadcast Bureau,[1] which requests modification of issue "g," which presently reads as follows: "To determine the nature and extent of alleged violations of the Commission's rules for which an official notice of violation was issued to WJMO on February 16, 1971, and whether in light of the evidence adduced pursuant to that determination, applicant has exercised that degree of responsibility required of the licensee of a broadcast station * * *."

2. In its petition, the Broadcast Bureau requests that present issue "g" be modified to encompass additional rule violations contained in a later notice of violations issued on November 23, 1971. The Bureau notes that at a prehearing conference held on March 6, 1972, the Examiner ruled that evidence relating to these later apparent rule violations could not be introduced under issue "g" as presently framed; the Examiner also denied the Bureau permission to appeal this ruling (FCC 72M-299, released March 7, 1972). The Bureau contends that because: (a) Of "the seriousness of the matter"; (b) the fact that the hearing will not commence until July 11, 1972; and (c) this petition was filed immediately after the release of the Examiner's adverse ruling, supra, the requirements of The Edgefield-Saluda Radio Co. (WJES), 5 FCC 2d 148, 8 RR 2d 611 (1966), have been met and the modification should be allowed "in order to insure that a full and complete record of the technical operation of WJMO will be made * * *."

3. In its opposition, Friendly initially contends that the Bureau's petition is untimely, and that good cause for the delay in filing has not been shown. Friendly also contends that the petition should be denied on the merits because the Bureau has offered no facts or affidavit in support of its request and the "mere fact of the issuance of the official notice on five matters—which is all the Bureau alleges—is not cause for enlargement of the issues." Moreover, argues Friendly, in view of the large and complex number of issues which must already be litigated in this case, enlargement should be allowed only for the most serious matters and the Bureau has not made such a showing. Finally, Friendly urges that the issues should not be enlarged because the November 1971 official notice of violation and the licensee's reply thereto have already been presented to the Commission and it determined not to include them in the issues. In this connection, Friendly points to paragraph 11 of the Broadcast Bureau's January 31, 1972, bill of particulars in this proceeding which states that the "inspection of Station WJMO on November 11, 1971, resulted in the issuance of another official notice of violation on November 23, 1971, citing WJMO for five violations." Friendly contends that in view of the close proximity between the release of the designation order and the bill of particulars, the Commission must have considered the later notice and concluded that further action was not warranted; nor, the applicant avers, has the Broadcast Bureau shown any valid reason here for reconsideration of the Commission's action as to issue "g," citing Atlantic Broadcasting Co. (WUST), 5 FCC 2d 717, 8 RR 2d 991 (1966).

4. In reply, the Broadcast Bureau, in reference to the timeliness of its petition, contends that it was not unreasonable to assume that the November 23, 1971, notice of violation would be considered within issue "g," citing Heart of the Black Hills, 32 FCC 2d 196, 23 RR 2d 203 (1971). When the Examiner ruled otherwise, the Bureau notes, it promptly filed its petition. Furthermore, petitioner argues, when serious public interest questions are raised the Commission and Board have frequently allowed enlargement of issues, and the Commission has "specifically permitted the enlargement of issues on such grounds with regard to violations of a station's license concerning operation at greater than authorized power, just one of the violations cited in the notice of violation which the Bureau seeks to add in this proceeding * * *," citing DuPage County Broadcasting, Inc., 21 FCC 2d 395, 18 RR 2d 321 (1970). In reference to the requirement of providing sufficient facts in support of its petition, the Bureau urges that it has provided what is customarily required for the addition of the requested modifications. In response to Friendly's contention that no compelling reason has been shown for modification, petitioner claims that consideration of additional violations in this proceeding, which is already based, in part, on earlier, similar violations, is clearly relevant to a determination of the applicant's qualifications. Finally, the Bureau alleges that the Commission was not aware of the violations in the November notice at the time issue "g" was designated since the Bureau "did not receive from the field offices the official notice of violation and the licensee's reply, until January 31, 1972, 5 days after the Commission adopted the designation order." The Bureau states that it then prepared the bill of particulars, and included such violations therein, believing that, had the Commission been aware of such violations, they would have been so included.

5. The Review Board will grant the Broadcast Bureau's petition to modify issues. Present issue "g" is concerned with the infractions of Commission Rules contained in a February 16, 1971, official notice of violation. The modification requested will allow consideration of a November 23, 1971, official notice of violation which is concerned with the same or similar types of subsequent violations. The relevance of subsequent, repeated violations to the applicant's qualifications is readily apparent. As noted by the Broadcast Bureau, an applicant's past record of station maintenance and supervision is clearly relevant to a public interest determination in subsequent licensing proceeding. Louis Vander Plate, 26 FCC 2d 874, 20 RR 2d 798 (1970); The Court House Broadcasting Company, 21 FCC 2d 792, 18 RR 2d 616 (1970); and DuPage County Broadcasting, Inc., supra. Good cause is shown for the Bureau's late filed petition in that it was both appropriate and reasonable for the Bureau to request a ruling from the Examiner as to the exact scope of issue "g" before petitioning the Review Board for modification. In reference to Friendly's criticism of the sufficiency of the Bureau's allegations, the applicant does not deny the charge contained in the notice, and the Board has frequently added issues predicated on such notices. See, e.g., United Television Company, Inc., 23 FCC 2d 493, 19 RR 2d 86 (1970). Finally, the Board believes that the Broadcast Bureau has adequately demonstrated that

[1] Also before the Board are the following related pleadings: (a) Opposition, filed Mar. 31, 1972, by Friendly; and (b) reply, filed Apr. 12, 1972, by the Broadcast Bureau.

the Commission was not aware of the November 23, 1971, notice when it designated issue "g." The bill of particulars was prepared subsequent to the order designating issue "g" and the Bureau did not receive the official notice of violation and the licensee's reply from the field offices until 5 days after the Commission adopted the designation order. Moreover, the designation order does not mention the more recent notice, and therefore, under the doctrine of the Atlantic case, supra, consideration of the merits of the Bureau's request is appropriate. Day-Nite Radio Message Service Corp., 23 FCC 2d 665 (1970).

6. *Accordingly, it is ordered,* That the petition to modify issues, filed March 10, 1972, by the Broadcast Bureau, is granted; and

7. *It is further ordered,* That Issue "g" as specified in the designation order herein, is modified to read as follows:

To determine the nature and extent of alleged violations of the Commission's rules for which notices of violation were issued to WJMO on February 24, 1971, and November 23, 1971, and whether in light of the evidence adduced pursuant to that determination, applicant has exercised that degree of responsibility required of the licensee of a broadcast station.

Adopted: May 17, 1972.

Released: May 19, 1972.

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

[FR Doc.72-7959 Filed 5-24-72;8:54 am]

[Dockets Nos. 19507-19508; FCC 72-423]

JAMES E. REESE ET AL.

Memorandum Opinion and Order Designating Applications for Consolidated Hearing on Stated Issues

In regard applications of James E. Reese, Shreveport, La., requests: 1300 kHz, 500 w., day, Docket No. 19507, File No. BP-18318; Alvis N. Dowd (KNCB), Vivian, La., has: 1600 kHz, 5 kw., day, requests: 1300 kHz, 5 kw., day, Docket No. 19508, File No. BP-18369; E. S. Sterling, Joel E. Wharton, and Dr. T. J. Taliaferro doing business as Bossier Broadcasting Co., Bossier City, La., requests: 1300 kHz, 1 kw., day, for construction permits, Docket No. 19509, File No. BP-18507.

1. The Commission has before it for consideration the above-captioned and described applications that are mutually exclusive and must be designated for hearing.

2. Bossier Broadcasting Co. proposes a broadcast facility for Bossier City, La., a city, with a population of 41,395, that is adjacent to Shreveport, La., which has a population of 182,064. Since the applicant's proposed 5 mv/m contour envelops Shreveport, and since Shreveport has a population over 50,000 and more than twice that of Bossier City, a presumption arises that the applicant realistically proposes to serve Shreveport rather than its specified city. Policy Statement on Section 307(b) Considerations for Standard Broadcast Facilities, 2 FCC 2d 190, 6 RR 2d 1901 (1965). Strengthening this presumption is the fact that the applicant meets all the coverage requirements for a Shreveport station. Moreover, the applicant has failed to submit any data to rebut the presumption, other than merely stating that it had difficulty in selecting a site because the "Shreveport Downtown Airport and Barksdale Airforse (sic) base makes it impossible to not have a 25 mv/m over all of downtown Shreveport." Thus, a 307(b) suburban community issue will be specified as to Bossier Broadcasting Co.

3. James E. Reese, the applicant for Shreveport, is a director and shareholder (27 percent interest) in Tri-Cities Broadcasting Co. Information available at the Commission reveals that on March 10, 1971, Tri-Cities Broadcasting Co. acquired station WOKJ, Jackson, Miss., and on November 30, 1971, sold station WOPI(FM), Bristol, Tenn. James E. Reese failed to amend his application to reflect these changes in his broadcast interests. Since § 1.65 of the Commission rules provides that an applicant is responsible for the continuing accuracy and completeness of information furnished in his application and is obligated to amend whenever the information on file is no longer substantially accurate and complete, an appropriate issue will be specified. Gross Broadcasting Company, 15 FCC 2d 76, 14 RR 2d 742 (1968).

4. Analysis of James E. Reese's financial data shows that he will need $66,200 to meet first-year construction and operation costs, consisting of equipment down payment, $4,600; first-year equipment payments with interest, $5,100; land, $5,000; building, $1,500; miscellaneous costs, $8,000; bank loan interest payments, $6,000; and first-year working capital, $36,000. The applicant intends to meet these costs with available cash, $10,500, and two bank loans amounting to $75,000, for a total of $85,500. The $50,000 bank loan commitment letter, however, does not state the amount of collateral required or the rate of interest to be charged, and, therefore, the applicant has failed to demonstrate that he is financially qualified.

5. The cost figures submitted by Bossier Broadcasting Co. show that it will need $37,540 to meet first-year construction and operation costs, consisting of equipment lease payments, $3,840; land, $1,200; building, $1,000; miscellaneous costs, $1,500; and first-year working capital, $30,000. The financial scheme originally outlined in the application is no longer useful since the original partnership was dissolved and a new partnership created, and the applicant has not supplied a new plan for meeting its financial obligations other than stating, in its new partnership agreement, that each partner will contribute to initial capital totaling $20,000. If it can be assumed that, by not submitting a financial plan, the applicant intends to use the available assets of the partners to finance the proposed station, the applicant still has not demonstrated that it is financially qualified. A bank loan commitment letter to Mr. Sterling, a partner, for $25,000 is unacceptable since it does not state the rate of interest, amount of collateral required or any other terms of the loan. The balance sheets submitted by the other partners are unreliable since their assets consist chiefly of accounts receivable, and there is no specific showing that such assets can be relied upon to provide funds to meet proposed commitments. In addition, the balance sheet of Dr. Taliaferro has not indicated the amount of liabilities payable during the next year on long-term liabilities, and the applicant's proposed cost of construction is unreasonably low. Accordingly, a general financial issue will be included.

6. Bossier Broadcasting published a local notice of the filing of its application within 8 weeks of tendering the application and not within the 4-week period provided by § 1.580 of the rules. Since the public notice complied in other respects with the rules, an issue has not been specified.

7. The respective proposals, although for different communities, would serve substantial areas in common. Consequently, in addition to determining, pursuant to section 307(b) of the Communications Act of 1934, as amended, which of the proposals would best provide a fair, efficient and equitable distribution of radio service, a contingent comparative issue will also be specified.

8. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

9. *Accordingly, it is ordered,* That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would receive primary service from the proposed operations and the availability of other primary aural (1 mv/m or greater in the case of FM) service to such areas and populations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of station KNCB and the availability of other primary aural (1 mv/m or greater in the case of FM) service to such areas and populations.

3. To determine with respect to the application of James E. Reese:

(a) The terms, conditions, and availability of his bank loan;

(b) Whether, in the light of the evidence adduced pursuant to (a), above, the applicant is financially qualified.

4. To determine whether Bossier Broadcasting Co. is financially qualified to construct and operate its proposed station.

5. To determine whether James E. Reese has complied with the provisions of

§ 1.65 of the Commission rules by keeping the Commission advised of substantial and significant changes as required by § 1.65, and, if not, the effect of such noncompliance on his basic or comparative qualifications to be a Commission licensee.

6. To determine whether the proposal of Bossier Broadcasting Co. will realistically provide a local transmission facility for its specified station location or for another larger community, in light of all the relevant evidence, including, but not necessarily limited to, the showing with respect to:

(a) The extent to which the specified station location has been ascertained by the applicant to have separate and distinct programing needs;

(b) The extent to which the needs of the specified station location are being met by existing aural broadcast stations;

(c) The extent to which the applicant's program proposal will meet the specific unsatisfied programming needs of its specified station location;

(d) The extent to which the projected sources of the applicant's advertising revenues within its specified station location are adequate to support its proposal, as compared with its projected sources from all other areas.

7. To determine, in the event that it is concluded pursuant to the foregoing issue that the proposal will not realistically provide a local transmission service for its specified station location, whether such proposal meets all of the technical provisions of the rules for standard broadcast stations assigned to the most populous community for which it is determined that the proposal will realistically provide a local transmission service, namely Shreveport, La.

8. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would best provide a fair, efficient and equitable distribution of radio service.

9. To determine, in the event it is concluded that a choice between the applications should not be based solely on considerations relating to section 307(b), which of the operations proposed in the above-captioned applications would, on a comparative basis, better serve the public interest.

10. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if any, of the applications should be granted.

10. *It is further ordered*, That, to avail themselves of the opportunity to be heard, the applicants, pursuant to § 1.221 (c) of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

11. *It is further ordered*, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: May 17, 1972.

Released: May 22, 1972.

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

[FR Doc.72-7961 Filed 5-24-72;8:54 am]

[Dockets Nos. 19503-19506; FCC 72-422]

ST. CROSS BROADCASTING, INC., ET AL.

Memorandum Opinion and Order Designating Applications for Consolidated Hearing on Stated Issues

In regard applications of St. Cross Broadcasting, Inc., Santa Cruz, Calif., requests: 1540 kHz, 5 kw., DA, day, Docket No. 19503, File No. BP-18014; Milo Communications Corp. (KMPG), Hollister, Calif., has: 1520 kHz, 500 w., day, requests: 1540 kHz, 5 kw., DA, day, Docket No. 19504, File No. BP-18218; Lloyd M. Marks, Seaside, Calif., requests: 1540 kHz, 250 w., day, Docket No. 19505, File No. BP-18228; James B. Fenton, Grant R. Wrathall, Jr., Lawrence M. Wrathall and Loretta Wrathall, doing business as Progressive Broadcasting Co., Aptos-Capitola, Calif., requests: 1540 kHz, 5 kw., DA, day, for construction permits, Docket No. 19506, File No. BP-18221.

1. The Commission has before it (i) the above-captioned and described mutually exclusive applications; (ii) a petition to deny the application of St. Cross Broadcasters, Inc. (St. Cross), by Monterey Peninsula Broadcasters, Inc. (Monterey), licensee of station KIDD, Monterey, Calif.; (iii) opposition to petition to deny by St. Cross; (iv) reply by Monterey to opposition to petition to deny; (v) petition to deny the St. Cross application by Buckley Broadcasting Corp. of California (Buckley), licensee of station KKHI, San Francisco, Calif.; (vi) opposition to Buckley's petition to deny by St. Cross; (vii) a petition to dismiss the application of Progressive Broadcasting (Progressive) by St. Cross; and (viii) an opposition to petition to dismiss by Progressive.

2. A petition to deny the St. Cross application was filed by Buckley on June 18, 1968. Buckley alleges, inter alia, that the 0.5 mv/m contours of the proposed operation and its adjacent channel Station KKHI may overlap in contravention of § 73.37 of the rules. In support of its petition, Buckley argues that the applicant's measurement data are inadequate to establish the extent of the KKHI 0.5 mv/m contour along specified azimuths from KKHI toward the proposed operation; that KKHI is unable to establish the exact location of the measuring points used; and that a KKHI representative was not present when the measurements were made. On July 17, 1968, the applicant filed an opposition to KKHI's petition and stated:

> * * * measurements in the vicinity of the KKHI site were made at virtually all unobstructed points to which access could be obtained * * *. Mountainous terrain exists over extensive portions of the measured radials and the number of measuring points in these areas was limited by problems of access. The measurements taken in mountainous terrain were made at relatively unobstructed points that appeared to be representative of the general nature of the vicinity of the measurement point * * *. It is believed that sufficient field intensity measurements of KKHI were made to permit an accurate determination of the location of the KKHI 0.5 mv/m contour. It is also believed that additional measurements of KKHI, if obtainable, along the radials submitted would not significantly alter the analysis of the measurements presented in the application.

Our examination of all the data supplied by St. Cross reveals that the data were obtained for the most part over relatively unaccessible areas. In view of this, we would not expect the number of measuring points to be in strict compliance with § 73.186 of the rules. The number of points used, however, is sufficient to enable the Commission to determine the extent of the KKHI 0.5 mv/m contour with a reasonable degree of accuracy. Moreover, the applicant's exhibits appear adequate to describe the location of the measuring points used. On the basis of all the data before us, we find that the 0.5 mv/m contours will not overlap.

3. The petitioner also objects to the applicant's use of the measurements taken on Station KSCO to show the soil conductivity from the proposed site toward cochannel Station KPOL to the south, because the KSCO antenna site is located 7 miles to the west of the applicant's proposed site. If Figure M-3 conductivities are used instead, Buckley concludes the St. Cross operation would involve cochannel overlap with KPOL. We agree that the measurement data taken on KSCO to determine conductivity in the direction of KPOL cannot be used. However, we do not agree that the proposed operation will cause overlap to KPOL. In determining the extent of the proposed 0.025 mv/m contour towards KPOL, the Commission did not utilize the KSCO data but instead relied on Figure M-3 conductivities. In this regard, using available measurement data on file for KPOL, we find that that station's 0.5 mv/m contour does not extend as great a distance as determined by the applicant. As a result, even using the higher conductivity indicated by Figure M-3 rather than the KSCO data to depict the location of the proposed 0.025 mv/m contour, no overlap would be caused to KPOL. In light of the foregoing, we deny the petition to deny filed by Buckley.

4. In its petition to deny filed on June 18, 1968, Monterey Peninsula Broadcasters, Inc., contends that the KSCO measurement data relied upon by St. Cross are inadequate for essentially the same reasons given by Buckley. In addition, however, Monterey claims that

the St. Cross proposal will cause extensive "image interference" to its Station KIDD. "Image interference" is not a unique situation since many existing stations operate in the same communities where the frequency separation is such that "image interference" could occur. Moreover, the Commission has not encountered cases where it has become a serious problem. The rules provide, however, that since the interference can usually be rectified by readjustment of the intermediate frequency of the affected receivers, this kind of interference generally will not be taken into consideration in allocating frequencies. See § 73.182(x) of the rules. In view of this, we deny Monterey's request for a hearing issue as to "image interference."

5. In addition to the two objections discussed above, Monterey also alleges that the applicant's proposed station staff of five members is inadequate, and that the applicant is not financially qualified.

6. St. Cross proposes to conduct 84 hours of weekly programing, 15.4 percent of which will be news, public affairs, and all other programs exclusive of entertainment and sports with a staff of five. In opposition to Monterey's allegation, the applicant argues that its proposed staff is reasonable for an efficient operation. Accordingly, St. Cross proffers that its president and secretary-treasurer, who will be intimately involved in the station's operation, possess extensive broadcasting experience; that it will hire its employees for combination positions; and that it will solicit community participation for news gathering and special programing. Since the applicant proposes only daytime broadcasting, there appears nothing inherently improbable in St. Cross' proposal to operate with a staff of five. We conclude, therefore, that the petitioner's allegation is insufficient to warrant the inclusion of a staffing issue. Martin Lake Broadcasting Co., 23 FCC 2d 721 (1970).

7. Monterey also questions the applicant's financial qualifications. The petitioner alleges that St. Cross' estimation of building costs and operating expenses are substantially inadequate, and that the credit arrangements do not conform to the Commission's requirements and thus cannot be relied upon. Moreover, it alleges that the applicant failed to take into account the need to establish a sewage system and water supply. An amendment to its financial section filed December 20, 1971, establishes that as proposed the applicant possesses sufficient liquid assets to finance the first-year construction and operation. Thus, the applicant projects first-year construction and operation costs of $83,400 which include: Downpayment and first-year payments on equipment, with interest, $21,350; downpayment and first-year payments on building, $3,150; miscellaneous, $10,000; interest on stockholders' loans, $2,900; and working capital, $46,000. New capital of $22,230 and stockholder loans of $72,500 have been arranged to provide $94,730 to finance these costs. Even assuming the estimates are too low, the applicant shows it has available more than $11,000 beyond its projected expenses in the event more money is needed. In light of the above, the Commission finds the applicant financially qualified.

8. St. Cross, in its petition to dismiss, contends that the application of Progressive is inconsistent with §§ 73.36, 73.37, 73.183(b), and 73.186 of the rules. The Commission found in its preliminary study that additional engineering data were required to support the finding made by Progressive that its proposal would not involve prohibitive overlap and requested the applicant to file supplemental data. In response, the applicant submitted supplemental engineering reports on February 10 and December 22, 1969, which included additional field intensity measurements. We now conclude, based on all the data submitted, that the proposed facility does not involve prohibitive overlap with any existing station, and thus the proposal complies with § 73.37. In addition, the petitioner's allegations with respect to deficiencies in the applicant's field intensity measurement data (§§ 73.36, 73.183 (b) and 73.186 of the rules) have been eliminated either by the applicant's showings, or by other measurement data on file with the Commission. Therefore, in light of the above, we deny the petition to dismiss filed by St. Cross.

9. Accordingly, Progressive's application will be accepted and, at the same time, will be designated for hearing in a proceeding with the three proposals with which it is mutually exclusive. Although § 1.580(b) of the Commission's rules provides that no application will be acted upon less than thirty (30) days following issuance of public notice of the acceptance of the application, the Commission will, on its own motion, waive § 1.580(b) in order that the applications herein may proceed to hearing without further delay.

10. An examination of the financial section of Lloyd Marks' application reveals that the applicant has not established his financial qualifications. By a letter dated October 18, 1971, the Commission informed the applicant that his entire plan was inadequate. The applicant has not responded to this inquiry. In this connection, we note that Marks' proposal makes no provisions for the expense of leasing land and a building. Since all the normally expected expenses have not been included in his financial proposal, we are unable to determine the amount of funds required. Moreover, the applicant's balance sheet is out of date and his apparent reliance upon expected operating revenues to finance the first-year operation has not been documented in accordance with Ultravision Broadcasting Company, 1 FCC 2d 544, 5 RR 2d 343 (1965). In light of the above, a general financial issue will be included.

11. A Suburban[1] issue is also required with respect to Lloyd M. Marks. The Commission sent the applicant a letter informing him that he did not comply with the Primer's[2] requirements. More specifically, it pointed out that he had not made a demographic study of his proposed service area, provided a description of any contacts made with members of the community's general public, nor listed the specific programs proposed in response to community problems. Since the applicant has not attempted to remedy these deficiencies, an issue will be included to determine whether he is aware of and responsive to local community needs and interests.

12. An examination of the financial material submitted by Milo Communications Corp. indicates the applicant has not provided an adequate basis upon which to establish its financial qualifications. Since the application is for an increase in power, Milo only needs to purchase new equipment to effectuate its proposal. Based upon the manufacturer's letter of credit showing the down payment due and first-year payments, the applicant will need $14,920. To cover these expenses, Milo relies upon a bank loan of $10,000, existing capital in the corporation, and cash of $7,000 from a principal, Dr. Milo. The bank loan is unacceptable. The bank requires four guarantors: Richard Logan, President of Milo; Dr. Milo, principal stockholder; Mrs. Logan; and Mrs. Milo. Only Richard Logan's signature has been obtained. Moreover, the bank letter does not indicate the rate of interest to be charged, the terms of repayment, nor the nature of the collateral required. Furthermore, the corporation's existing capital cannot be relied upon. The corporation's balance sheet shows that it is burdened by current liabilities well in excess of current assets, and the company generated a cash flow of only $3,953.65 for the first 10 months of 1971. Since Dr. Milo's current balance sheet shows cash of $7,000, we will credit Milo with $7,000 of liquid assets available to meet the proposed first-year construction costs. However, in view of the foregoing, we conclude that the applicant remains $7,920 short, and a financial issue will be included.

13. In an amendment received February 8, 1972, Milo informed the Commission that its president, Richard Logan, is employed as a salesman by Station KTOM, Salinas, Calif. Logan says he will resign from KTOM in the event of the grant of Milo's request for a power increase so that he can devote his full efforts to KMPG. A grant of the application would create a substantial overlap of service areas of the applicant and KTOM. In light of the Commission's long-standing policy proscribing cross-interests in more than a single station in the same service in the same area, an appropriate condition will be included requiring Richard Logan, in the event of favorable action on the Milo application, to sever his relationship with KTOM.

[1] Suburban Broadcasters, 20 RR 951 (1961).

[2] Primer on Ascertainment of Community Problems by Broadcast Applicants, 36 FR 4092, 27 FCC 2d 650 (1970).

Golden West Broadcasters, 16 FCC 2d 918 (1969).

14. Examination of the applications of Milo and Progressive indicates that each proposal's projected 5 mv/m contour penetrates the geographical limits of Salinas, Calif. The population (1970) of Salinas (58,896) is more than twice that of either Hollister (7,663) or Aptos-Capitola (13,784). Therefore, a presumption that these applicants realistically propose to serve the larger city is raised under the Commission's Policy Statement on Section 307(b) Considerations for Standard Broadcast Facilities Involving Suburban Communities, 2 FCC 2d 190, 6 RR 2d 1901 (1965). Both applicants have filed general statements in an effort to rebut the presumption raised by the policy statement. After examination of this material, however, the Commission finds that neither applicant has effectively rebutted the aforementioned presumption. Accordingly, the matter will be explored further in hearing.

15. The engineering material filed by Progressive does not include an exhibit clearly showing that its 25 mv/m contour would serve the business areas of Aptos and Capitola in compliance with § 73.188 (b) (1) of the rules. In light of this deficiency, an issue will be included to determine whether Progressive complies with § 73.188(b) (1).

16. Progressive requests a waiver of § 73.24(g) of the rules which requires that the population within the 1 v/m contour not exceed 300 persons or 1 percent of the population within the 25 mv/m contour. In the original request made on February 10, 1969, the applicant stated that 549 people (1.15 percent of the population inside the 25 mv/m contour) lived within the 1 v/m contour. It projected, however, that by 1972 the population growth inside the 25 mv/m contour would increase so that the population inside the 1 v/m contour would be 1 percent or less. A Commission letter of October 18, 1971, asked the applicant to file current data relating to the blanketing problem. In response, Progressive proffered that the population inside the 1 v/m contour had grown to 845 persons in 1970 (1.35 percent of the population within the 25 mv/m contour). The applicant revived its request for a waiver by alleging that by 1973 the ratio will decrease to 1 percent or less. It based this estimate on the present "full occupancy" of the homes and land inside the 1 v/m contour and the "fantastic" growth outside the 1 v/m contour but within the 25 mv/m contour. In light of the available data, the Commission is unable to determine at this time whether a waiver would serve the public interest. Therefore, a blanketing issue will be included to determine whether a waiver of § 73.24 (g) of the rules is warranted.

17. Progressive also requests a dual city of license and a waiver of § 73.30(b) insofar as it requires the applicant to maintain a studio in both communities. Section 73.30(b) of the rules permits a dual city of license only when the applicant maintains a studio in each community and makes a satisfactory showing that the proposed station can and will originate a substantial number of local live programs from each community and that the origination of these programs would place an unreasonable burden on the applicant if it were licensed to only one town. Progressive further requests waiver of the § 73.30(b) requirement that it maintain a studio in both communities. It proposes to locate its studio in Aptos. In support of its waiver request, the applicant alleges generally that the location of a studio in both towns at this time is economically infeasible, and that some local live programing in Capitola will be taped and a mobile remote authorization will be sought in order to broadcast events of interest occurring in Capitola. We find the applicant's request for a waiver of § 73.30(b) is insufficient due to the lack of factual support of its general allegation. Thus, an appropriate issue will be included relating to Progressive's request for a dual-city license and a waiver of § 73.30(b).

18. By an amendment received July 9, 1970, Progressive changed the location of its proposed antenna site to the Rancho Del Mar Shopping Center. As proposed, the two-tower system will be constructed with one tower situated between two buildings, approximately 20 feet apart, and the other tower located in the parking lot. One building is 16 feet and the other 23 feet high. To the extent that the land surrounding the towers is not used for buildings, the ground radials will be buried while the remaining part of the radials will be installed on the roof areas of the buildings. It also appears that some of the ground radials will be restricted in length due to property restrictions. Finally, we note that some of the natural terrain surrounding the shopping center and antenna site appears rugged. In view of the severe problems likely to be caused by an antenna site sandwiched between buildings, constructed with short ground radials, and partly surrounded by rugged terrain, a question is raised whether the antenna site is satisfactory and whether the array can be adjusted and maintained within the proposed values of radiation. Accordingly, an appropriate issue will be included.

19. The respective proposals, although for different communities, would serve substantial areas in common. Consequently, in addition to determining, pursuant to section 307(b) of the Communications Act of 1934, as amended, which of the proposals would best provide a fair, efficient, and equitable distribution of radio service, a contingent comparative issue will be specified.

20. From the information before the Commission it appears that, except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, for the reasons indicated above, they must be designated for hearing in a consolidated proceeding on the issues set forth below.

21. *Accordingly, it is ordered*, That the application of James B. Fenton, Grant R. Wrathall, Jr., Lawrence M. Wrathall, and Loretta Wrathall, doing business as Progressive Broadcasting Co., is hereby accepted for filing; that on the Commission's own motion, § 1.580(b) of the Commission's rules is waived; and that, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

issues:

1. To determine the areas and populations which would receive primary service from St. Cross Broadcasting, Inc., Lloyd M. Marks, and Progressive Broadcasting Co., and the availability of other primary aural (1 mv/m or greater in the case of FM) service to such areas and populations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of station KMPG and the availability of other primary aural (1 mv/m or greater in the case of FM) service to such areas and populations.

3. To determine whether Lloyd M. Marks is financially qualified to construct and operate his proposed station.

4. To determine the efforts made by Lloyd M. Marks to ascertain the community needs and interests of the area to be served and the means by which the applicant proposes to meet those needs and interests.

5. To determine with respect to the application of Milo Communications Corp.:

(a) Whether the applicant has sufficient additional liquid assets available to finance the proposal; and

(b) Whether, in light of the evidence adduced pursuant to (a) above, the applicant is financially qualified.

6. To determine whether the proposal of Milo Communications Corp. and Progressive Broadcasting Co. will realistically provide a local transmission facility for its specified station location or for another larger community, in light of all the relevant evidence, including, but not necessarily limited to, the showing with respect to:

(a) The extent to which the specified station location has been ascertained by the applicant to have separate and distinct programing needs;

(b) The extent to which the needs of the specified station location are being met by existing aural broadcast stations;

(c) The extent to which the applican't program proposal will meet the specific unsatisfied programing needs of its specified station location; and

(d) The extent to which the projected sources of the applicant's advertising revenues within its specified station location are adequate to support its proposal, as compared with its projected sources from all other areas.

To determine, in the event that it is concluded pursuant to the foregoing issue that the proposal will not realistically provide a local transmission service for its specified station location, whether such proposal meets all of the technical provisions of the rules for standard broadcast stations assigned to the most populous community for which it is determined that the proposal will

realistically provide a local transmission service, namely Salinas, Calif.

7. To determine whether the proposal of Progressive Broadcasting Co. would provide coverage of the city sought to be served, as required by § 73.188(b)(1) of the Commission rules, and, if not, whether circumstances exist which would warrant a waiver of said section.

8. To determine whether the proposal of Progressive is in compliance with § 73.24(g) of the Commission rules concerning population within the 1000 mv/m contour, and, if not, whether circumstances exist which would warrant a waiver of said section.

9. To determine whether the proposal of Progressive Broadcasting Co. is consistent with the requirements of § 73.30 (b) of the Commission rules to warrant an authorization for dual-city operation, and, if not, whether circumstances exist which would warrant a waiver of said section.

10. To determine whether the transmitter site proposed by Progressive is suitable with regard to conditions which may exist at the site or in the vicinity of the antenna system, and whether it will be able to adjust and maintain the directional antenna system as proposed.

11. To determine, in light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would best provide a fair, efficient, and equitable distribution of radio service.

12. To determine, in the event it is concluded that a choice between the applications should not be based solely on considerations relating to section 307(b), which of the operations proposed in the above-captioned applications would, on a comparative basis, better serve the public interest.

13. To determine, in light of the evidence adduced pursuant to the foregoing issues which, if any, of the applications should be granted.

22. *It is further ordered,* That the petitions to deny filed by Buckley Broadcasting Corp. and Monterey Peninsula Broadcasters, Inc., are denied.

23. *It is further ordered,* That the petition to dismiss filed by St. Cross is denied.

24. *It is further ordered,* That, in the event of a grant of the application of Milo Communications Corp., the construction permit shall contain a condition that program tests will not be authorized until the permittee has shown that Richard Logan has divested all interest in, and severed all connections with station KTOM, Salinas, Calif.

25. *It is further ordered,* That to avail themselves of the opportunity to be heard the applicants respondent herein pursuant to § 1.221(c) of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

26. *It is further ordered,* That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

27. *It is further ordered,* That, in addition to the publication requirements in the preceding paragraph, Progressive Broadcasting Co., shall publish a notice of filing pursuant to § 1.580(c) of the Commission rules.

Adopted: May 17, 1972.

Released: May 22, 1972.

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

[FR Doc.72-7960 Filed 5-24-72;8:54 am]

[Docket Nos. 18711, 19712]

WPIX., INC., AND FORUM COMMUNICATIONS, INC.

Memorandum Opinion and Order Amending Redesignation Order; Correction

In regard applications of WPIX, INC. (WPIX-TV, New York, N.Y., for Renewal of Broadcast License, Docket No. 18711, File No. BRCT-98; Forum Communications, Inc., New York, N.Y., for construction permit for new television broadcast station, Docket No. 18712, File No. BPCT-4249.

In the Commission's memorandum opinion and order, FCC 72-413, released May 15, 1972, F.R. Doc. 72-7667, appearing at page 10410 in the issue of Saturday, May 20, 1972, in the fourth line of paragraph 3, the words "over 1,200 pages" should read "over 12,000 pages."

Released: May 18, 1972.

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

[FR Doc.72-7962 Filed 5-24-72;8:54 am]

FEDERAL MARITIME COMMISSION

CONTINENTAL NORTH ATLANTIC WESTBOUND 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:

Elliott B. Nixon, Esq., Burlingham Underwood & Lord, 25 Broadway, New York, NY 10004.

Agreement No. 8210-15, among the member lines of the above-named Conference, adds Zeebrugge, Belgium, to the Amsterdam/Rotterdam/Antwerp group of ports between which cargo may be forwarded at the expense of the carrying member (substituted service).

Dated: May 18, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-7936 Filed 5-24-72;8:52 am]

PORT OF SEATTLE AND AMERICAN MAIL LINE, LTD.

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:

Notice of agreement filed by:
Mr. Alvin L. Sklow, Director of Real Estate, Port of Seattle, Post Office Box 1209, Seattle, WA 98111.

Agreement No. T-2640, between the Port of Seattle (Port) and American Mail Line, Ltd. (AML), provides for the 5-year lease to AML of Terminal 25, Seattle, Wash., consisting of approximately 32 acres of improved land, including a pier and apron, truck scale, and buildings. The premises are to be used for the loading and discharging of AML vessels and operations incidental thereto. As compensation, the Port is to receive $977,692 annually, which is to be in lieu of Port billing and retaining dockage, wharfage, wharf demurrage, crane and equipment rental charges against AML's vessels or cargo carried on such vessels. AML will participate in Seattle Terminals Tariff No. 2-F during the agreement's term, and will assess all applicable terminal tariff charges on all vessels and cargo using the facility. The Port reserves secondary berthing rights at the facility.

Dated: May 22, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-7937 Filed 5-24-72;8:52 am]

UNIT LOAD COUNCIL

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:
Sanford C. Miller, Esq., Haight, Gardner, Poor, and Havens, 80 Broad Street, New York, NY 10004.

Agreement No. 9815-2, between Barber Lines A/S, Concordia Line, Finnlines, Ltd., Meyer Line, A. P. Moller-Maersk Line and Prudential-Grace Lines, Inc., members of the Unit Load Council, amends the basic agreement to provide for the admission of any common carrier by air, road, or rail, which utilizes unit load equipment as regular members entitled to vote on all decisions of the Council. Presently, the agreement provides for associate membership for motor and rail carriers, under which they may participate in Council discussions, but are unable to vote on decisions of the Council.

To further the development and improvement of the unit load concept in U.S. foreign trade the basic agreement provides that members shall cooperate in collecting and exchanging technical information, by joint institutional type advertising, and shall be free to exchange information as to comparative costs involved in the use of the unit load concept. The members may also engage in common discussions and negotiations with terminal operators, port authorities and inland carriers (including trucking and railroad companies and associations), relating to charges and practices for the receiving and handling of unit loads. The agreement specifically prohibits the members from discussing or agreeing on any joint action regarding ratemaking.

Dated: May 19, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-7938 Filed 5-24-72;8:52 am]

MATSON NAVIGATION CO. AND OCEANIC STEAMSHIP CO.

Revocation of Certificates of Financial Responsibility

Certificate of financial responsibility for indemnification of passengers for nonperformance of transportation No. P-24 and certificate of financial responsibility to meet liability incurred for death or injury to passengers or other persons on voyages No. C-1,042.

Matson Navigation Co. and the Oceanic Steamship Co., 100 Mission Street, San Francisco, CA 94105..

Whereas, Matson Navigation Co. has ceased to operate the passenger vessel "Lurline," and the Oceanic Steamship Co. has ceased to operate the passenger vessels "Mariposa," and "Monterey"; and

Whereas, Pacific Far East Lines, Inc., now operates the "Mariposa" and "Monterey" which vessels are covered by this Commission's Certificates (Performance) No. P-88 and (Casualty) No. C-1,084,

It is ordered, That Certificate (Performance) No. P-24 and Certificate (Casualty) No. C-1,042, covering the "Lurline," "Mariposa," and "Monterey" issued to Matson Navigation Co. and the Oceanic Steamship Co. respectively be, and are hereby revoked effective May 12, 1972.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on Matson Navigation Co. and the Oceanic Steamship Co.

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-7940 Filed 5-24-72;8:52 am]

PETER J. JANTZEN ET AL.

Independent Ocean Freight Forwarder License Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as independent ocean freight forwarders pursuant to section 44(a) of the Shipping Act, 1916 (75 Stat. 522 and 46 U.S.C. 841(b)).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to communicate with the Director, Bureau of Certification and Licensing, Federal Maritime Commission, Washington, D.C. 20573.

Peter J. Jantzen, 5455 North Sheridan Road No. 3912, Chicago, IL 60640.

Hope A. Barrios, 5825 North Kenmore Avenue, Chicago, IL 60660.

Dart Transit Co., 780 North Prior Avenue, St. Paul, MN 55104.

Officers:

Earl O. Oren.
Adeline L. Oren.
Donald G. Oren.

Dated: May 18, 1972.

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-7939 Filed 5-24-72;8:52 am]

FEDERAL POWER COMMISSION

[Docket No. G-3894, etc.]

ATLANTIC RICHFIELD CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

MAY 9, 1972.

Take notice that each of the Applicants listed herein has filed an applica-

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

tion or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before June 5, 1972, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
G-3894 D 4-28-72	Atlantic Richfield Co. (Operator) et al., Post Office Box 2819, Dallas, TX 75221.	United Gas Pipe Line Co., South Cabeza Creek Field, Goliad County, Tex.	(1)	--------
CI71-544 D 4-26-72	The California Co., a division of Chevron Oil Co., 1111 Tulane Ave., New Orleans, LA 70112.	Texas Eastern Transmission Corp., Northeast Nada Field, Colorado County, Tex.	(1)	--------
CI71-608 C 4-26-72	Diamond Shamrock Corp., Post Office Box 631, Amarillo, TX 79105.	Northern Natural Gas Co., acreage in Hemphill County, Tex.	[2] 20.5	14.65
CI72-137 C 5-2-72	Amoco Production Co., Post Office Box 3092, Houston, TX 77001.	Trunkline Gas Co., Katy Field, Harris, Waller, and Fort Bend Counties, Tex.	35.0	14.65
CI72-148 (CI65-134) F 1-3-72	Geological Exploration Co. (successor to Sun Oil Co.), Post Office Box 1644, Longview, TX 75601.	Lone Star Gas Co., Penn Griffith Field, Rusk County, Tex.	[3] 14.525	14.65
CI72-602 (G-11762) F 3-15-72	T. P. McAdams, Jr. (successor to Sun Oil Co.), Post Office Drawer 960, Bristow, OK 74010.	Northern Natural Gas Co., Sec. 21, T. 34 S., R. 21 W., Clark County, Kans.	[4] 17.0	14.65
CI72-603 (G-12309) F 3-15-72	T. P. McAdams, Jr. (successor to Ashland Oil, Inc.), Post Office Drawer 960, Bristow, OK 74010.	do	[4] 17.0	14.65
CI72-692 A 4-25-72	Pennzoil Offshore Gas Operators, Inc., 900 Southwest Tower, Houston, Tex. 77002.	Sea Robin Pipeline Co., Block 330, Eugene Island Area, Offshore Louisiana.	[5] 26.0	15.025
CI72-693 A 4-25-72	do	Sea Robin Pipeline Co., Block 295, Eugene Island Area, Offshore Louisiana.	[5] 26.0	15.025
CI72-694 A 4-25-72	do	Sea Robin Pipeline Co., Block 270, East Cameron Area, Offshore Louisiana.	[5] 26.0	15.025
CI72-695 B 4-25-72	Olen F. Featherstone, 1717 West Second St., Roswell, NM 88201.	El Paso Natural Gas Co., Bisti Field, San Juan County, N. Mex.	Uneconomical	--------
CI72-696 A 4-24-72	Shell Oil Co., 1 Shell Plaza, Houston, TX 77002.	United Gas Pipe Line Co., East Texas Field, Gregg County, Tex.	[2] 23.5	14.65
CI72-697 A 4-27-72	Terra Resources, Inc., 5416 South Yale Ave., Tulsa, OK 74135.	Montana-Dakota Utilities Co., Poison Creek Unit, Fremont County, Wyo.	[5] 26.0	15.025
CI72-699 B 4-27-72	Ashland Oil, Inc., Post Office Box 391, Ashland, KY 41101.	Panhandle Eastern Pipe Line Co., Northwest Eva Field, Texas County, Okla.	Depleted	--------
CI72-700 (G-12500) F 4-21-72	Car-Tex Producing Co., (successor to Barnwell, Inc.) Post Office Box 655, Carthage, TX 75633.	Arkansas-Louisiana Gas Co., Bethany Field, Panola County, Tex.	12.45	14.65
CI72-701 B 4-27-72	Atlantic Richfield Co., Post Office Box 2819, Dallas TX 75221.	Panhandle Eastern Pipe Line Co., Rowley Unit, Woodward County, Okla.	Depleted	--------
CI72-702 B 4-28-72	Humble Oil & Refining Co., Post Office Box 2180, Houston, TX 77001.	Valley Gas Transmission, Inc., East Scott and Hopper Field, Brooks County, Tex.	Depleted	--------

[1] Acreage is nonproductive.
[2] Subject to upward and downward B.t.u. adjustment.
[3] Application previously noticed Jan. 27, 1972, in G-3711 et al., at a rate of 14 cents per Mcf. By amendment to application filed May 1, 1972, applicant amended its application to reflect a rate of 14.525 cents per Mcf. Application was erroneously assigned Docket No. CI72-402. Further review of the Commission files reveals that the application will be processed under Docket No. CI72-148. Docket No. CI72-402 is canceled.
[4] Application previously noticed Mar. 10, 1972, in G-2639 et al., at a rate of 18 cents per Mcf. By amendment to application filed Apr. 17, 1972, applicant amended its application to reflect a rate of 17 cents per Mcf.
[5] Applicant is willing to accept a certificate pursuant to Opinion Nos. 598 and 598-A; however, the contract price is 35 cents per Mcf which includes 0.07 cent per Mcf upward B.t.u. adjustment.
[6] Subject to upward and downward B.t.u. adjustment, not to exceed 3 cents per Mcf upward B.t.u. adjustment.

[FR. Doc.72-7839 Filed 5-24-72;8:45 am]

[Docket No. CI72-137]

AMOCO PRODUCTION CO.

Further Notice of Petition To Amend

MAY 23, 1972.

Take notice that on May 2, 1972, Amoco Production Co. (petitioner), Post Office Box 3092, Houston, TX 77001, filed in Docket No. CI72-137 a petition to amend the order issuing a certificate of public convenience and necessity in said docket pursuant to section 7(c) of the Natural Gas Act by increasing the maximum volume of gas authorized to be sold and delivered to Trunkline Gas Co. (Trunkline) from the Katy Field, Harris, Waller, and Fort Bend Counties, Tex., from 15,500,000 Mcf to 27,500,000 Mcf, all as more fully set forth in the petition to amend.

Petitioner is authorized in the subject docket to sell gas to Trunkline within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70) in order to alleviate a gas supply deficiency on Trunkline's system. By notice issued May 9, 1972, in Docket No. G-3894 et al., the due date for the filing of protests and petitions to intervene was set for June 5, 1972. Upon review of the petition to amend, it appears reasonable and consistent with the public interest to prescribe a shorter period for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said petition to amend should on or before May 30, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-7995 Filed 5-24-72;8:55 am]

[Docket No. CI67-248]

BEACON GASOLINE CO.

Notice of Petition To Amend

MAY 22, 1972.

Take notice that on May 15, 1972, Beacon Gasoline Co. (petitioner), Post Office Box 396, Minden, LA 71055, filed in Docket No. CI67-248 a petition to amend the order issuing a certificate of public convenience and necessity in said docket pursuant to section 7(c) of the Natural Gas Act by authorizing petitioner to gather, process, and deliver to United Gas Pipe Line Co.

for the account of Crystal Oil Co. natural gas produced by the latter in the Shongaloo Field, Webster Parish, La., all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Crystal Oil Co., applicant in Docket No. CI72–708, proposes to sell natural gas to United Gas Pipe Line Co. within the contemplation of § 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70). Accordingly, it appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said petition to amend should on or before May 31, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72–7934 Filed 5–24–72;8:51 am]

[Docket No. CI67–248]

BEACON GASOLINE CO.

Notice of Petition To Amend

MAY 22, 1972.

Take notice that on May 15, 1972, Beacon Gasoline Co. (petitioner), Post Office Box 396, Minden, LA 71055, filed in Docket No. CI67–248 a petition to amend the order issuing a certificate of public convenience and necessity in said docket pursuant to section 7(c) of the Natural Gas Act by authorizing petitioner to gather, process, and deliver to United Gas Pipe Line Co. for the account of Lone Star Producing Co. natural gas produced by the latter in the Oakes Field, Claiborne Parish, La., all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Lone Star Producing Co., applicant in Docket No. CI72–550, proposes to sell natural gas to United Gas Pipe Line Co. within the contemplation of § 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70). Accordingly, it appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said petition to amend should on or before May 31, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72–7935 Filed 5–24–72;8:51 am]

[Docket No. CS72–906]

ROSARIO PRODUCTION CO. ET AL.

Notice of Petition for Waiver of Regulations

MAY 22, 1972.

Take notice that by letter filed May 9, 1972, Rosario Production Co. (applicant), 4411 First National Bank Building, Dallas, Tex. 75202, small producer certificate applicant in Docket No. CS72–906, requests that the Commission waive in part § 157.40(c) of the regulations under the Natural Gas Act (18 CFR 157.40(c)) so as to permit the sale of natural gas under a small producer certificate from reserves acquired in place from Amerada Hess Corp. (Amerada), a large producer.

Section 157.40(c) provides in part that sales may not be made pursuant to a small producer certificate from reserves acquired by a small producer by purchase of developed reserves in place from a large producer. Applicant states that its only sale of gas is made to Lone Star Gas Co. from production in Henderson County, Tex., that in the past it has sold gas from said properties for its own account and as operator for other coowners including Amerada, and that it has acquired Amerada's 2.17 percent working interest in the gas. Applicant states further that the sale to it by Amerada was prompted by a decline in production, that as operator, applicant was the logical purchaser, that Amerada retains no interest in the field, and that applicant and Amerada were coowners of interests in the same "developed reserves in place" prior to the promulgation of § 157.40(c).

The subject letter is being construed as a petition for waiver of Commission regulations under § 1.7(b) of the Commission's rules of practice and procedure (18 CFR 1.7(b)). Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426, not later than June 21, 1972, views and comments in writing concerning the petition for waiver. An original and 14 conformed copies should be filed with the Secretary of the Commission. The Commission will consider all such written submittals before acting on the petition.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72–7933 Filed 5–24–72;8:51 am]

[Docket No. CI72–744]

TEXACO, INC.

Notice of Application

MAY 23, 1972.

Take notice that on March 18, 1972, Texaco, Inc. (applicant), Post Office Box 52332, Houston, TX 77052, filed in Docket No. CI72–744 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Natural Gas Pipeline Company of America (Natural) from the Sweet Bay Lake Field, Terrebonne Parish, La., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant commenced the sale of natural gas to Natural on April 25, 1972, within the contemplation of § 157.29 of the regulations under the Natural Gas Act and proposes to continue said sale for 1 year from the end of the 60-day emergency period within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70). Applicant proposes to sell a maximum daily volume of 35,000 Mcf of gas at 35 cents per Mcf at 15.025 p.s.i.a., subject to upward and downward B.t.u. adjustment. The initial upward B.t.u. adjustment is 1.40 cents per Mcf.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before June 2, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of

the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-7997 Filed 5-24-72;8:55 am]

[Docket No. CI72-743]

UNION TEXAS PETROLEUM

Notice of Application

MAY 23, 1972.

Take notice that on May 17, 1972, Union Texas Petroleum, a division of Allied Chemical Corp. (applicant), 3000 Richmond Avenue, Houston, TX 77006, filed in Docket No. CI72-743 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Trunkline Gas Co. (Trunkline) from the Orange Grove Field Area, Terrebonne Parish, La., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to sell gas to Trunkline at 35 cents per Mcf at 15.025 p.s.i.a., subject to downward B.t.u. adjustment, within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70) until January 1, 1973. Estimated monthly deliveries are 450,000 Mcf of gas.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before June 2, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-7996 Filed 5-24-72;8:55 am]

FEDERAL RESERVE SYSTEM

ARVCO, INC.

Formation of Bank Holding Company

Arvco, Inc., Arvada, Colo., 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 retention of 53.065 percent of the voting shares of Arvada State Bank, Arvada, Colo. 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)).

Arvco, Inc., indicates in the application that it owns 53.065 percent of the voting shares of Arvada State Bank. By order dated June 22, 1971, the Board has authorized any company which, between December 31, 1970, and June 22, 1971, has acquired an interest in a bank without obtaining requisite Board approval to apply to the Board for subsequent approval of that action if certain conditions are present. Whether these conditions are met in this case is currently under study.

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the 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 June 5, 1972.

Board of Governors of the Federal Reserve System, May 17, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary.

[FR Doc.72-7886 Filed 5-24-72;8:47 am]

FIRST COMMERCIAL BANKS INC.

Order Approving Acquisition of Bank

First Commercial Banks Inc., Albany, N.Y., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares of Kingston Trust Co., Kingston, N.Y. (Bank).

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

Applicant, the 10th largest multibank holding company and the 12th largest banking organization in New York, controls two banks with aggregate deposits of approximately $1.1 billion, representing 1.1 percent of total deposits in commercial banks in the State.[1] Acquisition of Bank would increase applicant's control of deposits in commercial banks in the State by 0.1 percentage point; however, applicant's present statewide rank would not change. Bank, with deposits of $57.5 million, is the fourth largest of 29 banks in the mid-Hudson banking market, approximated by Dutchess, Ulster, and Putnam Counties and the Newburgh area of Orange County, controlling 7.2 percent of commercial banks deposits in that market.

Applicant's nearest subsidiary banking office is located approximately 25 miles from Bank and neither it nor applicant's other subsidiary bank derives a significant amount of loans or deposits from Bank's area. Moreover, Bank derives less than 1 percent of its loans and deposits from the banking districts in which applicant's subsidiary banks operate. No significant existing competition would be eliminated by consummation of the proposed acquisition.

Applicant might enter the mid-Hudson banking market de novo or through acquisition of a smaller bank. However, de novo entry is unattractive because the market already has a high ratio of banking offices to depositors. Asquisition of a smaller bank would not present significantly different competitive considerations and might limit applicant's ability to compete effectively with the larger holding companies already represented in the market. On the basis of the record, no significant potential competition would be foreclosed by consummation of the proposal.

The financial and managerial resources and future prospects of applicant, its subsidiary banks, and Bank are generally satisfactory and consistent with approval. Applicant proposes to offer new and improved services through Bank, including international banking, computer services, expansion of mortgage financing, expansion of trust services, and underwriting and purchasing debt issues of local governments. The expansion of Bank's services will provide another competitive alternative for these specialized banking services. Accordingly, considerations relating to the convenience and needs of the community to be served lend weight toward approval.

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[1] Unless otherwise noted, total deposits and State rank and share of deposits are as of Dec. 31, 1971. Market rank and share of deposits are as of June 30, 1970.

It is the Board's judgment that the proposed transaction is in the public interest and that the application should be approved.

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

By order of the Board of Governors,[2] effective May 18, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-7887 Filed 5-24-72;8:47 am]

GUARANTY LOAN AND INVESTMENT CORPORATION OF TULSA, INC.

Formation of Bank Holding Company and Continuation of Industrial Banking and Insurance Agency Activities

Guaranty Loan and Investment Corporation of Tulsa, Inc., Tulsa, Okla., 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 50 percent or more of the voting shares of Republic National Bank of Tulsa, Tulsa, Okla. 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)).

Guaranty Loan and Investment Corporation of Tulsa, Inc., has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843 (c)(8)) and section 225.4(b)(2) of the Board's Regulation Y, for permission to continue to engage in the activities described below. Notice of the application was published on April 27, 1972, in the Tulsa Daily Legal News, a newspaper circulated in Tulsa, Okla.

Applicant states that it proposes to continue to engage in the activities of industrial banking, including the issuance of Thrift Certificates and the extension of credit to individuals and secured by first and second real estate mortgages and durable consumer goods; through a proposed new subsidiary to continue to engage in the sale of credit life, health and accident insurance to borrowers from applicant; and, through the proposed new subsidiary, to succeed to the credit life, health and accident insurance sales activities presently being engaged in by Republic National Bank of Tulsa. Such activities have been specified by the Board in section 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 section 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The applications may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

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 June 16, 1972.

Board of Governors of the Federal Reserve System, May 16, 1972.

[SEAL] MICHAEL A. GREENSPAN,
Assistant Secretary.

[FR Doc.72-7888 Filed 5-24-72;8:47 am]

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

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (72-7)]

SKYLAB PROGRAM

Availability of Final Environmental Impact Statement

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

Comments on the draft environmental statement for the Skylab Program were previously solicited from State and local agencies and members of the public through a notice in the FEDERAL REGISTER of March 18, 1971.

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

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

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

(a) National Aeronautics and Space Administration, Public Documents Room (Room 126), 600 Independence Avenue SW., Washington, DC 20546.

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

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

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

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

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

(g) Lewis Research Center, NASA (Administration Building, Room 120), 21000 Brookpark Road, Cleveland, Ohio 44135.

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

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

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

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

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

Done at Washington, D.C., this 18th day of May 1972.

By direction of the Administrator.

DAVID WILLIAMSON, Jr.,
Acting Associate Administrator, National Aeronautics and Space Administration.

[FR Doc.72-7973 Filed 5-24-72;8:55 am]

OFFICE OF EMERGENCY PREPAREDNESS

TEXAS

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 May 20, 1972, the President declared a major disaster as follows:

I have determined that the damages in certain areas of the State of Texas from severe storms and flooding, beginning about May 7, 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 Texas. 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. George E. Hastings, Regional Director, OEP Region 6, 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 Texas to have been

adversely affected by this declared major disaster:

The counties of:

Caldwell.	Hays.
Comal.	Webb.
Guadalupe.	

Dated: May 22, 1972.

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

[FR Doc.72-7932 Filed 5-24-72;8:51 am]

OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

[Docket No. 72-1]

TRADE INFORMATION COMMITTTEE

Notice of Public Hearing

Notice of public hearing regarding possible international agreement on product standards.

Timetable. a. Requests to present oral testimony must be received by Tuesday, June 13, 1972.

b. Writen briefs must be received by Monday, June 19, 1972.

c. Hearing begins Monday, June 26, 1972.

Notice is hereby given pursuant to § 2003.2 of the regulations of the Trade Information Committee of the Office of the Special Representative for Trade Negotiations (36 F.R. 23620, December 11, 1971) that a public hearing will be held beginning at 10 a.m. on June 26, 1972 in Conference Room 730, 1800 G Street NW., Washington, DC, for the purpose of providing a full and detailed exposition of public views on all issues involved in U.S. consideration of a possible international agreement on product standards.

The United States is presently engaged in discussions with contracting parties to the General Agreement on Tariffs and Trade (GATT) on various nontariff trade measures. In these discussions the use of product standards and certification as possible barriers to trade has received increasing attention. In particular, concern has been expressed about the potential adverse trade effects of efforts to harmonize product standards and to establish mutually acceptable arrangements for product testing and certification on a regional basis.

The international harmonization and certification of product standards can facilitate trade. Significant economies can be realized if exports are designed and tested for a large multicountry market rather than for a number of separate national markets with different standards and quality assurance requirements. However, if international harmonization and certification arrangements are exclusive, they can result in technical barriers to trade.

The GATT has no provisions that specifically refer to standards. A number of countries have indicated an interest in considering an international code of conduct to promote the use of standards in facilitating trade and to prevent their use from becoming technical trade barriers. The possible agreement, now being discussed in the GATT, would (1) encourage participating in standards writing in international organizations so as to harmonize standards on as wide a basis as possible; (2) encourage participation in international certification arrangements for assuring conformity to standards; (3) formulate rules for regional standards arrangements so that, in standards writing and certification, these arrangements will not operate to restrict the trade of third countries; and (4) formulate rules that should be followed by national standards bodies so that standards writing and certification will not afford protection to domestic production.

More detailed information on this subject matter may be obtained from the Chairman, Trade Information Committee, Office of the Special Representative for Trade Negotiations, 1800 G Street NW., Room 725, Washington, DC 20506.

The purpose of the hearing is to provide a full and detailed exposition of public views on all the issues involved in consideration by the United States of an international agreement on product standards. These issues include:

(a) Problems involving standards that U.S. exporters have encountered or may encounter in foreign countries;

(b) Means by which a standards code might resolve such problems;

(c) Advantages and disadvantages that a standards code might create for U.S. industry, agriculture, labor, or consumers.

Interested parties are invited to express their views on these and any other revelant issues in person at the aforementioned public hearing provided they notify the Chairman of the Trade Information Committee (at the address given above) by June 13, 1972, of their desire to appear. Requests should be submitted in an original and three copies and must include the following information:

(a) The name, address, and telephone number of the party submitting the request;

(b) The name, address, telephone number, and official position of the person submitting the request on behalf of the party referred to in subparagraph (a);

(c) A brief indication of the interest of, and the position to be taken by, the party;

(d) The name, address, and telephone number of the person or persons who will present oral testimony; and

(e) The amount of time desired for the presentation of oral testimony.

Requests to present oral testimony should not contain any confidential information. Any requests marked "For Official Use Only" or similarly marked will not be accepted.

Each party will be notified if his request to appear has breen granted. If not, the reasons for the denial shall be given. If so, he will be notified of the date on which he is scheduled to appear and the amount of time allotted for his presentation. (The Committee reserves the right to restrict the time allotted for presentation of oral testimony.) Each party desiring to present oral testimony will be required to submit a written brief to the Chairman of the Trade Information Committee which must be received by June 19, 1972. The brief must include a statement in nonconfidential form of the position taken and supporting arguments. It must be submitted in not less than 20 copies which must be legibly typed, printed, or duplicated.

Interested parties not wishing to appear in person may also submit written briefs to the Chairman of the Trade Information Committee.

Parties are encouraged to support their briefs with all available information, including material that may be of a confidential nature. Reference should be had to § 2003.8 of the regulations of the Committee governing information exempt from public inspection. All written materials other than confidential information filed with the Committee in connection with the hearing will be open to public inspection by appointment, at the Office of the Chairman, Room 725, 1800 G Street NW., Washington DC 20506.

Dated: May 22, 1972.

LOUIS C. KRAUTHOFF II,
Chairman,
Trade Information Committee.

[FR Doc.72-7965 Filed 5-24-72;8:55 am]

SECURITIES AND EXCHANGE COMMISSION

[812-3155]

CONNECTICUT GENERAL LIFE INSURANCE CO. ET AL.

Notice of Application for Order Granting Exemption

MAY 19, 1972.

Notice is hereby given that Connecticut General Life Insurance Co., Hartford, Conn. 06115 (CG Life), CG Fund, Inc., CG Income Fund, Inc., and CG Equity Sales Co. (Equity Sales) (hereinafter collectively called "Applicants") have filed an application pursuant to section 6(c) of the Investment Company Act of 1940 (Act), for an order of the Commission exempting Applicants from section 22(d) of the Act to the extent specified herein. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

CG Fund, Inc., and CG Income Fund, Inc., are diversified, open-end management investment companies. The principal objective of CG Fund, Inc., is long-term growth of capital, and the principal objective of CG Income Fund, Inc., is to provide as generous a level of current

income as possible consistent with reasonable concern for safety of principal. Equity Sales, a registered broker-dealer under the Securities Exchange Act of 1934, is the principal underwriter of the shares of CG Fund, Inc., and CG Income Fund, Inc. All of the issued and outstanding shares of Equity Sales are owned by CG Investment Management Co., the investment adviser to CG Fund, Inc., and CG Income Fund, Inc. CG Investment Management Co. is a wholly owned subsidiary of Connecticut General Insurance Corp., the parent corporation of CG Life.

Shares of both CG Fund, Inc., and CG Income Fund, Inc., are offered to the public at net asset value plus a sales charge grading downward from 7.5 percent of the public offering price, in accordance with the following table:

Total investment	*Sales charge as percent of offering price*
Less than $10,000	7.5
$10,000 but less than $25,000	6.0
$25,000 but less than $50,000	5.0
$50,000 but less than $100,000	4.0
$100,000 but less than $250,000	3.0
$250,000 but less than $500,000	2.0
$500,000 but less than $1,000,000	1.5
$1,000,000 or more	1.0

Section 22(d) of the Act provides, in pertinent part, that no registered investment company or principal underwriter shall sell any redeemable security to the public except at a current public offering price described in the prospectus. The section has been construed as prohibiting variations in the sales load except on a uniform basis. Exemption is requested from section 22(d) to permit the application of amounts payable under insurance contracts issued by CG Life (insurance proceeds) to the purchase at a reduced sales charge of shares of CG Fund, Inc., and CG Income Fund, Inc. These insurance proceeds include the death benefit under life policies, the maturity value of endowment contracts, the cash value of fixed-dollar life insurance and annuity contracts, and lump sum cash options available to beneficiaries. The insurance proceeds would be applied to purchase single payment individual variable annuity contracts participating in VAA–I or VAA–II at a reduced sales load, grading downward from 5.25 percent of the public offering price, depending on the amount of the purchase, in accordance with the following table:

Total investment	*Sales charge as percent of offering price*
Less than $10,000	5.25
$10,000 but less than $25,000	4.20
$25,000 but less than $50,000	3.50
$50,000 but less than $100,000	2.80
$100,000 but less than $250,000	2.10
$250,000 but less than $500,000	1.40
$500,000 but less than $1,000,000	1.05
$1,000,000 or more	.70

This application states that the variation in the rate of deduction does not arbitrarily discriminate among different categories of investors. With respect to shares of CG Fund, Inc., and CG Income Fund, Inc., purchased with insurance proceeds, Applicants state that the premiums on life insurance contracts issued by CG Life, which will be the source of the insurance proceeds, will already have been subject to certain sales charges. The reduction of the sales charge on application of such proceeds to purchase shares of CG Fund, Inc., and CG Income Fund, Inc., will avoid an unnecessary accumulation of charges which would act to the detriment of persons entitled to such proceeds. Therefore the imposition of a full sales charge on such purchases of shares of CG Fund, Inc., and CG Income Fund, Inc., would be unwarranted and not in the public interest or consistent with the protection of investors.

Section 6(c) of the Act provides that the Commission may conditionally or unconditionally exempt any person from any provision of the Act if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than June 9, 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 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 to the 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 Applicants at the address stated above. Proof of service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after such date as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the matter may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter including the date of the hearing (if ordered) and any postponements thereof.

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

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-7889 Filed 5-24-72;8:47 am]

[812-3154]

CONNECTICUT GENERAL LIFE INSURANCE CO. ET AL.

Notice of Application for Order Granting Exemption

MAY 19, 1972.

Notice is hereby given that the Connecticut General Life Insurance Co., Hartford, Conn. 06115 (CG Life), CG Variable Annuity Account I (VAA–I), CG Variable Annuity Account II (VAA–II) and CG Equity Sales Co. (Equity Sales) (hereinafter collectively called "Applicants") have filed an application pursuant to section 6(c) of the Investment Company Act of 1940 (Act), for an order of the Commission exempting Applicants from section 22(d) of the Act to the extent specified herein. VAA–I and VAA–II are unit investment trusts registered under the Act. Equity Sales, a registered broker-dealer under the Securities Exchange Act of 1934 is the principal underwriter of the variable annuity contracts participating in VAA–I and VAA–II. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

CG Life has established VAA–I and VAA–II as separate accounts under the laws of Connecticut in order to issue certain variable annuity contracts. Contracts participating in VAA–I are designed for use in connection with pension, profit-sharing or annuity purchase plans qualifying for special tax treatment under section 401 or 403(b) of the Internal Revenue Code of 1954, as amended. VAA–I is used to fund group tax deferred variable annuities, group variable annuities for qualified retirement plans and individual variable annuity contracts, which include both periodic payment and single payment contracts. Under single payment contracts, a stipulated percentage of the payment grading downward from 6.30 percent, depending on the amount of the payment, is deducted as a sales charge, in accordance with the following table:

Amount of payment	*Sales charge (percent)*
$2,000 but less than $10,000	6.30
$10,000 but less than $25,000	5.40
$25,000 but less than $50,000	4.50
$50,000 but less than $100,000	3.60
$100,000 but less than $250,000	2.70
$250,000 but less than $500,000	1.80

There is also a deduction for administrative charges grading downward from 1.20 percent of the payment, depending on the amount of the payment. In addition, an administrative charge of $75 is deducted from the single payment.

Contracts participating in VAA–II are not entitled to the special tax treatment which is accorded to VAA–I contracts. VAA–II is used to fund both group variable annuities for retirement plans and individual variable annuity contracts, which include both periodic payment

and single payment contracts. The single payment contracts provide for the same schedule of deductions for sales and administrative charges as in the case of VAA–I.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company or principal underwriter shall sell any redeemable security to the public except at a current public offering price described in the prospectus. This section has been construed as prohibiting variations in the sales load except on a uniform basis.

An exemption is requested from section 22(d) to permit the application of amounts payable under insurance contracts issued by CG Life (insurance proceeds) to the purchase at a reduced sales charge of a single payment individual variable annuity contract participating in VAA–I or VAA–II. These insurance proceeds include the death benefit under life policies, the maturity value of endowment contracts, the cash value of fixed-dollar life insurance and annuity contracts, and lump sum cash options available to beneficiaries. The insurance proceeds would be applied to purchase single payment individual variable annuity contracts participating in VAA–I or VAA–II at a reduced sales load, grading downward from 4.05 percent, depending on the amount of payment, in accordance with the following table:

Amount of Payment	*Sales charge (percent)*
$2,000 but less than $10,000	4.05
$10,000 but less than $25,000	3.60
$25,000 but less than $50,000	3.00
$50,000 but less than $100,000	2.40
$100,000 but less than $250,000	1.80
$250,000 but less than $500,000	1.20

In the case of each separate account, the regular administrative charges would be imposed.

The application states that the variation in the rate of deduction does not arbitrarily discriminate between different categories of investors. With respect to single payment variable annuity contracts purchased with insurance proceeds, Applicants state that the premium on life insurance contracts issued by CG Life, which will be the source of the insurance proceeds, will already have been subject to certain sales charges. The reduction of the sales charge on application of such proceeds to purchase contracts funded by VAA–I and VAA–II will avoid an unnecessary accumulation of charges which would act to the detriment of persons entitled to such proceeds. Therefore the imposition of a full sales charge on such purchases of single payment variable annuity contracts would be unwarranted and not in the public interest or consistent with the protection of investors.

Section 6(c) authorizes the Commission to exempt any person, security or transaction, or any class or classes of persons, securities, or transactions, from the provisions of the Act if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than June 9, 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 to the 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 Applicants at the address stated above. Proof of service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after such date as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the matter may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter including the date of the hearing (if ordered) and any postponements thereof.

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

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

[FR Doc.72–7890 Filed 5–24–72;8:48 am]

[811–1170]

GENERAL BUSINESS INVESTMENT CORP.

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

MAY 17, 1972.

Notice is hereby given that General Business Investment Corp. (Applicant) a District of Columbia corporation registered as a closed-end, non-diversified, 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 set forth therein which are summarized below.

Applicant was organized in 1960 as a small business investment company licensed under the Small Business Investment Company Act of 1958, as amended, and registered as an investment company under the Act.

Applicant states that all of its outstanding stock is owned of record by 58 persons, and that it has no information indicating that any other persons have beneficial ownership in these shares.

Applicant further states that it intends to continue operating as a small business investment company within the meaning of the Small Business Investment Company Act of 1958, and that it is not making, and does not presently propose to make, a public offering of its securities.

Section 3(c)(1) of the Act excepts from the definition of investment company any issuer whose outstanding securities are beneficially owned by not more than 100 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 May 31, 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, if any, of fact or law proposed to be controverted, or he may request he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

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

[FR Doc.72–7891 Filed 5–24–72;8:48 am]

[File 2–39427]

RALSTON PURINA CO.

Notice of Application and Opportunity for Hearing

MAY 18, 1972.

Notice is hereby given that Ralston Purina Co. (Company) has filed an application under clause (ii) of section

310(b)(1) of the Trust Indenture Act of 1939 (Act) for a finding that the trusteeship of Morgan Guaranty Trust Co. (Morgan) under an indenture heretofore qualified under the Act and a second indenture not qualified under the Act is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify Morgan from acting as trustee under the two indentures.

Section 310(b) of the Act provides in part that if a Trustee under an indenture qualified under the Act has or shall acquire any conflicting interest, it shall within 90 days after ascertaining that it has such conflicting interest, either eliminate such conflicting interest or resign. Subsection (1) of this section provides, in effect, with certain exceptions, that a trustee under an indenture shall be deemed to have a conflicting interest if such trustee is trustee under another indenture under which any other securities, or certificates of interest or participation in any other securities, of the same issuer are outstanding. However, under clause (ii) of subsection (1), there may be excluded from the operation of this provision another indenture or indentures under which other securities of the issuer are outstanding, if the issuer shall have sustained the burden of proving, on application to the Commission and after opportunity for hearing thereon, that trusteeship under the indentures is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify such trustee from acting as trustee under one of such indentures.

The Company alleges that:

The Company, a Missouri corporation, has issued $50 million principal amount of 7.70 percent Sinking Fund Debentures due March 15, 1996, under an indenture dated as of March 15, 1971 (the "1971 Indenture") between the Company and Morgan which has been qualified under the Act.

Morgan has entered into an indenture dated as of February 15, 1972 (the "1972 Indenture"), with Ralston Purina Overseas Finance N.V. (Overseas), a Netherlands Antilles company, and the Company, pursuant to which there have been issued $25 million principal amount of Overseas' 7½ percent Guaranteed Debentures due 1987, which are unconditionally guaranteed by the Company. All Debentures under the 1971 Indenture rank equally with the Guarantees by the Company of the Debentures issued under the 1972 Indenture. Because the Debentures issued under the 1972 Indenture were offered and sold outside the United States, its territories and possessions to persons who are not nationals or residents thereof, such Debentures were not registered under the Securities Act of 1933 and the 1972 Indenture has not been qualified under the Trust Indenture Act of 1939.

The 1971 and 1972 Indentures are wholly unsecured. Any difference between the provisions of the 1972 Indenture and the 1971 Indenture is unlikely to cause any conflict of interest between the respective trusteeships of Morgan thereunder.

The Company waives notice of hearing, and waives hearing, in connection with this matter.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to such application which is a public document on file in the offices of the Commission at 500 North Capitol Street, Washington, DC 20549.

Notice is further given that any interested person may, not later than June 5, 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 application 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. At any time after said date, the Commission may issue an order granting the application, upon terms and conditions as the Commission may deem necessary or appropriate in the public interest and the interest of investors, unless a hearing is ordered by the Commission.

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

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

[FR Doc.72-7892 Filed 5-24-72;8:48 am]

INTERSTATE COMMERCE COMMISSION

ASSIGNMENT OF HEARINGS

MAY 22, 1972.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the official docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC-F-11939, E. L. Murphy Trucking—control and merger—Dyer Transport, now assigned June 12, 1972, at Billings, Mont., hearing postponed to July 10, 1972, at Minneapolis, Minn., in a hearing room later to be designated.

MC 125066 Sub 10, M. I. Loker and Pauline Loker—extension—New York route, now assigned June 5, 1972, at Erie, Pa., hearing canceled and application dismissed.

FD 26115, Boston and Maine Corp. reorganization, continued to June 12, 1972, in Room 2003, John F. Kennedy Building, Government Center, Boston, Mass.

No. 35520, Midwestern Beef, Inc.—V-Chicago and North Western Railway Co., continued to June 20, 1972, at the offices of the Interstate Commerce Commission, Washington, D.C.

MC-F-11346, Barber Transportation Co.—purchase (portion)—United-Buckingham Freight Lines, Inc., MC 97699 Sub 33, Barber Transportation Co., and MC 103435 Sub 216, United-Buckingham Freight Lines, Inc., assigned June 15, 1972, at Billings, Mont., will be held in Room 246, U.S. Post Office Building, 2602 First Avenue North.

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

[FR Doc.72-7978 Filed 5-24-72;8:55 am]

[Notice 73]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 19, 1972.

The following are notices of filing of applications[1] for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

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

MOTOR CARRIERS OF PROPERTY

No. MC 7640 (Sub-No. 31 TA), filed May 8, 1972. Applicant: BARNES TRUCK LINE, INC., 506 Mayo Street, Post Office Box 999, Wilson, NC 27895. Applicant's representative: Harry J. Jordan, 1000 16th Street NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boards*, made from wood using wood chips, wood shavings, or wood fiber, alone or in combination; with or without added binder; with surface unfinished or finished with decorative or protective materials and with or without accessories and supplies used in the installation and/or application thereof, from

[1] Except as otherwise specifically noted, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

points in Nash County, N.C., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Kentucky, Maryland, Massachusetts, Mississippi, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Virginia, West Virginia, and the District of Columbia, for 180 days. Supporting shipper: Masonite Corp., 29 North Wacker Drive, Chicago, IL 60606. Send protests to: Archie W. Andrews, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Post Office Box 26896, Raleigh, NC 27611.

No. MC 51146 (Sub-No. 269 TA), filed May 4, 1972. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Post Office Box 2298 (Zip 54304), Green Bay, WI 54306. Applicant's representative: Neil DuJardin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Restaurant and dairy equipment and supplies*, between Ashwaubenon, Wis., and points in Michigan, Minnesota, Illinois, Indiana, Missouri, Nebraska, Iowa, North Dakota, South Dakota, and Ohio, for 180 days. Supporting shipper: Haskon, Inc. Bingham/Risdon Division, Post Office Box 2477, Green Bay, WI 54306 (Charles Ratzburg). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 59668 (Sub-No. 3 TA), filed May 5, 1972. Applicant: HAROLD G. CLINE, INC., Dupont Road, Harding Highway, Penns Grove, N.J. 08069. Applicant's representative: M. Bruce Morgan, 201 Azar Building, Glen Burnie, Md. 21061. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Solidified carbon dioxide*, in special insulated containers, from Hopewell, Va., to Newark, N.J., for 180 days. Supporting shipper: Airco Industrial Gases, Division Airco, Inc., Post Office Box 67, 771 First Avenue, King of Prussia, PA 19406. Send protests to: Richard M. Regan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 428 East State Street, Room 204, Trenton, NJ 08608.

No. MC 93228 (Sub-No. 2 TA), filed May 8, 1972. Applicant: FRANK L. PETRELLA, 223 West Diamond Street, Philadelphia, PA 19122. Applicant's representative: Raymond A. Thistle, Jr., Suite 1012, Four Penn Center Plaza, Philadelphia, Pa. 19103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Philadelphia, Pa., to New York, N.Y., Wilmington, Del., and points in New Jersey, with no transportation for compensation on return except as authorized, for 180 days. Supporting shippers: Vaughn Furniture Co., Vaughn Mirror Co., and Galax Chair Co., Galax, Va. 24333; Unique Furniture Makers, Winston-Salem, N.C. 27100 and Futorian Corp., New Albany, Miss. Send protests to: Ross A. Davis, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1518 Walnut Street, Room 1600, Philadelphia, PA 19102.

No. MC 95304 (Sub-No. 16 TA), filed May 8, 1972. Applicant: NORTHERN NECK TRANSFER, INC., Montross, Va. 22520. Applicant's representative: William H. Edwards (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Pallets*, wooden, set up or knocked down, and *pallet parts*, from Lorne, Va., to points in Maryland, Delaware, New Jersey, Pennsylvania, New York, Rhode Island, Connecticut, Ohio, Massachusetts, North Carolina, and the District of Columbia, and (2) *treated lumber and railroad ties*, from Fredericksburg, Va., to points in Connecticut and Massachusetts, for 180 days. Supporting shippers: Williamsburg Millwork Corp., Atlas Pallet Division, Post Office Box 427, Bowling Green, VA 22427 and L. A. Clarke and Son, Inc., 777 14th Street NW., Washington, DC 20005. Send protests to: Robert W. Waldron, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 10–502 Federal Building, Richmond, Va. 23240.

No. MC 114194 (Sub-No. 166 TA), filed May 2, 1972. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, IL 62201. Applicant's representative: Donald D. Metzler (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, in bulk, from St. Louis, Mo., to points in Ohio, Pennsylvania, and New York, for 180 days. Supporting shipper: E. J. Bedor, Traffic Manager, Agri-Products Division, the Pillsbury Co., 608 Second Avenue South, Minneapolis, MN 55402. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 325 West Adams Street, Room 476, Springfield, IL 62704.

No. MC 114274 (Sub-No. 19 TA), filed May 3, 1972. Applicant: VITALIS TRUCK LINES, INC., 137 Northeast 48th Place, Post Office Box 1703, 50313 Des Moines, Iowa 50306. Applicant's representative: William H. Towle, 127 North Dearborn Street, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Iowa City and Muscatine, Iowa, to points in Kansas, Missouri, and Nebraska, restricted to traffic originating at and destined to the named points, for 180 days. Supporting shipper: Heinz U.S.A., Division of H. J. Heinz Co., Post Office Box 57, Pittsburgh, PA 15230. Send protests to: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 114301 (Sub-No. 69 TA), filed May 4, 1972. Applicant: DELAWARE EXPRESS CO., Post Office Box 97, Elkton, MD 21921. Applicant's representative: Raymond Weygand (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wet lap pulp*, from Spring Grove, Pa., to Newark, Del., for 180 days. Supporting shipper: Philip K. Morton, treasurer, Curtis Paper Co., Newark, Del. 19711. Send protests to: William L. Hughes, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 814–B Federal Building, Baltimore, Md. 21201.

No. MC 115496 (Sub-No. 15 TA), filed May 4, 1972. Applicant: LUMBER TRANSPORT, INC., Box 111, Whipple Street, Cochran, GA 31014. Applicant's representative: James L. Flemister, 1026 Fulton Federal Bank Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from the plantsite of Edmondson-Griffin Lumber Co., Inc., Bleckley County, Ga., to points in North Carolina and South Carolina, for 180 days. Supporting shipper: Edmondson-Griffin Lumber Co., Inc., Post Office Box 66, Cochran, GA 31014. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1252 West Peachtree Street NW., Room 309, Atlanta, GA 30309.

No. MC 117765 (Sub-No. 144 TA), filed May 2, 1972. Applicant: HAHN TRUCK LINE, INC., 5315 Northwest Fifth, Post Office Box 75267, Oklahoma City, OK 73107. Applicant's representative: R. E. Hagan (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from the plantsite of Jos. Schlitz Brewing Co., Memphis, Tenn., to points in Oklahoma, for 90 days. Supporting shippers: T. B. Hendrick & Assoc., Inc., Post Office Box 25091, Oklahoma City, OK 73125; East Sales Co., 405 Larrance Street, Lawton, OK; J. K. Boersma, 208 North Fourth Street, Blackwell, OK; Fred E. Marcy, Marcy Distr. Co., 120 East Choctaw, Clinton, OK; Panhandle Distr. Co., Post Office Box 583, Woodward, OK; Lone Star Sales Co., 109 West Vilas, Guthrie, OK. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, OK 73102.

No. MC 119302 (Sub-No. 15 TA), filed May 5, 1972. Applicant: MILLER TRANSFER & RIGGING CO., Post Office Box 6077, Akron, OH 44312, Office: 3911 State Route 183, Edinburg, OH 58227. Applicant's representative: A. David Millner, 744 Broad Street, Newark, NJ 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Electric tools, lawn and garden equipment and components parts*, from Hampstead, Md., to ports of entry on the international boundary line between the United States and Canada, located at or near Ogdensburg and Wellesley Island, N.Y.; and (2) *electric tools and lawn and garden equipment and component parts*, from ports of entry on the international boundary line between the United States and Canada located at or near Ogdensburg and Wellesley Island, N.Y.,

to Hampstead and Baltimore, Md., for 180 days. Supporting shipper: Black & Decker, Towson, Md. 21204. Send protests to: R. P. Amerine, Acting District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Building, 1240 East Ninth Street, Cleveland, OH 44199.

No. MC 125035 (Sub-No. 25 TA), filed May 8, 1972. Applicant: RAY E. BROWN TRUCKING, INC., Post Office Box 84, Massillon, OH 44646. Applicant's representative: Fred H. Zollinger, 800 Cleve-Tusc Building, Canton, Ohio 44702. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ice cream, ice cream confections, ice confections, and ice water confections*, from Pittsburgh, Pa., to Huntington, Ind., for 180 days. Supporting shipper: Sealtest Foods, Division of Kraftco Corp., 2121 Noblestown Road, Pittsburgh, PA 15205. Send protests to: Frank L. Calvary, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 255 Federal Building and U.S. Courthouse, 85 Marconi Boulevard, Columbus, OH 43215.

No. MC 128218 (Sub-No. 9 TA), filed May 5, 1972. Applicant: JERSEY AREA FOOD TRANSPORT, INC., 528 North Michigan Avenue, Kenilworth, NJ 07033. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* (except commodities in bulk) in mechanical refrigerated equipment, from Jersey City, N.J., to King of Prussia, Springhouse, Norristown, Harrisburg, Scranton, Wilkes-Barre, Sunbury, West Reading, and Allentown, Pa., for 180 days. Supporting shipper: Stouffer Foods, Division of Litton Industries, Solon Plant, 5750 Harper Road, Solon, OH 44139. Send protests to: District Supervisor Robert E. Johnston, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, NJ 07102.

No. MC 128218 (Sub-No. 10 TA), filed May 5, 1972. Applicant: JERSEY AREA FOOD TRANSPORT, INC., 528 North Michigan Avenue, Kenilworth, NJ 07033. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* (except commodities in bulk) in mechanical refrigerated equipment, from the plantsite and warehouse facilities of Stouffer Foods located at King of Prussia, Pa., to National Seaboard Cold Storage, Jersey City, N.J., for 180 days. Supporting shipper: Stouffer Foods, Division of Litton Industries, Solon Plant, 5750 Harper Road, Solon, OH 44139. Send protests to: District Supervisor Robert E. Johnston, Interstate Commerce Commission, Bureau of Operations, 970 Broad Street, Newark, NJ 07102.

No. MC 128218 (Sub-No. 11 TA), filed May 5, 1972. Applicant: JERSEY AREA FOOD TRANSPORT, INC., 528 North Michigan Avenue, Kenilworth, NJ 07033. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food and food products, meats, packinghouse products and commodities* used by packinghouses, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates* 71 M.C.C. 205 and 766, and *materials, supplies and equipment* used in food processing, except commodities in bulk, in mechanical refrigerated equipment, from points in the New York, N.Y., commercial zone as defined by the Commission, points in Hudson, Essex, Bergen, and Union Counties, N.J., to Pittsburgh, Pa., and points in its commercial zone, for 180 days. NOTE: Applicant states it does not intend to tack its own authority, but it intends to receive traffic tendered to it by other carriers at its terminal at Kenilworth, N.J. Supported by: There are approximately 9 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: District Supervisor Robert E. Johnston, Interstate Commerce Commission, Bureau of Operations, 970 Broad Street, Newark, NJ 07102.

No. MC 133966 (Sub-No. 17 TA), filed May 14, 1972. Applicant: NORTH EAST EXPRESS, INC., Post Office Box 61, Mountaintop, PA 18707. 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: *Modular housing units*, on shipper-owned specially designed transporters, and components parts thereof, from points in Columbia County, Pa., to Bath, Maine, and points in New York and Massachusetts, for 150 days. Supporting shipper: Hercoform Inc., 910 Market Street, Wilmington, DE 19899. Send protests to: Paul J. Kenworthy, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 309 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 135537 (Sub-No. 3 TA), filed May 2, 1972. Applicant: METRO HEAVY HAULING INC., Post Office Box 88824, Tukwila Branch, Seattle, WA 98188. Street address: 20848 77th Avenue South, Kent, WA 98031. Applicant's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, Wash. 98101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* consisting of rebar, channel iron, wire rope, angles, plates, and fabricated steel items, all moving incidental thereto and scaffolding, shoring, and structural materials, equipment, and supplies used in connection therewith, from Los Angeles and the San Francisco Bay area on the one hand, and points in Oregon and Washington on the other, for 180 days. Supporting shippers: Waco Scaffold & Shoring Co., 6600 Airport Way South, Seattle, WA 98108; Anmar Steel and Specialties, Inc., Post Office Box 1567, Seattle, WA 98103. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, WA 98101.

No. MC 135537 (Sub-No. 4 TA), filed May 8, 1972. Applicant: METRO HEAVY HAULING, INC., 20848 77th Avenue South, Kent, Wash. Mailing: Post Office Box 88824, Tukwila Branch, Seattle, WA 98188. Applicant's representative: George LaBissoniere, 1424 Washington Building, Seattle, WA 98101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* consisting of lumber, plywood, roofing, particleboard, fiberglass panels, decorative plastic materials, polyethylene panels, pended grid metal, from points in California and Oregon to points in Washington, for 180 days. Supporting shipper: Palmer G. Lewis Co., Inc., 4 South Idaho Street, Seattle, WA 98134. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, WA 98101.

No. MC 135886 (Sub-No. 1 TA), filed May 9, 1972. Applicant: ACTION AIR FREIGHT, INC., 356 Bayside Avenue, Oceanside, NY 11572. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, DC 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* except those of unusual value, Classes A and B explosives, household goods, commodities in bulk and commodities requiring special equipment, between points in Nassau and Suffolk Counties, N.Y., on the one hand, and, on the other, the John F. Kennedy International Airport, New York, N.Y., restricted to the transportation of shipments having a prior or subsequent movement by air, for 180 days. Supported by: There are approximately 12 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Thomas W. Hopp, District Superivsor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 136685 TA, filed May 4, 1972. Applicant: PRICE'S PRODUCERS, INC., PRICE'S VALLEY GOLD DAIRIES, INC., AND LA CORONA FOODS, INC., A Limited Partnership, doing business as PRICE'S TRANSPORTATION, 5025 Peoria Avenue, Glendale, AZ 85301. Applicant's representative: Phil Hammond, 111 West Monroe, Phoenix, AZ 85003. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Ice cream, sherbets, ice milk, and flavored ice or ice cream novelties*, from El Paso, Tex., to Phoenix, Ariz., and points in California, Las Vegas, Nev.; and Albuquerque, Farmington, Gallup, Grants, and Roswell, N. Mex.; (2) *yogurt, dips, and*

cheese, from Glendale, Ariz., to points in California, Chicago, Illinois, Albuquerque, N. Mex., and Dallas, El Paso, and Houston, Tex.; (3) *cottage cheese, sour cream, and dips,* from Albuquerque, N. Mex., to Phoenix, Ariz., and El Paso, Tex.; (4) *cartons for dairy packaging; fruits, flavors, and concentrates used in the processing and packaging of food products which are manufactured or distributed by dairies; stabilizers for the processing of milk products; and cartons for the processing and manufacturing of fruit drinks,* from points in Los Angeles County, Calif., to Glendale, Ariz., Albuquerque, and Roswell, N. Mex., and El Paso, Tex.; (5) *sugar; powdered milk; and fiberboard containers for milk and ice cream mix,* between points in Maricopa County, Ariz., from points in Maricopa County, Ariz., to Albuquerque, N. Mex., and El Paso, Tex., and (6) *chemicals for cleaning dairy farms and dairy processing plants,* from points in Los Angeles County, Calif., to Glendale, Ariz., Albuquerque, and Roswell, N. Mex., and El Paso, Tex., for 180 days. Supporting shippers: Price's Valley Gold Dairies, Inc., Post Office Box 1220, Albuquerque, NM 87103; Price's Producers, Inc., 1600 El Paso National Bank Building, El Paso, Tex. 79901; La Corona Foods, Inc., 5025 West Peoria Avenue, Glendale, AZ 85301. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 3427, Federal Building, 230 North First Avenue, Phoenix, AZ 85025.

MOTOR CARRIERS OF PASSENGERS

No. MC 133729 (Sub-No. 2 TA), filed May 2, 1972. Applicant: WILLIAM E. KERSHAW, JR., doing business as WILDERNESS TRAVEL CAMP, 259 East Evergreen Avenue, Philadelphia, PA 19118. Applicant's representative: William E. Kershaw, Jr. (same address as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Passengers* (limited to boys under age 16) *and their baggage,* in special operations, on all-expense camping tours. First tour: from Philadelphia, Pa., to Los Angeles, Calif., with stopover points in Rocky Mountain National Park, Colo.; Mesa Verde National Park, Colo.; Grand Canyon National Park, Ariz.; Las Vegas, Nev.; Los Angeles, Calif., and return to Philadelphia, Pa., via Sequoia National Park, Calif.; Yosemite National Park, Calif.; Salt Lake City, Utah; Grand Teton National Park, Wyo.; Yellowstone National Park, Wyo.; and Chicago, Ill., to Philadelphia, Pa. Second tour: from Philadelphia, Pa., to Milbridge, Maine, with stopover points in Intervale, N.H., Rangeley, Maine, and return to Philadelphia, Pa., via Acadia National Park, Maine, and Boston, Mass., for 73 days. Supported by: Supported by 13 private individuals whose sons plan to be part of the camping party. Send protests to: F. W. Doyle, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1518 Walnut Street, Room 1600, Philadelphia, PA 19102.

By the Commission.

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

[FR Doc.72-7978 Filed 5-24-72;8:55 am]

[Notice 41]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS

MAY 19, 1972.

The following applications (except as otherwise specifically noted, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application), are governed by § 1100.247 [1] of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonally to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record. Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the FEDERAL REGISTER of a notice that the proceeding has been assigned for oral hearing.

No. MC 340 (Sub-No. 22), filed April 6, 1972. Applicant: QUERNER TRUCK LINES, INC., 1131 Austin Street, San Antonio, TX 78208. Applicant's representative: M. Ward Bailey, 2412 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Floor tile and adhesives* therefor when moving with shipments of floor tile, from Chicago, Ill., to points in Oklahoma, Louisiana, and Texas except Dallas, Fort Worth, Waco, Austin, and San Antonio, Tex. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Washington, D.C.

No. MC 4405 (Sub-No. 494), filed April 3, 1972. Applicant: DEALERS TRANSIT, INC., 2200 East 170th Street, Post Office Box 361, Lansing, IL 60438. Applicant's representative: Robert E. Joyner, 2008 Clark Tower, 5100 Poplar Avenue, Memphis, TN 38137. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Electrical, hydraulic mechanical, and combustible antipollution systems and parts thereof,* from points in Connecticut to points in the United States (including Alaska, but excluding Hawaii). NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn., or Washington, D.C.

No. MC 4405 (Sub-No. 495), filed April 24, 1972. Applicant: DEALERS TRANSIT, INC., 2200 East 170th Street, Post Office Box 361, Lansing, IL 60438. Applicant's representative: Robert E. Joyner, 2008 Clark Tower, 5100 Poplar Avenue, Memphis, TN 38137. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (1) *Trailers, semitrailers,*

[1] Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

and trailer chassis, other than those designed to be drawn by passenger automobiles, in initial truckaway service, from points in Union County, Ill., to points in the United States (except Hawaii); and (2) *tractors*, in secondary movements, in driveaway service only when drawing trailers, semitrailers, and trailer chassis in initial movements, from points in Union County, Ill., to points in Alaska, Arizona, Nevada, Oregon, and Vermont. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 6756 (Sub-No. 3), filed April 25, 1972. Applicant: WORLD FREIGHT CARRIERS CORP., 844 Union Street, West Springfield, MA 01089. Applicant's representative: Kenneth B. Williams, 111 State Street, Boston, MA 02109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, commodities in bulk, commodities requiring special equipment, and household goods as defined by the Commission, between points in Massachusetts. NOTE: Applicant states that the requested authority can be tacked with its existing authority at West Springfield, Worcester, and Boston, Mass., as well as any common point in Massachusetts. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Hartford, Conn.

No. MC 8958 (Sub-No. 25), filed April 26, 1972. Applicant: THE YOUNGSTOWN CARTAGE CO., a corporation, 825 West Federal Street, Youngstown, OH 44501. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and tubing*, from the plantsite of Bundy Tubing Division, Bundy Corp. at or near Hometown, Pa., to points in Michigan, Indiana, and Illinois, and *damaged shipments*, on return restricted to traffic originating at and destined to the named origin and destination points. NOTE: Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC 11620 (Sub-No. 28), filed April 12, 1972. Applicant: ARROW TRANSFER COMPANY, a corporation, Route 2, West Harrison, Ind. 45030. Applicant's representative: Rudy Yessin, Post Office Box B, Frankfort, KY 40601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dried shortening*, from Stanford, Ky., and Springfield, Ky., to points in Minnesota, Wisconsin, Illinois, Indiana, Ohio, Tennessee, Virginia, West Virginia, Pennsylvania, New York, Maryland, New Jersey, Delaware, Rhode Island, Connecticut, Massachusetts, and Michigan, under contract with Armour & Co. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 18738 (Sub-No. 42), filed April 14, 1972. Applicant: SIMS MOTOR TRANSPORT LINES, INC., 610 West 138th Street, Chicago, IL. Applicant's representative: Ferdinand Born, 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel pipe*, bare or coated, from Schererville, Ind., to points in Illinois, Indiana, Kentucky, Michigan, and Ohio. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 20356 (Sub-No. 12), filed April 28, 1972. Applicant: BADGER FREIGHTWAYS, INC., Post Office Box 334, Sheboygan, WI 53081. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, those of unusual value, dangerous explosives, and household goods as defined by the Commission), between points in Cook and Du Page Counties, Ill. NOTE: Applicant states that it will tack at points in the Chicago, Ill., commercial zone to serve points in Wisconsin presently authorized to be served by it under its existing certificate. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 22229 (Sub-No. 72), filed April 13, 1972. Applicant: TERMINAL TRANSPORT COMPANY, INC., 248 Chester Avenue SE., Atlanta, GA 30316. Applicant's representative: Harold H. Clokey, 414 The Equitable Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, classes A and B explosives and those requiring the use of special equipment) serving Mount Vernon, Ill., as an off-route point in connection with its presently authorized operations between Birmingham, Ala., and Chicago, Ill., and between Nashville, Tenn., and St. Louis, Mo. NOTE: Common control may be involved. Applicant states no duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., Nashville, Tenn., or Chicago, Ill.

No. MC 29910 (Sub-No. 115), filed April 17, 1972. Applicant: ARKANSAS-BEST FREIGHT SYSTEMS, INC., 301 South 11th Street, Fort Smith, AR 72901. Applicant's representative: Thomas Harper, Kelley Building, Post Office Box 43, Fort Smith, AR 72901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fabricated structural steel;* machinery group: *Elevators, conveyors, or parts, chutes or hopper;* building metalwork group: *Stairs, iron, n.o.i., k.d., or in sections, handrails, ladders, and cages, iron, n.o.i., k.d., or in sections* (except commodities, the transportation of which because of their size and weight require the use of special equipment), from the plantsite of Fort Smith Structural Steel Co., Fort Smith, Ark., to Morenci, Ariz. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. No duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at Fort Smith, Ark., or Memphis, Tenn.

No. MC 30844 (Sub-No. 405), filed April 26, 1972. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial Street, Post Office Box 5000, Waterloo, IA 50704. Applicant's representative: Paul Rhodes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from St. Louis, and St. Louis, Mo. commercial zone, to points in Connecticut, Delaware, Massachusetts, Maine, Maryland, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, Vermont, West Virginia, and the District of Columbia, restricted to shipments of products originating in the commercial zone of St. Louis, Mo. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 41406 (Sub-No. 29), filed April 14, 1972. Applicant: ARTIM TRANSPORTATION SYSTEM, INC., 7105 Kennedy Avenue, Hammond, IN 46323. Applicant's representative: Ferdinand Born, 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from Continental, Ohio, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, New York, Ohio, Pennsylvania, West Virginia, Wisconsin, and St. Louis County, Mo. NOTE: Applicant states tacking possibilities with its existing authorities, at subs 18, 16, and 20. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 42011 (Sub-No. 11), filed April 11, 1972. Applicant: D. Q. WISE & CO., INC., 2835 West 21st Street, Post Office Box 9205, Tulsa, OK. 74107. Applicant's representative: Rufus H. Lawson, 2400 Northwest 23d Street, Post Office Box 75124, Oklahoma City, OK 73107. Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Building materials*, as defined in appendix VI of *Descriptions in Motor Carrier Certificates*, Ex Parte No. MC 45, 64 M.C.C. 209, in truckload lots, between points in Oklahoma on and east of U.S. Highway 81 from the Kansas State line to the Texas State line, on the one hand, and, on the other, points in Kansas, on, north, and west of U.S. Highway 54, beginning at the Missouri-Kansas State line, thence west to its intersection with U.S. Highway 81 at Wichita, Kans., and on and west of U.S. Highway 81 from Wichita Kans., to the Oklahoma-Kansas State line. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Tulsa or Oklahoma City, Okla.

No. MC 42963 (Sub-No. 45), filed April 21, 1972. Applicant: DANIEL HAMM DRAYAGE COMPANY, a corporation, Second and Tyler Streets, St. Louis, Mo. 63102. Applicant's representative: Ernest A. Brooks II, 1301 Ambassador Building, St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid printers ink*, in bulk, in shipper-owned demountable tank bins, from the plantsite of General Printing Ink Corp., at Overland, Mo., to points in the United States (except Alaska and Hawaii), and (2) on return movements, *printers ink ingredients*, in shipper-owned demountable tank bins, from points in the United States (except Alaska and Hawaii), to the plantsite of General Printing Ink Corp., at Overland, Mo. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 44605 (Sub-No. 39), filed April 10, 1972. Applicant: MILNE TRUCK LINES, INC., 2200 South Third West Street, Salt Lake City, UT 84115. Applicant's representative: Martin J. Rosen, 140 Montgomery Street, San Francisco, CA 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: (A) *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment); (1) between Salt Lake City, Utah, and San Francisco, Calif., serving all intermediate points, and the off-route point of Tooele, Utah: (a) From Salt Lake City, Utah, over Interstate Highway 80 to San Francisco, Calif., and return over the same route, (b) from Salt Lake City, Utah, over Interstate Highway 80 to junction U.S. Highway Alternate Route 50 near Wendover, Nev.; thence over U.S. Alternate Route 50 to Ely, Nev.; thence over U.S. Highway 50 to San Francisco, Calif. (also from junction U.S. Highway 50 and U.S. Alternate Route 95, near Fallon, Nev., to junction U.S. Alternate Highway 95 and Interstate Highway 80 near Fernley, Nev.), and return over the same route; (2) between San Francisco and San Jose, Calif., serving all intermediate points: From San Francisco, Calif., over U.S. Highway 101, California Highway 82, and Interstate Highway 280 to San Jose, Calif., and return over the same route; (3) between Vallejo and San Jose, Calif., serving all intermediate points: From Vallejo, Calif., over Interstate Highway 680 to junction California Highway 21; thence over California Highway 21 to California Highway 17 to San Jose, Calif., and return over the same route; (4) between Oakland and San Jose, Calif., serving all intermediate points: From Oakland, Calif., over California Highway 17 to San Jose, Calif., and return over the same route; (5) between Richmond and Stockton, Calif., serving all intermediate points: From Richmond, Calif., over California Highway 4 to Stockton, Calif., and return over the same route;

(6) Between Sacramento, Calif., and junction California Highways 4 and 160 to serving all intermediate points: From Sacramento, Calif., over California Highway 160 to junction California Highways 160 and 4, and return over the same route; (7) between Lodi, Calif., over California Highway 80 and California Highway 12 near Suisun City, Calif., serving all intermediate points: From Lodi, Calif., over California Highway 12 to junction Interstate Highway 80 and California Highway 12 near Suisun City, Calif., and return over the same route, and (8) between Oakland and Walnut Creek, Calif., serving all intermediate points: From Oakland, Calif., over California Highway 24 to Walnut Creek, Calif., and return over the same route; and (B) alternate routes for operating convenience only: Between Needles, Calif., and Page, Ariz., in connection with carrier's authorized operations, serving no intermediate points and serving Needles, Calif., and Page, Ariz., for the purpose of joinder: From Needles, Calif., over U.S. Highway 66 to Flagstaff, Ariz. (also over Interstate 40 from Needles, Calif., to Flagstaff, Ariz.); thence from Flagstaff, Ariz., to Page, Ariz., over U.S. Highway 89, and return over the same route. Between Idaho Falls, Idaho, and Ogden, Utah, in connection with carrier's authorized operations, serving no intermediate points, and serving Idaho Falls, Idaho, and Ogden, Utah, for purpose of joinder: From Idaho Falls, Idaho, over Interstate Highway 15 to Ogden, Utah, and return over the same route. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., or Salt Lake City, Utah.

No. MC 51146 (Sub-No. 248) (Amendment), filed December 17, 1971, published in the FEDERAL REGISTER, issue of February 3, 1972, and republished as amended this issue. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, WI 54304. Applicant's representative: Charles Singer, 33 North Dearborn, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cheese and gift packages* (except commodities in bulk), from Marshfield, Wis., to points in the United States (except Alaska and Hawaii); and (2) *returned shipments* of the above *commodities and materials equipment and supplies* used in the manufacture of the commodities described in (1) above (except commodities in bulk), from points in the United States (except Alaska and Hawaii) to Marshfield, Wis. NOTE: Applicant states that the requested authority could be tacked with various subs of MC 51146 and applicant will tack with its MC 51146 where feasible. Applicant further states that it has various subs but does not seek duplicative authority. Common control may be involved. The purpose of this republication is to redescribe the authority sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 51146 (Sub-No. 268), filed April 21, 1972. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, WI 54304. Applicant's representative: Charles Singer, 33 North Dearborn, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise*, as is dealt in by discount stores and department stores, from points in Alabama, Connecticut, Delaware, Georgia, Florida, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia, to points in Wisconsin. NOTE: Applicant states that the requested authority could be tacked with various subs and will tack with its MC 51146 where feasible. Applicant further states that no duplicating authority is sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis., or Washington, D.C.

No. MC 52110 (Sub-No. 126), filed April 6, 1972. Applicant: BRADY MOTORFRATE, INC., 2150 Grand Avenue, Des Moines, IA 50312. Applicant's representative: Cecil L. Goettsch, 11th Floor, Des Moines Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum and aluminum products*, between (1) Warren, Ohio, and Oswego, N.Y.; and (2) Warren, Ohio, and New Castle, Pa. NOTE: Applicant states that the requested authority can be tacked at New Castle, Pa., because it is a common point allowing through service between Warren, Ohio, and points since applicant is authorized to serve in Pennsylvania, New York, New Jersey, Maryland, and the District of Columbia with its existing authority. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary,

applicant requests it be held at Washington, D.C., or Des Moines, Iowa.

No. MC 52110 (Sub-No. 127), filed April 14, 1972. Applicant: BRADY MOTORFRATE, INC., 2150 Grand Avenue, Des Moines, IA 50312. Applicant's representative: Cecil Goettsch, 11th Floor, Des Moines Building, Des Moines, Iowa 50312. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsite of Farmland Foods, Inc., at Carroll, Iowa, to points in Connecticut, Delaware, Illinois, Indiana, Kansas, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, Washington, D.C., and West Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Des Moines, Iowa.

No. MC 59317 (Sub-No. 10), filed April 25, 1972. Applicant: BISOM TRUCK LINE, INC., 725 First Street, Newton, IA 50208. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Washing machine tubs*, from Milwaukee, Wis., to Kellogg, Iowa; (2) *washing machine agitators*, from Belle Plaine, Minn., to Kellogg, Iowa; (3) *golf cart bodies*, from Morgan, Minn., to Kellogg, Iowa; and (4) *general commodities*, between points in Jasper, Marion, Marshall, Polk, Poweshiek, and Warren Counties, Iowa, restricted to traffic having an immediately prior or subsequent movement by rail in trailer-on-flatcar service. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 59367 (Sub-No. 78), filed April 17, 1972. Applicant: DECKER TRUCK LINE, INC., Post Office Box 915, 3584 Fifth Avenue South, Fort Dodge, IA 50501. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, except in bulk, from St. James, Madelia, and Butterfield, Minn., and Estherville, Iowa, to points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin, restricted to traffic originating at the plantsites and storage facilities of Tony Downs Foods Co. at St. James and Madelia, Minn.; Butterfield Foods, Co. at Butterfield, Minn.; and Wadco Foods, Inc., at Estherville, Iowa, and destined to the named destination States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 59640 (Sub-No. 28), filed April 21, 1972. Applicant: PAULS TRUCKING CORPORATION, 3 Commerce Drive, Cranford, NJ 07016. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, NJ 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, *equipment, materials, and supplies* used in the conduct of such business (except commodities in bulk), between Woodbridge Township and Cranford, N.J., on the one hand, and, on the other, points in Lehigh and Northampton Counties, Pa., limited to a transportation service to be performed under a continuing contract or contracts with Supermarkets General Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 60157 (Sub-No. 17), filed April 13, 1972. Applicant: C. A. WHITE TRUCKING COMPANY, a corporation, 4641 Greenville Avenue, Dallas, TX 75206. Applicant's representative: J. G. Dail, Jr., 1111 E Street NW., Washington, DC 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe and plastic tubing*, from the plantsite of Tex-Tube Division, Detroit Steel Corp., Houston, Tex., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that it holds certain Mercer, sulphur, pipeline, and water well authority which might be tacked to the extent that the requested commodities could be moved under those descriptions; however, tacking is not foreseen. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 61592 (Sub-No. 266), filed March 31, 1972. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, also Post Office Box K, Bettendorf, IA 52722. Applicant's representative: Donald Smith, 900 Circle Tower Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, (1) from the plantsite and storage facilities utilized by (a) Butterfield Foods Co., Butterfield, Minn., (b) Wadco Foods, Inc., Estherville, Iowa, and (c) Tony Downs Foods Co., St. James and Medena, Minn., to points in Colorado, Iowa, Illinois, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 61592 (Sub-No. 267), filed April 24, 1972. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, IA 52722. Applicant's representative: Donald W. Smith, 900 Circle Tower Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes; transporting: *Bathroom and washroom fixtures, sinks and accessories and attachments therefor and materials and supplies* used in the manufacture thereof, from the plantsite of Universal-Rundle Corp. at or near Ottumwa, Iowa, to points in Colorado, Montana, Wyoming, North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Wisconsin, Iowa, Missouri, Illinois, Indiana, and the Upper Peninsula of Michigan. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 61592 (Sub-No. 268), filed April 14, 1972. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, IA 52722. Applicant's representative: Donald W. Smith, 900 Circle Tower Building, Indianapolis, IN 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, from Concord Homes, Wellington, Kans., to dealer locations at points in Colorado, Nebraska, Iowa, Missouri, New Mexico, Texas, Oklahoma, and Arkansas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans.

No. MC 61592 (Sub-No. 269), filed April 14, 1972. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, IA 52722. Applicant's representative: R. Connor Wiggins, Jr., 100 North Main Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay products*, in packages and in bags, from Meigs, Ga., to points in Alabama, Delaware, Florida, Kentucky, Maryland, North Carolina, New Jersey, New York, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 63792 (Sub-No. 18), filed April 25, 1972. Applicant: TOM HICKS TRANSFER COMPANY, INC., 4132 Peters Road, Post Office Box 283, Harvey, LA 70058. Applicant's representative: C. W. Ferebee (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from points in Louisiana, on and south of U.S. Highway 190 to points in Texas, Arkansas, Mississippi,

Alabama, Georgia, Florida, and Louisiana. NOTE: Applicant states that the requested authority could be joined with its Sub 12 to perform a through service to any point in Louisiana on or south of U.S. Highway 190 to serve points in Mississippi, Alabama, Georgia, and Florida; joined with Sub 13 to serve Mississippi, Alabama, Georgia, and Florida; Sub 14 to serve Alabama, Georgia, and Florida, Sub 14 could further be joined to serve from points in Louisiana on or south of U.S. Highway 190 to points in Kansas, Oklahoma, and New Mexico and Sub 15 to serve Alabama, Georgia, and Florida. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Houston or Dallas, Tex.

No. MC 64932 (Sub-No. 506), filed May 5, 1972. Applicant: ROGERS CARTAGE CO., a corporation, 1439 West 103d Street, Chicago, IL 60643. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar* and *coal tar products*, in bulk, in tank vehicles, (1) from Ironton, Ohio, to points in Wisconsin and Nevada; and (2) from Detroit, Mich., to points in Kentucky, New Jersey, Ohio, and Pennsylvania. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Detroit, Mich.

No. MC 75320 (Sub-No. 160), filed April 5, 1972. Applicant: CAMPBELL SIXTY-SIX EXPRESS, INC., Post Office Box 807, Springfield, Mo. 65801. Applicant's representative: Phineas Stevens, 700 Petroleum Building, Post Office 22567, Jackson, MS 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the following junction points for purposes of joinder only in connection with applicant's presently authorized regular-route operations in MC 75320 and Subs 24 and 31: (a) Junction of Missouri Highway 13 and U.S. Highway 54 at or near Collins, Mo.; (b) Junction of Missouri Highway 7 (formerly Missouri Highway 35) and U.S. Highway 71 at or near Harrisonville, Mo.; (c) Junction of Missouri Highway 13 and U.S. Highway 50 at or near Warrenburg, Mo.; and (d) Junction of Missouri Highway 43 and U.S. Highway 160, west of Lamar, Mo. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 83539 (Sub-No. 336), filed April 24, 1972. Applicant: C & H TRANSPORTATION CO., INC., 1936 2010 West Commerce Street, Post Office Box 5976, Dallas, TX 75222. Applicant's representative: Thomas E. James (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Valves, hydrants, parts, attachments and accessories;* and (2) *materials, equipment, and supplies* used in the manufacture thereof (except commodities in bulk), between points in Jefferson County, Tex., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority can be tacked with its existing authority but there is no present intention to tack. Applicant is authorized to transport commodities, the transportation of which because of size or weight require the use of special equipment between points in Jefferson County, Tex., and points in the United States (except Hawaii, Maine, New Hampshire, and Vermont) and (3) Mercer Description Commodities between points in Jefferson County and points in 36 States. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas or Houston, Tex.

No. MC 83539 (Sub-No. 337), filed April 26, 1972. Applicant: C & H TRANSPORTATION CO., INC., 1936 2010 Commerce Street, Post Office Box 5976, Dallas, TX 75222. Applicant's representative: Thomas E. James (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailer chassis*, other than those designed to be drawn by passenger automobiles in initial movement, in truck-away service, from Brady, Tex., to points in the United States (including Alaska but excluding Hawaii). NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 83539 (Sub-No. 338), filed April 28, 1972. Applicant: C & H TRANSPORTATION CO., INC., 1936 2010 West Commerce Street, Post Office Box 5976, Dallas, TX 75222. Applicant's representative: Thomas E. James (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled* commodities weighing less than 15,000 pounds, from Salt Lake City, Utah to points in the United States (including Alaska but excluding Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 82492 (Sub-No. 67), filed April 17, 1972. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., 2109 Olmstead Road, Post Office Box 2853, Kalamazoo, MI 49003. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from New Hampton, Iowa, to points in Indiana, Michigan, and Ohio, restricted to the transportation of traffic originating at the plantsites and warehouses utilized by Kitchens of Sara Lee Corp. at or near New Hampton, Iowa, and destined to points in the above-named destination territory. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 83835 (Sub-No. 91), filed April 10, 1972. Applicant: WALES TRANSPORTATION, INC., Post Office Box 6186, Dallas, TX 75222. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, and tank steel, and parts and materials* used in the construction and erection thereof, from the plantsite and facilities of Tec Tank at Parsons, Kans., to points in Illinois, Indiana, Ohio, Pennsylvania, Kentucky, West Virginia, Virginia, Delaware, New Jersey, New York, North Carolina, South Carolina, Georgia, Alabama, Minnesota, Iowa, Tennessee, and Mississippi. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Dallas, Tex.

No. MC 87909 (Sub-No. 15), filed April 5, 1972. Applicant: ARROW MOTOR FREIGHT LINE, INC., 2125 Commercial Street, Waterloo, IA 50704. Applicant's representative: Truman A. Stockton, 1650 Grant Street Building, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Grundy Center, Iowa, to points in Iowa, Minnesota, North Dakota on and east of U.S. Highway 31, points in South Dakota and Wisconsin on and west of U.S. Highway 53. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 95540 (Sub-No. 844), filed April 20, 1972. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, FL 33801. Applicant's representative: Paul E. Weaver (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (a) from Newport News, Norfolk, and Portsmouth, Va., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New

York, North Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia; and (b) from Wilmington, Del., to points in Colorado, Connecticut, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New York, Oklahoma, Ohio, Pennsylvania, Rhode Island, Vermont, Wisconsin, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 95540 (Sub-No. 845), filed April 20, 1972. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, FL 33801. Applicant's representative: Lyle Welch, 2715 Ellis Street, Fort Worth, TX 76106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Confectionery and confectionery products*, (a) from Hackettstown, N.J., to points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Iowa, Louisiana, Mississippi, Missouri, Nebraska, Oklahoma, North Carolina, South Carolina, Tennessee, and Texas and (b) from Hackettstown, N.J., and Elizabethtown, Pa., to points in Arizona, California, Kansas, Minnesota, New Mexico, Oregon, Utah, Washington, and Wisconsin. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 95540 (Sub-No. 846), filed April 21, 1972. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, FL 33801. Applicant's representative: Paul E. Weaver (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Confectionery and confectionery products*, from Bryan, Ohio, to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Texas. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 98945 (Sub-No. 8), filed April 17, 1972. Applicant: THOMAS CARTAGE, INC., 303 North Wilson, Post Office Box 2301, Amarillo, TX 79105. Applicant's representative: Grady L. Fox, 222 Amarillo Building, Amarillo, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, from Dalhart, Tex., to Trinidad, Colo., serving all intermediate points over U.S. Highway 87, serving the off route point of Folson, N. Mex., over State Highway 72, from the junction of U.S. Highway 87 at Des Moines, N. Mex. NOTE: If a hearing is deemed necessary, applicant requests it be held at Amarillo, Tex., or Baton, N. Mex.

No. MC 100666 (Sub-No. 216), filed April 17, 1972. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, LA 71107. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Building, 3535 Northwest 58th, Oklahoma City, OK 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flakeboard, wallboard, insulation board, and paneling*, from the plantsite of the Permaneer Corp. in Calhoun County, Ark., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Washington, D.C.

No. MC 102616 (Sub-No. 871), filed April 25, 1972. Applicant: COASTAL TANK LINES, INC., 215 East Waterloo Road, Akron, OH 44319. Applicant's representative: Carl L. Steiner, 39 South La Salle, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, between Louisville, Ky., on the one hand, and, on the other, points in Alabama, Arkansas, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana, Kansas, Louisiana, Maryland, Massachusetts, Michigan, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Chicago, Ill.

No. MC 104004 (Sub-No. 188), filed April 10, 1972. Applicant: ASSOCIATED TRANSPORT, INC., 380 Madison Avenue, New York, NY 10017. Applicant's representative: John P. Tynan, 69–20 Fresh Pond Road, Ridgewood, NY 11227. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, classes A and B explosives, commodities in bulk, and those requiring special equipment), (a) serving the plantsite and warehouse facilities of the General Tire & Rubber Co., at or near Mount Vernon, Ill., as an off-route point in connection with applicant's existing authority between Vincennes, Ind., and St. Louis, Mo., over U.S. Highway 50, and (b) between Evansville, Ind., and St. Louis, Mo., serving the plantsite and warehouse facilities of the General Tire & Rubber Co., at or near Mount Vernon, Ill., as an intermediate point, with no service at Evansville and St. Louis, except as otherwise authorized, (1) from Evansville over U.S. Highway 460 to St. Louis, and (2) from Evansville over U.S. Highway 41 to junction Interstate Highway 64, thence over Interstate Highway 64 to St. Louis, and return over the same routes. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106398 (Sub-No. 596), filed April 12, 1972. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from Pueblo County, Colo., to points in the United States (except Alaska and Hawaii). NOTE: Common control and dual operations may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107012 (Sub-No. 147), filed April 20, 1972. Applicant: NORTH AMERICAN VAN LINES, INC., Lincoln Highway East and Meyer Road, Post Office Box 988, Fort Wayne, IN 46801. Applicant's representative: Donald C. Lewis (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, crated and uncrated, and *new commercial and institutional fixtures*, uncrated, from Albuquerque and Clovis, N. Mex., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states it can tack with its existing authority, at Subs 88, 90, and 92. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Albuquerque, N. Mex.

No. MC 107295 (Sub-No. 612), filed April 3, 1972. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, IL 61842. Applicant's representative: Mack Stephenson, Post Office Box 146, Farmer City, IL 61842. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Air conditioners*, from Grand Rapids, Mich.; St. Petersburg, Fla.; Tifton, Ga.; and Garland, Tex.; to points in Alabama, Arizona, Arkansas, California, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, and West Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. No duplications anticipated, however, should any develop, full disclosure will be made at the hearing. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.; Washington, D.C.; Atlanta, Ga.; or Houston, Tex.

No. MC 108188 (Sub-No. 14), filed April 26, 1972. Applicant: ROLLO TRUCKING CORPORATION, INC., 295

Broadway, Keyport, NJ 07735. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral oil*, in bulk, in tank vehicles, from Perth Amboy, N.J., to Jefferson City, Mo., and Worcester, Mass. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 108341 (Sub-No. 29), filed April 26, 1972. Applicant: MOSS TRUCKING COMPANY, INC., Post Office Box 8409, Charlotte, NC 23208, also 3027 North Tryon Street, Charlotte, NC 28208. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Air, sewage, water, and refuse treatment systems* which because of size or weight require the use of special equipment; and (2) *tools, materials, parts, and supplies* used in connection with the erection and construction of air, sewage, water, and refuse treatment systems (except in bulk); between Culpeper, Va., on the one hand, and, on the other, points in the United States (except Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming). NOTE: Common control may be involved. Applicant states that he holds "size and weight" authority to destinations in Florida, Georgia, South Carolina, North Carolina, Virginia, the District of Columbia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, and Rhode Island but no duplicating authority sought. Applicant further states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 108676 (Sub-No. 44), filed April 14, 1972. Applicant: A. J. METLER HAULING AND RIGGING, INC., 117 Chicamauga Avenue NE., Knoxville, TN 37917. Applicant's representative: Carl U. Hurst, Post Office Box E, Bowling Green, KY 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flat glass*, from Nashville, Tenn., to points in Minnesota, Iowa, Missouri, Oklahoma, and Texas and all States east thereof. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 109397 (Sub-No. 271), filed April 21, 1972. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Business I–44, Joplin, MO 64801. Applicant's representative: T. M. Brown, 600 Leininger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood and particle board*, from points in San Bernardino County, Calif., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., or Washington, D.C.

No. MC 110686 (Sub-No. 44), filed March 30, 1972. Applicant: McCORMICK DRAY LINES, INC., Avis, Pa. 17721. Applicant's representative: David A. Sutherland, 2001 Massachusetts Avenue NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Climatic control devices and climatic control device parts, supplies, and materials*, between points in Pennsylvania and points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111594 (Sub-No. 54), filed April 13, 1972. Applicant: C. W. TRANSPORT, INC., 610 High Street, Wisconsin Rapids, WI 54494. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, classes A and B explosives, commodities in bulk, and those requiring special equipment), between the plantsite and warehouse facilities of the General Tire and Rubber Co., at or near Mount Vernon, Ill., and points in Indiana, Ohio, Wisconsin, Louisville, Ky., and St. Louis, Mo. NOTE: Applicant states that under certificate 111594, Part A, Sheet No. 2, applicant, by tacking would serve the Minneapolis-St. Paul, Minn., commercial zone, and under Sub 39, Part C, Sheets 11 and 12, would serve regular points in Wisconsin. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 112304 (Sub-No. 55), filed May 1, 1972. Applicant: ACE DORAN HAULING & RIGGING CO., a corporation, 1601 Blue Rock Street, Cincinnati, OH 45223. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Conduits or pipe plastic; fittings*, plastic or iron; *couplings*, plastic or iron; *connections*, plastic or other than plastic; *valves*, other than plastic; *hydrants*, other than plastic; and *materials and supplies* necessary for the installation thereof, from the plantsite and warehouse facilities of the Clow Corp., located at or near Buckhannon, W. Va., to points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas; and (2) *materials, equipment and supplies* used in the manufacture and processing of articles described in (1) above, from points in the destination States in (1) above to the plantsite and warehouse facilities of the Clow Corp., located at or near Buckhannon, W. Va. NOTE: Applicant states that tacking possibilities exist with its Subs (1) and (36) authorities, however, tacking operations are not intended at this time. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 112617 (Sub-No. 299), filed April 27, 1972. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 21395, Louisville, KY 40221. Applicant's representative: L. A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Anhydrous ammonia*, in bulk, in tank vehicles, from points in Union County, Ky., to points in Illinois and Indiana; and (2) *used and reconstituted chemicals and petroleum products*, in bulk, in tank vehicles, between Louisville, Ky., and points in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Michigan, Missouri, North Carolina, Ohio, South Carolina, Virginia, and West Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Louisville, Ky.

No. MC 112713 (Sub-No. 143), filed April 9, 1972. Applicant: YELLOW FREIGHT SYSTEM, INC., Post Office Box 8462, 92d at State Line, Kansas City, MO 64114. Applicant's representative: John M. Records (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the facilities of Goodyear Tire & Rubber Co. located at or near Silsbee, Tex., as an off-route point in connection with carrier's otherwise authorized regular route operations to and from Beaumont, Tex. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Akron, or Cleveland, Ohio.

No. MC 113362 (Sub-No. 236), filed April 17, 1972. Applicant: ELLSWORTH

FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, IA 50533. Applicant's representative: Jack Blanshan, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy, confectionery, cookie products, and display materials, supplies and advertising materials* (except commodities in bulk or in tank vehicles), when shipped in vehicles equipped with mechanical refrigeration equipment, from Parsippany, N.J., to points in Colorado, Illinois, Indiana, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Pennsylvania, and Tennessee, restricted to traffic originating at the plantsite and storage facilities of Estee Candy Co., Inc., located at Parsippany, N.J., and destined to points in the above named destination States. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 114045 (Sub-No. 360), filed April 17, 1972. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, also Finley & Belt Line Road, Dallas, TX 75222. Applicant's representative: J. B. Stuart (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Toilet preparations, shaving cream, drugs n.o.i., advertising materials and display racks* in vehicles equipped with mechanical refrigeration, from Parsippany, N.J., to Dallas, and Grand Prairie, Tex. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Dallas, Tex.

No. MC 114045 (Sub-No. 361), filed April 17, 1972. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Dallas, TX 75222. Applicant's representative: J. B. Stuart (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Toilet preparations, perfume and related articles, advertising materials and display racks*, in vehicles equipped with mechanical refrigeration, from Jonesboro Township, Lee County, N.C., to Santa Anna, Calif., Dallas and Grand Prairie, Tex. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114323 (Sub-No. 18), filed April 17, 1972. Applicant: PAUL MARC-KESANO AND SONS CO., INC., 36 Ferris Street, Brooklyn, NY 11231. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick and tile*, from New York, N.Y., and Jersey City, N.J., to points in Nassau, Suffolk, Westchester, Putnam, Dutchess, Orange, Rockland, Sullivan, and Ulster Counties, N.Y., and New York, N.Y., Fairfield, Litchfield, and New Haven Counties, Conn., Hudson, Bergen, Essex, Passaic, Sussex, Warren, Morris, Hunterdon, Somerset, Union, Middlesex, Mercer, and Monmouth Counties, N.J., restricted to traffic having a prior movement by rail, and *returned shipments* in the opposite direction. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 114457 (Sub-No. 127), filed April 21, 1972. Applicant: DART TRANSIT COMPANY, a corporation, 780 North Prior Avenue, St. Paul, MN 55104. Applicant's representative: William H. Towle, 127 North Dearborn Street, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic articles*, from Coon Rapids, Faribault, and St. Paul, Minn., to points in the United States (except Alaska and Hawaii), and (2) *materials and supplies* used by manufacturers or distributors of plastic articles from points in Connecticut, Illinois, New Jersey, North Carolina, Ohio, Pennsylvania, Tennessee, and Texas, to Coon Rapids, Faribault, and St. Paul, Minn. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 114890 (Sub-No. 64), filed May 5, 1972. Applicant: C. E. REYNOLDS TRANSPORT, INC., Post Office Box A, Joplin, MO 64801. Applicant's representative: Dean Williamson, 3535 Northwest 58th, 280 National Foundation Life Building, Oklahoma City, OK 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer* and *dry fertilizer materials*, from Springfield, Mo., to points in Arkansas, Kansas, and Oklahoma. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla., or Kansas City, Mo.

No. MC 115180 (Sub-No. 85), filed April 20, 1972. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 265 West 14th Street, New York, NY 10014. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 706 (except hides and commodities in bulk, in tank vehicles), (1) from the plantsite and storage facilities of Momence Pork Packers Co., at Momence, Ill., to points in Maine, Massachusetts, New Hampshire, Vermont, New York, Rhode Island, Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, Ohio, West Virginia, Virginia, and the District of Columbia, restricted to traffic originating at named origin and destined to points in named territory; and (2) from the plantsite and/or facilities of Agar Food Products Co. at Chicago, Ill., to points in Maine, Massachusetts, New Hampshire, Vermont, New York, Rhode Island, Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, Ohio, West Virginia, Virginia, and the District of Columbia, restricted to traffic originating at named origins and destined to points in named territory. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 116073 (Sub-No. 229), filed April 7, 1972. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., Post Office Box 919, Moorhead, MN 56560. Applicant's representative: Robert G. Tessar, 1819 Fourth Avenue South, Moorhead, MN 56560. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, and *buildings* complete or in sections; from points in Custer County, Mont., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Helena, Mont.

No. MC 116073 (Sub-No. 230), filed April 21, 1972. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., 1825 Main Avenue, Moorhead, MN 56560. Applicant's representative: Robert G. Tessar, 1819 Fourth Avenue South, Moorhead, MN 56560. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles in initial movements, from points in Jenkins County, Ga., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 116073 (Sub-No. 235), filed April 28, 1972. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., Post Office Box 919, Moorhead, MN 56560. Applicant's representative: Robert G. Tessar, 1819 Fourth Avenue South, Moorhead, MN 56560. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements; from points in Christian County, Ky., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 116073 (Sub-No. 236), filed April 28, 1972. Applicant: BARRETT

MOBILE HOME TRANSPORT, INC., Post Office Box 919, Moorhead, MN 56560. Applicant's representative: Robert G. Tessar, 1819 Fourth Avenue South, Moorhead, MN 56560. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from points in Scotts Bluff County, Nebr., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 116519 (Sub-No. 16), filed April 21, 1972. Applicant: FREDERICK TRANSPORT LIMITED, a corporation, Rural Route 6, Chatham, Ontario, Canada. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors* (except truck tractors), (2) *agricultural implements and farm machinery*, and (3) *parts and attachments* for, and *equipment* designed for use with, the articles described in (1) and (2) above, when moving in mixed loads with the articles described in (1) and (2) above, from Louisville, Ky.; Melrose Park, and Canton, Ill., and Memphis, Tenn., to the ports of entry on the international boundary line between the United States and Canada located in Michigan. Restriction: (A) Restricted to traffic originating at the plant and/or warehouse sites of International Harvester Co. moving in foreign commerce, and further restricted against the transportation of commodities which because of size or weight require the use of special equipment. (B) The transportation authorized herein is restricted to foreign commerce only. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116544 (Sub-No. 129), filed April 24, 1972. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 East Fairview Avenue, Post Office Box 636, Carthage, MO 64836. Applicant's representative: Robert Wilson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas, and agricultural commodities*, as defined in section 203(b)(6) of the Interstate Commerce Act, as amended, when transported at the same time and in the same vehicle with bananas, from New Orleans, La., to Chicago, Ill. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 117119 (Sub-No. 454), filed April 17, 1972. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Post Office Box 188, Elm Springs, AR 72728. Applicant's representative: Bobby G. Shaw (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral wool and mineral wool products*, from Santa Clara, Calif., to poitns in Idaho on and south of the southern boundary of Idaho County, Idaho, and points in Malheur, Baker, Wallowa, and Union Counties, Oreg. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho, or Washington, D.C.

No. MC 117344 (Sub-No. 219), filed April 26, 1972. Applicant: THE MAXWELL CO., a corporation, Post Office Box 15010, Cincinnati, OH 45215. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Granular slag*, in bulk, in tank, or hopper type vehicles, from Lawrenceburg, Ind., to points in Kentucky and Ohio. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 117686 (Sub-No. 135), filed April 13, 1972. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 U.S. Highway 75 North, Sioux City, IA 51102. Applicant's representative: Gary Leeling (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, (1) from St. James and Madelia, Minn., to points in Colorado, Texas, Oklahoma, Arkansas, Georgia, and Florida, and (2) from Butterfield, Minn., to points in Alabama, Mississippi, Louisiana, Colorado, Texas, Oklahoma, Arkansas, Georgia, and Florida. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 117815 (Sub-No. 191), filed April 20, 1972. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, IA 50317. Applicant's representative: Larry D. Knox, 910 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), from Iowa City, and Muscatine, Iowa, to points in Kansas, Minnesota, Missouri, and Nebraska. Restriction: Restricted to traffic originating at the named origin and destined to the named destinations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 117851 (Sub-No. 13), filed April 17, 1972. Applicant: JOHN R. CHEESEMAN, 501 North First Street, Fort Recovery, OH 45846. Applicant's representative: Earl N. Merwin, 85 East Gay Street, Columbus, OH 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plumbing supplies and materials* (except commodities in bulk), (a) from Delphi, Frankfort, and Kokomo, Ind., on the one hand, and, on the other, points in California, Colorado, Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Oregon, South Dakota, West Virginia, and Wisconsin; (b) from Addison, Ill., on the one hand, and, on the other, points in Alabama, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, West Virginia, and Wisconsin; (c) from Byron and Elgin, Ill., and Stillwater, Minn., to Delphi, Ind.; (d) from Frankfort and Kokomo, Ind., on the one hand, and, on the other, points in Ohio; (e) from Fowlerville, Mich., to Delphi and Kokomo, Ind.; (f) between Gadsden, Ala., to Woodbridge, N.J.; (2) *ingot*, from Grand Rapids, Mich., and Chicago, Ill., to Delphi, Ind., under a continuing contract with Gerber Plumbing Fixtures Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 118535 (Sub-No. 52), filed April 25, 1972. Applicant: JIM TIONA, JR., 111 South Prospect, Butler, MO 64730. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and fertilizer materials*, from Springfield, Mo., to points in Arkansas, Kansas, and Oklahoma. NOTE: Applicant states that some tacking possibility might technically exist, however, it will not present any proof to establish need for tacking, and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla., or Kansas City, Mo.

No. MC 119632 (Sub-No. 50) (Correction), filed February 18, 1972, published in the FEDERAL REGISTER issue of March 23, 1972, and republished as corrected this issue. Applicant: REED LINES, INC., 634 Ralston Avenue, Defiance, OH 43512. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Adhesives, building materials, composition board, gypsum products, gypsum board paper, mineral fiber products, paint and paint products, and such materials, equipment, and supplies* as are used in the manufacture, packaging, installation, or distribution of the above commodities (except commodities in bulk), between the plantsite and facilities of United States Gypsum Co. at or near Gypsum, Ohio, on the one hand, and, on the other, points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maryland, Maine, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is to include gypsum products in the commodity description. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Chicago, Ill.

No. MC 119641 (Sub-No. 103), filed April 21, 1972. Applicant: RINGLE EXPRESS, INC., 450 East Ninth Street, Fowler, IN 47944. Applicant's representative: Robert C. Smith, 711 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors* (except truck tractors), (2) *agricultural implements and farm machinery*, and (3) *parts and attachments* for, and *equipment* designed for use with the articles described in (1) and (2) above, when moving in mixed loads with the articles described in (1) and (2) above, from Louisville, Ky.; Canton and Melrose Park, Ill.; and Memphis, Tenn., to the ports of entry on the international boundary line between the United States and Canada located in Michigan. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119767 (Sub-No. 285), filed April 10, 1972. Applicant: BEAVER TRANSPORT CO., a corporation, I–94 and County Highway C, Bristol, Wis., Post Office Box 188, Pleasant Prairie, WI 53158. Applicant's representative: Fred H. Figge, Post Office Box 188, Pleasant Prairie, WI 53158. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, materials, equipment, and supplies* (except in bulk, in tank vehicles), between Clare, and Cadillac, Mich., on the one hand, and, on the other, points in Illinois, Minnesota, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control and duplicating authority may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119774 (Sub-No. 41), filed April 24, 1972. Applicant: MARY ELLEN STIDHAM, N. M. STIDHAM, A. E. MANKINS (INEZ MANKINS, EXECUTRIX), AND JAMES E. MANKINS, SR., a partnership, doing business as EAGLE TRUCKING COMPANY, Post Office Box 471, 301 Main Street, Third Floor, Kilgore, TX 75662. Applicant's representative: Bernard H. English, 6270 Firth Road, Fort Worth, TX 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, between Carlinville, Centralia, Flora, Irvington, and Sparta, Ill., and Louisiana and Missouri, on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Idaho, Iowa, Kansas, Louisiana, Minnesota, Montana, Nevada, New Mexico, Mississippi, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming. NOTE: Applicant states it has authority in Sub 30 to transport Mercer and earth drilling commodities between Alabama, Arkansas, Florida, Louisiana, Mississippi, and Texas, and points in Illinois, could tack at named origin points in Illinois to any of destination States, for commodities included in Sub 30. If a hearing is deemed necessary, applicant requests it be held at St. Louis or Kansas City, Mo., or Dallas, Tex.

No. MC 119829 (Sub-No. 41), filed April 25, 1972. Applicant: F. J. EGNER & SON, INC., 3969 Congress Parkway, Richfield, OH 44286. Applicant's representative: Taylor C. Burneson, 88 East Broad Street, Suite 1680, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, in bulk, in tank vehicles, from Harrod, Ohio, to Blissfield, Britton, and Quincy, Mich., and points in Indiana. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 123048 (Sub-No. 214), filed April 14, 1972. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, WI 53401. Applicant's representative: Paul C. Gartzke, 121 West Doty Street, Madison, WI 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors* (except truck tractors), and (2) *agricultural implements* and *farm machinery* and (3) *parts and attachments* for, and *equipment* designed for use with, the articles described in (1) and (2) above, when moving in mixed loads with the articles described in (1) and (2) above, from Louisville, Ky.; Canton, Ill.; Melrose Park, Ill.; and Memphis, Tenn.; to the port of entry on the international boundary line between the United States and Canada located in Michigan. Restriction: Restricted to traffic originating at the plant and/or warehouse sites of International Harvester Co. moving in foreign commerce and further restricted against the transportation of commodities which because of size or weight require the use of special equipment. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123407 (Sub-No. 101), filed April 3, 1972. Applicant: SAWYER TRANSPORT, INC., 2424 Minnehaha Avenue South, Minneapolis, MN 55404. Applicant's representative: Robert W. Sawyer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel pipe and conduit* (except oilfield commodities as described in Mercer Extension—Oil Field Commodities 74 M.C.C. 459), from Chicago, Ill., to points in Alabama, Arkansas, Georgia, Iowa, Louisiana, Minnesota, Mississippi, North Dakota, South Dakota, Tennessee, Upper Michigan, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124017 (Sub-No. 2), filed April 13, 1972. Applicant: ROBERT A. JEFFREY, doing business as R. JEFFREY & SONS, Rural Delivery No. 1, Elysburg, Pa. 17824. Applicant's representative: John M. Musselman, Post Office Box 1146, 400 North Third Street, Harrisburg, PA 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Schuylkill County, Pa. (except Morea, Pa., and points within 15 miles of Shamokin, Pa.), to points in New York on and west of a line beginning at Sodus Point, N.Y., on the shore of Lake Ontario, and extending along New York Highway 14 to Horseheads, N.Y., thence along New York Highway 17 to Waverly, N.Y., and thence along U.S. Highway 220 to the New York-Pennsylvania State line. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa., or Washington, D.C.

No. MC 124078 (Sub-No. 522), filed April 27, 1972. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, WI 53246. Applicant's representative: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potassium permanganate*, in bulk, from La Salle, Ill., to points in the United States in and east of Kansas, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124174 (Sub-No. 90), filed April 18, 1972. Applicant: MOMSEN TRUCKING CO., a corporation, 2405

Hiway Boulevard, Spencer, IA 51301. Applicant's representative: Mr. Marshall Becker, 530 Univac Building, 7100 West Center Road, Omaha, NE 68106. Authority sought to operate at a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, Appendix V, Groups I, II, III, IV, and V (except commodities in bulk), from points in Lake, Cook, and Will Counties, Ill.; Peoria, Ill.; and Lake and Porter Counties, Ind., to points in Iowa on and west of U.S. Highway 63, Kansas, Minnesota, Montana, Nebraska, North Dakota, South Dakota, and Wyoming. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 124211 (Sub-No. 213), filed April 17, 1972. Applicant: HILT TRUCK LINE, INC., Post Office Box 988 D.T.S., Omaha, NE 68101. Applicant's representative: Thomas L. Hilt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plumbing fixtures, equipment, materials, and supplies, and accessories*, from points in Medina and Navarro Counties, Tex., to points in the United States in and west of Michigan, Indiana, Kentucky, Tennessee, and Mississippi (except Alaska and Hawaii). NOTE: Applicant states that the requested authority could be tacked with MC 124211 Subs Nos. 79 and 86 at Omaha, Nebr.; all other tacking possibilities are not feasible due to circuitry involved. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC 124211 (Sub-No. 214), filed April 24, 1972. Applicant: HILT TRUCK LINE, INC., Post Office Box 988 D.T.S., Omaha, NE 68101. Applicant's representative: Thomas L. Hilt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plumbing fixtures, materials, equipment, and supplies, and accessories*, from points in Greene and Walton Counties, Ga., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be neld at Pittsburgh, Pa., or Washington, D.C.

No. MC 124236 (Sub-No. 44), filed April 17, 1972. Applicant: CHEMICAL EXPRESS CARRIERS, INC., 1200 Simons Building, Dallas, Tex. Applicant's representative: William D. White, Jr., 2505 Republic National Bank Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes. transporting: *Cement*, from points in Ellis County, Tex., to points in New Mexico. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas or Houston, Tex., or Washington, D.C.

No. MC 124333 (Sub-No. 19), filed April 26, 1972. Applicant: BAKER PETROLEUM TRANSPORTATION CO., INC., Pyles Lane, New Castle, Del. 19720. Applicant's representative: Samuel W. Earnshaw, 833 Washington Building NW., Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fuel oil*, in bulk, in tank vehicles, from Philadelphia, Pa., to Dover, Del., for the account of the city of Dover, Del. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124692 (Sub-No. 91), filed April 10, 1972. Applicant: SAMMONS TRUCKING, a corporation, Post Office Box 1447, Missoula, MT 59801. Applicant's representative: J. David Douglas (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing, roofing materials, and related accessories*, except commodities in bulk, from Denver, Colo., to points in Montana, Wyoming, Kansas, Nebraska, Idaho, North Dakota, South Dakota, Utah, Nevada, Arizona, and New Mexico. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Paul, Minn.

No. MC 124796 (Sub-No. 95), filed April 27, 1972. Applicant: CONTINENTAL CONTRACT CARRIER CORP., Post Office Box 1257, 15045 East Salt Lake Avenue, City of Industry, CA 91749. Applicant's representative: J. Max Harding, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Drugs, medicine, chemicals, toilet preparations, prepared animal feed, elemental diet preparations, sweeting compounds, bandages, dressing, and advertising and display materials* when moving with the commodities described above, (a) from Greenville (Donaldson Center), S.C., to Elk Grove Village, Ill.; Dallas, Tex.; Jacksonville, Fla.; Los Angeles, Calif.; Norwich, N.Y.; Portland, Oreg.; and Toledo, Ohio; (b) from Jacksonville, Fla., to Elk Grove Village, Ill.; Dallas, Tex.; Greenville (Donaldson Center), S.C.; Los Angeles, Calif.; Norwich, N.Y.; Portland, Oreg.; and Toledo, Ohio, and (c) from Norwich, N.Y., to Elk Grove Village, Ill.; Dallas, Tex.; Greenville (Donaldson Center), S.C.; Jacksonville, Fla.; Los Angeles, Calif.; Portland, Oreg.; and Toledo, Ohio, and (2) *returned, refused, or rejected shipments* of the commodities described above, from the destinations shown above to their respective origins. Restrictions: The operations authorized are restricted against the transportation of commodities in bulk and are limited to a transportation service to be performed under continuing contract or contracts with Morton-Norwich Products, Inc., its divisions and affiliates. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 125237 (Sub-No. 2), filed April 17, 1972. Applicant: WELCO TRANSPORTATION COMPANY, a corporation, 1225 Ozark Street, North Kansas City, MO 64116. Applicant's representative: Tom B. Kretsinger, 450 Professional Building, Kansas City, Mo. 64106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plasterboard joining cement, paint, and patching materials*, from the plantsite of Welco Manufacturing Co. at North Kansas City, Mo., to points in Ohio, West Virginia, and Virginia; (2) *mica*, from points in North Carolina to North Kansas City, Mo.; and (3) *steel pails*, from points in Ohio to North Kansas City, Mo. Restriction: The operations described above are limited to a transportation service to be performed under a continuing contract or contracts with Welco Manufacturing Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 125506 (Sub-No. 16), filed April 26, 1972. Applicant: JOSEPH ELETTO TRANSFER, INC., 33 West St. Marks Place, Valley Stream, NY. Applicant's representative: Morris Honig, 150 Broadway, New York, NY 10038. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such merchandise as is dealt in by retail department stores, advertising materials and displays, and store supplies*, between the stores, warehouses, and distribution centers of B. Altman & Co. located at New York, N.Y., East Rutherford, N.J., and St. Davids, Pa., under a continuing contract with B. Altman & Co.; (2) *such merchandise as is dealt in by retail specialty shops* (excluding furniture and household appliances), and *accessories* therefor, *cosmetics, jewelry, and advertising materials and displays, and store supplies*, between stores, warehouses, and distribution centers of Gus Mayer Stores, Inc., located at New York, N.Y., Bala Cynwyd, and Philadelphia, Pa., and Moorestown, N.J., under a continuing contract with Gus Mayer Stores, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 126276 (Sub-No. 66), filed April 14, 1972. Applicant: FAST MOTOR SERVICES, INC., 12855 Ponderosa Drive, Palos Heights, IL 60463. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Closures*, from the plantsite of Owens-Illinois Glass at Constantine, Mich., to Fort Smith, Ark.; Asheville, Skyline), N.C.; Chambersburg, Pa., and Canajoharie, N.Y., under contract with Owens-Illinois Glass. NOTE: If

a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126513 (Sub-No. 3), filed April 26, 1972. Applicant: PUGET SOUND TUG & BARGE COMPANY, a corporation, Post Office Box 3783, Seattle, WA 98124, 1102 Southwest Massachusetts Street, Seattle, WA 98124. Applicant's representative: A. Alvis Layne, 915 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, in annual seasonal operations from July 1 to October 30, both dates inclusive, between points in Alaska north of the Arctic Circle, restricted to the transportation of traffic having a prior or subsequent movement by water. NOTE: Applicant states no tacking is intended or feasible. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 126555 (Sub-No. 18), filed April 19, 1972. Applicant: UNIVERSAL TRANSPORT, INC., Box 268, Rapid City, SD 57701. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, CO 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lime and limestone products* (except cement) (a) from points in Larimer County, Colo., to points in Fall River County, S. Dak., and (b) from Rapid City, S. Dak., and points within 5 miles thereof to points in Dawson, Powder River, Carter, Prairie, Rosebud, Big Horn, and Custer Counties, Mont.; (2) *cement*, in bags, from Rapid City, S. Dak., to points in Montana; and (3) *cement*, from points in Codington County, S. Dak., to points in Minnesota and North Dakota. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Rapid City, S. Dak., or Denver, Colo.

No. MC 127608 (Sub-No. 4), filed April 24, 1972. Applicant: B-BROTHERS CARTAGE, INC., Post Office Box 21, Blue Island, IL 60406. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, machine parts, pallet racks, steel shelving, flexible conduit, strip steel, steel angles, steel beams, dies, and materials and supplies* used in the manufacture or processing of the above commodities, between the plantsite and/or facilities of Interlake, Inc., at or near Pontiac, Ill., on the one hand, and, on the other, points in Iowa, Wisconsin, Indiana, Michigan, Ohio, Kentucky, Missouri, and Illinois. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 127834 (Sub-No. 74), filed April 24, 1972. Applicant: CHEROKEE HAULING & RIGGING, INC., 540–42 Merritt Avenue, Nashville, TN 37203. Applicant's representative: Paul M. Daniell, Post Office Box 872, Atlanta, GA 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Air, sewage, water, and refuse treatment systems* which because of size or weight require the use of special equipment; and (2) *tools, materials, parts, and supplies*, used in connection with the erection and construction of air, sewage, water, and refuse treatment systems (except commodities in bulk), between Culpeper, Va., on the one hand, and, on the other, points in the United States (except Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming). NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore, does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128586 (Sub-No. 6), filed April 21, 1972. Applicant: FEED HAULERS, INC., Star Route, East Lake Road, Box 18, Guntersville, AL 35976. Applicant's representative: D. H. Markstein, Jr., 512 Massey Building, Birmingham, Ala. 35203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Poultry feed*, in bulk, from Cornelia, Ga., to Davenport and Clinton, Iowa, Mechanicsburg, Pa., and Oklahoma City, Okla., under contract with Ralston Purina Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., St. Louis, Mo., or Washington, D.C.

No. MC 129328 (Sub-No. 4), filed April 21, 1972. Applicant: PAL TEX TRANSPORT CO., a corporation, Post Office Box 296, Palestine, TX 75801. Applicant's representative: M. Ward Bailey, 2412 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from the plantsite and storage facilities of Cleveland Partition Corp., at Dallas, Tex., to points in Oklahoma, Arkansas, Louisiana, and Mississippi, under contract with Cleveland Partition Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 129823 (Sub-No. 2), filed April 19, 1972. Applicant: EASTON MOTOR LINES, INC., doing business as MARSHALL'S EXPRESS, Route No. 3, Box 477, Easton, MD 21601. Applicant's representative: Francis W. McInery, 1000 16th Street NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except articles of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment), between Baltimore, Md., on the one hand, and, on the other, points in Kent and Queen Anne Counties, Md., and Kent and Sussex Counties, Del. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Baltimore or Salisbury, Md.

No. MC 133599 (Sub-No. 3), filed April 19, 1972. Applicant: BIG VALLEY SUPPLY & ENTERPRISES, LTD., a corporation, 4150 F–14A Street SE., Calgary 25, AB, Canada. Applicant's representative: Earl H. Scudder, Jr., Post Office Box 82028, 605 South 14th Street, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *All-terrain vehicles, amphibious vehicles, off-highway vehicles, and trailers equipped with multicomposition longitudinal belts* (except boats, snowmobiles, and motorcycles), and (2) *parts, sections, pieces, and accessories* of the commodities described in (1) above, between ports of entry on the international boundary line between the United States and Canada at or near Champlain, N.Y.; Sweetgrass, Mont.; Blaine, Wash.; Detroit, Mich.; Noyes, Minn.; and Penbia, N. Dak., on the one hand, and, on the other, points in the United States (except those in Hawaii), under contract with Flextrac Nodwell, Ltd. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 133630 (Sub-No. 2), filed April 24, 1972. Applicant: LEO KING, doing business as LEO KING TRUCKING SERVICE, Ashkum, Ill. 60911. Applicant's representative: Charles R. Young, 4 West Seminary Street, Danville, IL 61832. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid fertilizer*, from Ashkum, Ill., to that part of Indiana lying on and north of Indiana Highway 28, and (2) *dry fertilizer chemicals*, from Omaha, Nebr., to Ashkum, Ill. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Springfield or Chicago, Ill.

No. MC 133689 (Sub-No. 23), filed April 3, 1972. Applicant: OVERLAND EXPRESS, INC., 651 First Street, SW., New Brighton, MN 55112. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, IL 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats*,

meat products, meat byproducts, and articles distributed by meat packinghouses, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except commodities in bulk), and (2) *foodstuffs,* from Butterfield, Madelia, and St. James, Minn., to points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be, held at Minneapolis, Minn.

No. MC 133748 (Sub-No. 3), filed April 24, 1972. Applicant: LILE MOVING & STORAGE COMPANY, 7021 Northeast Halsey Street, Portland, OR 97213. Applicant's representative: George H. Hart and Jack R. Davis, 1100 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission, between points in Washington and Oregon. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states no duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg., or Seattle, Wash.

No. MC 133982 (Sub-No. 3), filed April 10, 1972. Applicant: ALVIN P. MURPHY, doing business as MURPHY'S PRODUCE, 302 South Merriam Street, Post Office Box 426, Miles City, MT 59301. Applicant's representative: J. F. Meglen, Post Office Box 1581, Billings, MT 59103. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Cheese and cheese products,* from Beach, N. Dak., to Wellsville, Utah. NOTE: If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 134906 (Sub-No. 6), filed April 7, 1972. Applicant: CAPE AIR FREIGHT, INC., Post Office Box 905, Cape Girardeau, MO 63701. Applicant's representative: R. Connor Wiggins, Jr., Suite 909, 100 North Main Building, Memphis, TN 38103. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Printed matter and paper,* between Shepherdsville, Ky., on the one hand, and, on the other, points in Minnesota, Iowa, Missouri, Arkansas, Louisiana, and States east thereof. NOTE: Applicant states it holds no authority at present to which to tack the herein sought authority, but will tack further grants, if possible. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 135100 (Sub-No. 7), filed April 14, 1972. Applicant: SIGNAL TRANSPORT, INC., Post Office Box 681, La Porte, IN 46350. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Closures,* from the plantsite of Owens-Illinois Glass at Constantine, Mich., to Fort Smith, Ark.; Asheville (Skyland), N.C., Chambersburg, Pa., and Canajoharie, N.Y. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 136291 (Sub-No. 1), filed April 7, 1972. Applicant: CUSTOMIZED PARTS DISTRIBUTION, INC., 2701 South Bayshore Drive, Miami, FL 33133. Applicant's representative: Walter N. Bieneman, Suite 1700, 1 Woodward Avenue, Detroit, MI 48226. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Motor vehicle parts and accessories, and related publications, advertising material, packaging and shipping supplies* (1) Between the Autolite Parts Distribution Center at Teterboro, N.J., on the one hand, and, on the other, Teterboro, N.J.; (2) Between Teterboro Airport, Teterboro, N.J., on the one hand, and, on the other, Natick, Mass., Harrisburg, Pa., and Pennsauken, N.J.; (3) Between Pennsauken, N.J., on the one hand, and, on the other, Baltimore, Md., and (4) Between Baltimore, Md., on the one hand, and, on the other, Baltimore Friendship Airport, Md., Richmond, Va., and Ford Motor Co. dealers in Baltimore and Marlowe Heights, Md., and Alexandria and Falls Church, Va., under continuing contract, or contracts, with Ford Marketing Corp. (Autolite-Ford Parts Division). NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 136325 (Sub-No. 1), filed April 28, 1972. Applicant: CUFURAY, LTD., Highway 43, Post Office Box 265, Burlington, WI 53105. Applicant's representative: Allan B. Torhorst, Post Office Box 307, Burlington, WI 53105. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Canned goods, cans, can ends, paper shrouding, divider sheets, pallets, and material, equipment, and supplies* used in the production of canned foodstuffs, between Rochelle, Mendota, and De Kalb, Ill., on the one hand, and, on the other, Arlington, Plover, Markesan, Friesland, Wisconsin Rapids, Milwaukee, and Waukesha, Wis., under contract with Del Monte Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Milwaukee or Madison, Wis.

No. MC 136481 (Sub-No. 1), filed May 5, 1972. Applicant: WHEELER'S MANCHESTER TRANSFER, INC., 100 Warwick Street, New Haven, CT 06513. Applicant's representative: Sidney L. Goldstein, 109 Church Street, New Haven, CT 06510. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Gypsum,* in bulk, in dump vehicles, from Bridgeport, Conn., to New Haven, Conn., restricted to shipments having a prior movement by vessel. NOTE: If a hearing is deemed necessary, applicant requests it be held at Hartford or New Haven, Conn.

No. MC 136517 (Sub-No. 1), filed April 28, 1972. Applicant: CISCO-CHARD CO., 10633 Southeast 20th, Bellevue, WA 98004. Applicant's representative: James T. Johnson, IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Machinery, materials, equipment, and supplies dealt in by houses supplying the plumbing, heating, refrigeration, airconditioning, and hydraulic and pneumatic system components industries,* from points in California and Oregon to points in Washington and Oregon, under contract with Palmer Supply Co., Seattle, Wash. NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 136523 (Sub-No. 1), filed March 22, 1972. Applicant: C & H ENTERPRISES, INC., doing business as HALPRIN'S SERVICE, 131 Brainard Road, Hartford, CT 06114. Applicant's representative: Stanley Cohen, 39 Grand Street, Hartford, CT 06106. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Wrecked, disabled and repossessed motor vehicles* by the tow-away method, between points in Connecticut, Massachusetts, Rhode Island, and New York. NOTE: If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn., or New York, N.Y.

No. MC 136547 (Sub-No. 1), filed April 18, 1972. Applicant: STAR INDUSTRIES TRANSPORT, INC., 1410 North 14th Street, St. Louis, MO 63106. Applicant's representative: Austin C. Knetzger, 722 Chestnut Street, Room 1015, St. Louis, MO 63101. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Bananas, coconuts, and pineapples,* restricted to traffic moving in chassis mounted containers and having prior or subsequent movement by rail, (1) from points in the St. Louis-East St. Louis commercial zone and terminal area to points in Illinois, Iowa, and Missouri and (2) from points in the Kansas City commercial zone and terminal area to points in Kansas, Missouri, Illinois, Iowa, Nebraska, North Dakota, South Dakota, Minnesota, Wisconsin, and Indiana. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 136560 (Sub-No. 2), filed April 17, 1972. Applicant: KEITH PADDOCK & SONS, INC., Route 17 and Route 36, Jasper, N.Y. 14855. Applicant's representative: Raymond A. Richards, 23 West Main Street, Webster, NY 14580. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Feed,* in bags, or in bulk, from Erwins, N.Y., to

points in Bradford, Potter, and Tioga Counties, Pa., under contract with Agway, Inc., Feed Division. NOTE: If a hearing is deemed necessary, applicant requests it be held at Rochester, N.Y.

No. MC 136607, filed April 3, 1972. Applicant: JIM PENCE, doing business as BIG BRUTUS WRECKER SERVICE, I–40 and Highway 59 South, Sallisaw, Okla. 74955. Applicant's representative: S. Daniel George, Sequoyah County Courthouse, Sallisaw, Okla. 74955. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Disabled vehicles*, mainly *tractors and trailers*, between points in Oklahoma, Arkansas, Kansas, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 136632 (Sub-No. 2), filed May 1, 1972. Applicant: COPELAND TRANSPORTATION CO., INC., 4159 North Broadway, Wichita, KS 67204. Applicant's representative: Clyde N. Christey, 641 Harrison Street, Topeka, KS 66603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commodities dealt in by truck equipment dealers*, from points in Colorado, Illinois, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Oklahoma, Texas, and Wisconsin to Topeka, Wichita, Kansas City, Colby, Dodge City, Haven, Great Bend, and Hays, Kans., and Springfield, Colo., under contract with Capitol Body and Equipment Co., Inc., O. J. Watson Solid Waste Division, Inc., O. J. Watson Co., Inc., and Scherer Truck Equipment, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 136652, filed April 17, 1972. Applicant: BAY TRUCKING CORP., 60 Landsdowne Street, Cambridge, MA 02139. Applicant's representative: Harold G. Danner, 10 Industrial Park Road, Hingham, MA 02043. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline*, in bulk, in tank vehicles, from Revers and Quincy, Mass., to points in New Hampshire on and south of New Hampshire Highway 11. Restriction: Restricted to a transportation service to be provided under a continuing contract or contracts with Scot Bay State Petroleum Corp., Washington, D.C. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Washington, D.C.

No. MC 136653, filed April 18, 1972. Applicant: W. SANDKUHL TRUCKING CO., INC., 37 Ridgewood Street, Valley Stream, N.Y. Applicant's representative: Arthur J. Piken, 1 Lefrak City Plaza, Flushing, NY 11368. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Hardware*, including but not limited to chains, fasteners, tools, plumbing equipment and supplies, from the piers and wharves in that part of the New York, N.Y., commercial zone as defined in the Fifth Supplemental Report in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted pursuant to the partial exemption of section 203(b)(8) of the Interstate Commerce Act (the "exempt" zone), to points in Nassau County, N.Y.; Norwalk, Conn.; Elizabeth, Passaic, Paramus, and Totowa, N.J., under contract with Fehr Bros. Inc., Melard Manufacturing Corp. and York Bros. Wholesale Hardware Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 136668, filed April 10, 1972. Applicant: ROGERS VINEGAR COMPANY, INC., West Olive at Frisco Tracks, Rogers, Ark. 72756. Applicant's representative: James B. Blair, 111 Holcomb Street, Springdale, AR 72764. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ethyl alcohol*, in bulk, from the plant and warehouse sites of Publicker Chemical Corp. at Gretna, La., to the plantsite of Standard Brands, Inc., located at Nixa, Mo., under contract with Standard Brands, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at either Little Rock, Ark., Kansas City, Mo., or St. Louis, Mo.

No. MC 136669, filed April 21, 1972. Applicant: PROCESSED BEEF EXPRESS, INC., Post Office Box 522, Dakota City, NE 68731. Applicant's representative: John F. Roeser, Jr., Post Office Box 522, Dakota City, NE 68731. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products and meat byproducts and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (a) from Omaha and West Point, Nebr., Emporia and Wichita, Kans., Luverne and Worthington, Minn., Cherokee, Denison, Fort Dodge, Le Mars, Mason City, and Sioux City, Iowa, to points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, and to points on the international boundary between the United States and Canada located in New York; (b) from Omaha and West Point, Nebr., Emporia and Wichita, Kans., Luverne and Worthington, Minn., Cherokee, Denison, Fort Dodge, Le Mars, Mason City, and Sioux City, Iowa; to points in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin, and to points on the international boundary between the United States and Canada located in Michigan; and (c) from points in Colorado, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin to Sioux City, Iowa, and Emporia, Kans.: (2) *materials, supplies and equipment* used in the conduct of business by meat packinghouses and hide companies, from points in Colorado, Connecticut, Delaware, District of Columbia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Vermont, Virginia, West Virginia, and Wisconsin to West Point, Nebr., Emporia, Kans.; Denison, Fort Dodge, LeMars, Mason City, and Sioux City, Iowa, and Luverne, Minn. Service in (1) (a) and (b), and (2) above to be provided under continuing contract with Iowa Beef Processors, Inc., and its subsidiaries. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa; Omaha, Nebr.; or Chicago, Ill.

No. MC 136670, filed April 20, 1972. Applicant: CONBOY TRUCKING CORP., 526 West 25th Street, New York, NY 10001. Applicant's representative: Herbert Burstein, 30 Church Street, New York, NY 10007. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textiles, sheets and pillow cases, carpets, and rugs*, (1) between the New York, N.Y., commercial zone, on the one hand, and, on the other, points in Bergen, Essex, Hudson, Passaic, and Union Counties, N.J., Bradley Beach and New Brunswick, N.J.; (2) between Jersey City, N.J., on the one hand, and, on the other, points in New Jersey. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 136673, filed April 21, 1972. Applicant: BAXTER FERTILIZER COMPANY, INC., Route 2, Headland, Ala. 36345. Applicant's representative: Maurice F. Bishop, 327 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bulk, in dump trucks, or trailers, and in bags, from the plantsite, warehouse, and storage facilities of United Chemical Co., a division of Coastal Chemical Corp. near Headland in Henry County, Ala., on Alabama Highway 134 to points in Florida and Georgia, under contract with Coastal Chemical Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Montgomery, Ala.

No. MC 136674, filed April 17, 1972. Applicant: CHARLES A. FULLER, doing business as MODERN VAN & STORAGE, 867 Isabella Street, Oakland, CA 94607. Applicant's representative: W. S. Pilling, 100 Bush Street, 21st Floor, Shell Building, San Francisco, CA 94014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods* restricted to the transportation of traffic having a prior or subsequent movement, in containers, beyond the points authorized and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or

unpacking, uncrating, and decontainerization of such traffic, between points in San Francisco, Alameda, Contra Costa, San Mateo, Marin, and Santa Clara Counties, Calif. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

MOTOR CARRIER OF PASSENGERS

No. MC 136596 (Sub-No. 1), filed April 5, 1972. Applicant: NORMAN H. DAVIS, doing business as DAVIS SERVICE CO., 427 Mill Street, Bristol, PA 19007. Applicant's representative: James H. Sweeney, 850 Charles Street, Gloucester City, NJ 08030. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: (1) Regular routes: *Passengers, with or without baggage*, between Tullytown, Bristol, Maple Shade, Pennfield, Brightside, Newportville, Hulmville, Langhorne, Newtown, Pineville, Buckingham, Buckingham Valley, and Doylestown, Pa., as follows: From Tullytown over U.S. Highway 13 to Bristol, thence over unnumbered highway (Bath Road) to U.S. Highway 13, thence over U.S. Highway 13 to Pennsylvania Highway 413, thence over Pennsylvania Highway 413 and unnumbered highways to Maple Shade, Pennfield, and Brightside, thence over unnumbered highways to Newportville and Hulmville, thence over unnumbered highways and Pennsylvania Highway 413 to Langhorne, thence over Pennsylvania Highway 413 to Newtown, thence over Pennsylvania Highway 413, Pennsylvania Highway 332 and unnumbered highway (Swamp Road), and returning to Pennsylvania Highway 413 to Pineville, Buckingham, and Buckingham Valley, thence over Pennsylvania Highway 413 and U.S. Highway 202 to Doylestown, and return over the same routes, serving all intermediate points; and (2) Irregular routes: *Passengers, with or without baggage*, in special and charter operations, from points in Bristol, Middletown, Falls, and Newtown Townships, to ports of entry on the international boundary line between the United States and Canada, and to points in Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, South Carolina, Virginia, Vermont, West Virginia, and the District of Columbia, and return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Trenton, N.J., or Philadelphia, Pa.

No. MC 136614 (Sub-No. 1), filed April 17, 1972. Applicant: DIVERSIFIED TRANSPORTATION LTD., 9755 51st Avenue, Edmonton, AB, Canada. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in charter operations, beginning and ending at ports of entry on the international boundary line between the United States and Canada located in the States of Alaska, Idaho, Montana, and Washington and extending to points in Alaska, Arizona, California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at any point in the States of Washington, Idaho, and Montana.

APPLICATION FOR FILING OF FREIGHT FORWARDER

No. FF-415 General Transpac System Freight Forwarder Application, filed April 24, 1972. Applicant: GENERAL TRANSPAC SYSTEM, doing business as "TRANSPAC," 353 Sacramento Street, San Francisco, CA 94111. Applicant's representative: Charles F. Warren, 1100 Connecticut Avenue, NW., Washington, DC 20036. Authority sought to operate under section 410, part IV of the Interstate Commerce Act, for a permit to institute operation as a freight forwarder, in interstate or foreign commerce, through use of the facilities of common carriers by railroad, express, water, air, or motor vehicles in the transportation of: *General commodities*, from Chicago, Ill., Los Angeles, San Francisco and Oakland, Calif., for furtherance to Brisbane, Australia; Guam, Mariana Islands; Koror, Caroline Islands; Melbourne, Australia; Truk, Caroline Islands; and Yap, Caroline Islands.

APPLICATION FOR FILING WATER CARRIERS

No. W-552 (Sub-No. 14) (AMERICAN COMMERCIAL BARGE LINE COMPANY — Extension—INTERCOASTAL), filed May 2, 1972. Applicant: AMERICAN COMMERCIAL BARGE LINE COMPANY, Post Office Box 610, Jeffersonville, IN 47130. Applicant's representative: J. Robert Hard (same address as applicant). By application filed May 2, 1972, applicant seeks to operate as a *common carrier* by water, in interstate or foreign commerce by towing vessels in the performance of towage and by non-self-propelled vessels with the use of separate towing the transportation of *articles* or *commodities* exceeding 100 tons in weight, or 19 feet in height, or 12 feet in width, or 90 feet in length, *component parts thereof, and related equipment* (1) between ports and points along the Atlantic Coast and its tributary waterways, on the one hand, and, on the other, ports and points along the Gulf of Mexico, ports and points along the Pacific Coast and its tributary waterways, and ports and points within its existing authority; (2) between ports and points along the Pacific Coast and its tributary waterways, on the one hand, and, on the other, ports and points along the Gulf of Mexico and ports and points within its existing authority; and (3) between ports and points along the Gulf Coast, on the one hand, and, on the other, ports and points within its existing authority.

By the Commission.

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

[FR Doc.72-7849 Filed 5-24-72;8:45 am]

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THURSDAY, MAY 25, 1972
WASHINGTON, D.C.

Volume 37 ■ Number 102

PART II

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

■

Public Health Service

■

GRANTS FOR MIGRANT HEALTH SERVICE

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

SUBCHAPTER D—GRANTS

PART 56—GRANTS FOR MIGRANT HEALTH SERVICE

On December 28, 1971, proposed regulations concerning grants for migrant health services were published in the FEDERAL REGISTER (36 F.R. 25044, December 28, 1971) and public comment was invited. Approximately 200 comments were received. Although most comments were favorable, many were critical of particular provisions of the proposed regulations. In particular, concern was expressed that some State and local governmental agencies would not be able to establish Project Policy Boards under existing State law. In a similar vein, concern was expressed that existing grantees would not be able to change over from existing advisory-type boards to the required Project Policy Board within the time for filing applications for continuation grants. Although the requirement for the creation of the Project Policy Board will be retained, it has been determined that the regulations should be revised to permit a period for affected grantees to bring themselves into compliance.

In addition, the selection process with respect to membership on the Board has been amended to provide that 51 percent of the members of the Policy Board shall be chosen by the population to be served, eliminating the requirement that all such members must be from the population to be served.

Also, the requirement with respect to the creation of a separate Professional Advisory Committee has been deleted, because it was felt that separate boards and committees would not promote the desired cooperation and exchange between consumers and health professionals. Instead, the Project Policy Board will be required to have at least three members who are representatives of the community with knowledge of the health needs of the population to be served and experience in the delivery of health care services.

Many other comments discussed details of particular regulatory provisions or sought clarifications which will be dealt with in pending program guidelines.

Accordingly, having duly considered all comments received, the regulations as set forth below, are hereby adopted effective on the date of their publication in the FEDERAL REGISTER (5–25–72).

Dated: March 25, 1972.

VERNON E. WILSON,
Administrator, Health Services and Mental Health Administration.

Approved: April 17, 1972.

ELLIOT L. RICHARDSON,
Secretary.

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AUTHORITY: The provisions of this Part 56 issued under sec. 215, 58 Stat. 690, as amended; 42 U.S.C. 216; sec. 310, 76 Stat. 592, as amended; 42 U.S.C. 242h.

§ 56.101 Applicability.

The regulations in this part are applicable to the award of grants under section 310 of the Public Health Service Act (42 U.S.C. 242h) for projects providing health services to, improving health services of, or otherwise improving the health conditions of, domestic agricultural migratory workers, seasonal agricultural workers, and their families.

§ 56.102 Definitions.

As used in this part:

(a) "Act" means section 310 of the Public Health Service Act, as amended (42 U.S.C. 242h).

(b) "State" means any of the several States, the District of Columbia, Puerto Rico, and the Virgin Islands.

(c) "Secretary" means the Secretary of Health, Education, and Welfare and any other officer or employee of the Department of Health, Education, and Welfare to whom the authority involved has been delegated.

(d) "Domestic Agricultural Migratory Worker" means an individual residing in a State whose principal occupation is in agriculture on a seasonal basis, who establishes for the purpose of such employment a temporary place of abode and who has been so employed within the last 24 months.

(e) "Seasonal Agricultural Worker" means an individual residing in a State whose principal occupation is in agriculture on a seasonal basis, who has been so employed within the last 24 months and who has not established a temporary place of abode.

(f) "Agriculture" means farming in all its branches including but not limited to cultivation and tillage of the soil, the production, cultivation, growing, and harvesting of any commodity grown on, in or as an adjunct to or part of an item grown in or on the land including any practices performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including preparation for market, delivery to storage or to market or to carriers for transportation to market.

§ 56.103 Eligibility.

(a) *Eligible applicants.* Any public or other nonprofit institution, agency, or organization is eligible for a grant award.

(b) *Eligible projects.* Grants may be made by the Secretary under the Act to pay part of the cost of a project:

(1) To establish and operate family health service clinics for domestic agricultural migratory workers and their families including training persons to provide services in the establishing and operating such clinics.

(2) To improve and provide a continuity in health services for, and to improve the health conditions of, domestic agricultural migratory workers and their families, including necessary hospital care, and including training persons to provide health services for or otherwise improve health conditions of such migratory workers and their families; or

(3) To provide health services to persons (and their families) who perform seasonal agricultural services similar to the services performed by domestic agricultural migratory workers if the Secretary finds that the project is located in an area where migratory workers reside and the provision of such services will contribute to the improvement of the health conditions of such migratory workers and their families.

§ 56.104 Application for grant.

(a) An application for a grant under this part shall be submitted to the Secretary in such form and manner and at such time as the Secretary may prescribe.

(b) The application shall contain a budget and a narrative plan of the manner in which the applicant intends to conduct the project and carry out the requirements of this part.

(c) Such application shall be executed by an individual authorized to act for the applicant and to assume on behalf of the applicant, the obligations imposed by the statute, and terms and conditions of any award, including the regulations of this part.

(d) Such application shall set forth the membership of the Project Policy Board (hereinafter referred to as the board) described in § 56.105 and shall also be executed by the chairman or such other representative selected by the board, authorized to act for the board and to assume on its behalf the obligations imposed by the Act and by the terms and conditions of any award, and the regulations of this part. Such execution shall constitute the acceptance by the board of the terms and conditions of the grant and obligate it to perform its functions under the approved project in accordance with the terms thereof, the Act and the regulations of this part.

§ 56.105 Project Policy Board.

(a) Except as provided in paragraph (b) of this section. Project Policy Board shall be established by an applicant as follows:

(1) *Size.* The board shall be sufficiently large to provide adequate participation by the population to be served and shall have its chairman or other such leadership elected by the members of the board.

(2) *Selection and composition.* At least 51 percent of the members of the

board shall be chosen by a democratic process by the population to be served and at least three members shall be representatives of the community with knowledge of the health needs of the population to be served and experience in the delivery of health care services. All members of the board shall be selected to serve for a period of one year.

(3) *Meetings.* The board shall meet as often as necessary but not less than once a month during the time project services are being offered.

(4) *Functions.* (i) The board, after consultation with appropriate project staff shall from time to time establish, amend, and revise general policy in areas indicated in subdivision (ii) of this subparagraph with regard to the operation of the project: *Provided, however,* That in establishing such policy the board shall not—

(*a*) Establish any policy which is inconsistent with the Act or these regulations or which prevents the fulfillment of obligations imposed under the grant, or

(*b*) Involve itself in the day-to-day administration of the project, including the hiring or firing of any specific personnel except the project director, who shall be hired or fired only with the approval of the board.

(ii) The areas in which the board shall establish, amend, and revise general policy shall include at least the following:

(*a*) Selection and dismissal of personnel, including qualifications, salary and benefits, and grievance procedures;

(*b*) Selection and elimination of health care services;

(*c*) Eligibility for services;

(*d*) Hours and location of services;

(*e*) Priorities for allocation of project funds among services; and

(*f*) Methods of evaluating the project.

(b) The Secretary may, for good cause shown, allow a grantee a period of time for compliance with the requirements of these regulations with respect to the board as follows:

(1) *Continuation grants.* A grantee under a continuation grant may be given a reasonable period of time, not to exceed 1 year from the effective date of these regulations, to establish a board meeting the requirements of paragraph (a) of this section.

(2) *Inconsistent State or local law.* In addition, in the case of a grantee which is a State or local governmental agency and which has demonstrated to the satisfaction of the Secretary that it is unable, under State or local law, to establish a board pursuant to paragraph (a) of this section, the Secretary may allow such grantee a reasonable period of time to take the appropriate steps to have such legal disability removed, *Provided* That, such grantee, in the interim, must establish alternate procedures, approved by the Secretary, to assure maximum participation in the development, implementation, and evaluation of the project by the population to be served consistent with the concept of a Project Policy Board as set forth in paragraph (a) of this section.

Nothing in this paragraph shall relieve an applicant of the requirements of § 56.106(a)(2).

§ 56.106 Project elements.

(a) An approvable application must provide:

(1) That all project elements will be provided in a manner calculated to preserve human dignity and to maximize acceptability and utilization of services.

(2) That persons broadly representative of all elements of the population to be served and others in the community knowledgeable about such needs have been given an opportunity to participate in the development of such program and will be given an opportunity to participate in the implementation and evaluation of such program.

(3) That the project will deliver or arrange for the delivery of family-oriented primary health care which shall include, but not be limited to:

(i) Ambulatory patient diagnosis, treatment, and followup care for acute and chronic conditions;

(ii) Preventive, maternal, child health, and family planning services integrated into the delivery of treatment services;

(iii) Emergency medical and dental care; and

(iv) Diagnostic, preventive, and basic restorative dental care.

(4) That the project has established a system for maintaining health services records.

(5) That the project will arrange for:

(i) Referral of complex, difficult, or unusual cases and adequate followup to insure continuity of care;

(ii) Hospitalization of patients and hospital staff privileges for project physicians; and

(iii) Transportation, if required for patient care.

(6) That no person shall be denied service by reason of his inability to pay therefor: *Provided, however,* That a charge for the provision of services will be made to the extent that a third party (including a Government agency) is authorized or is under legal obligation to pay such charge: *And further provided,* That where the cost of care and services furnished by or through the project is to be reimbursed under title XIX of the Social Security Act, a written agreement with the title XIX agency is required.

(7) That subject to the provisions of subparagraph (6) of this paragraph, charges to be made for services rendered pursuant to the project, must be in accordance with a schedule submitted and approved as part of the project. Such schedule may provide for services to be rendered on a prepaid capitation basis. In those cases in which the project will provide services by contract or other similar arrangement with the actual providers of services, a plan shall be provided establishing rates and methods of payment (including payment on a prepaid capitation basis) for medical care. Such payment must be made pursuant to agreements with a schedule of rates, and payment procedures maintained by the grantee. The grantee must be prepared to substantiate that such rates are reasonable and necessary.

(8) That a Project Policy Board will be established in accordance with § 56.105; and

(9) That the project shall provide and implement methods of evaluating the performance of activities being carried out under the grant to assure that such activities are carried out in accordance with the regulations of this part.

(b) An approvable application must also include the following elements unless the Secretary determines that the applicant has established good cause for their omission:

(1) That in developing and operating the project, arrangements have been made for the provision of the following ancillary services: Nutrition, respiratory disease care, accident prevention, environmental health services, and health and sanitation education;

(2) That paramedical and allied health professional personnel have been or will be employed by the project; and

(3) That a plan for education of the population to be served as to the availability and location of supplementary health facilities and services has been or will be developed.

§ 56.107 Grant evaluation and award.

(a) Within the limits of funds available for such purpose, the Secretary may award grants to cover part of the cost of projects to those applicants whose projects will in his judgment best promote the purposes of the Act taking into account.

(1) The overall significance of the project in terms of the numbers of persons served, the relative need to be met, the duration of services to be provided, and the general quality of the project's plan in accordance with the project elements cited in § 56.106;

(2) The administrative and management capability and competence of the applicant;

(3) The competence of the staff in relation to the services to be provided;

(4) The extent to which the project will provide a continuity of patient care; and

(5) The comments and evaluations of the population to be served relative to the proposed project.

(b) The amount of any award shall be determined by the Secretary on the basis of his estimate of the sum necessary for all or a designated portion of direct project costs plus an additional amount for indirect costs, if any, which will be calculated by the Secretary either (1) on the basis of his estimate of the actual indirect costs reasonably related to the project, or (2) on the basis of a percentage of all, or a portion of, the estimated direct costs of the project when there are reasonable assurances that the use of such percentage will not exceed the approximate actual indirect costs. Such award may include an estimated provisional amount for indirect costs or for designated direct costs (such as hospital per diem rates or fringe benefit rates) subject to upward (within

the limits of available funds) as well as downward adjustments to actual costs when the amount properly expended by the grantee for provisional items has been determined by the Secretary: *Provided, however,* That no grant shall be made for an amount equal to the total cost as found necessary by the Secretary for the carrying out of the project. In determining the grantee's share of project costs, costs for which Federal grants from other sources have been or may be claimed or received or costs used to match other Federal grants except as may be otherwise provided by law, or costs to be met from the Federal share of grant related income (except as may be permitted by chapter 1–420 of the Department of Health, Education, and Welfare Grants Administration Manual [1]) may not be included.

(c) Except as may otherwise be provided by the regulations of this part, the identification of direct and indirect costs will be consistent with the generally accepted and established accounting practices that the grantee applies to its own activities and in conformance with the applicable principles set forth in chapters 1–76, 2–65, 2–66, and 5–60 of the Department of Health, Education, and Welfare Grants Administration Manual.

(d) All grant awards shall be in writing, shall set forth the amount of funds granted and the period for which support is recommended.

(e) Neither the approval of any project nor any grant award shall commit or obligate the United States in any way to make any additional, supplemental, continuation, or other award with respect to any approved project or portion thereof. For continuation support, grantees must make separate applications annually at such times and in such form as the Secretary may direct.

§ 56.108 Grant payments.

The Secretary shall from time to time make payments to a grantee of all or a portion of any grant award, either in advance or by way of reimbursement for expenses incurred or to be incurred in the performance of the project to the extent he determines such payments necessary to promote prompt initiation and advancement of the approved project. Such payments may include reimbursement to a grantee for services rendered on a prepaid capitation basis.

§ 56.109 Use of project funds.

(a) Any funds granted pursuant to this part as well as other funds to be used in performance of the approved project shall be expended solely for carrying out the approved project in accordance with the statute, the regulations of this part, the terms and conditions of the award and cost principles set forth in the Department of Health, Education, and Welfare Grants Administration Manual.

[1] The Department Grants Administration Manual is available for inspection at the Public Information Office of the several Department Regional Offices and available for purchase at the Government Printing Office, GPO Document No. 894–523.

(b) Project funds may be used to reimburse members of the Project Policy Board for actual expenses: *Provided,* That Domestic Agricultural Migratory Workers and Seasonal Agricultural Workers may also be reimbursed for wages lost by reason of attendance at meetings.

(c) Prior approval by the Secretary of revision of the budget and project plan is required whenever there is to be a significant change in the scope or nature of project activities.

§ 56.110 Civil rights.

Attention is called to the requirements of title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. 2000d et seq.) and in particular section 601 of such Act which provides that no person in the United States shall on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. A regulation implementing such title VI, which applies to grants made under this part, has been issued by the Secretary of Health, Education, and Welfare with the approval of the President (45 CFR Part 80). In addition, no person shall on the grounds of age, sex, creed, or marital status (unless otherwise medically indicated) be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Nor shall any person be denied employment in or by such program or activity so receiving Federal financial assistance on the grounds of age, sex, creed, or marital status.

§ 56.111 Confidentiality.

Each grant award is subject to the condition that all information obtained by the personnel of the project from participants in the project related to their examination, care, and treatment, shall be held confidential, and shall not be divulged without the individual's consent except as may be required by law or as may be necessary to provide service to the individual. Information may be disclosed in summary, statistical, or other form which does not identify particular individuals.

§ 56.112 Inventions or discoveries.

Any grant award pursuant to § 56.107 is subject to the regulations of the Department of Health, Education, and Welfare as set forth in 45 CFR Parts 6 and 8, as amended. Such regulations shall apply to any activity for which grant funds are in fact used whether within the scope of the project as approved or otherwise. Appropriate measures shall be taken by the grantee and by the Secretary to assure that no contracts, assignments or other arrangements inconsistent with the grant obligation are continued or entered into and that all personnel involved in the supported activity are aware of and comply with such obligations. Laboratory notes, related technical data, and information pertaining to inventions and discoveries shall be maintained for such periods, and filed with or otherwise made available to the Secretary, or those he may designate at such times and in such manner, as he may determine necessary to carry out such Department regulations.

§ 56.113 Publications and copyright.

Except as may otherwise be provided under the terms and conditions of the award, the grantee may copyright without prior approval any publications, films or similar materials developed or resulting from a project supported by a grant under this part, subject, however, to a royalty-free, nonexclusive, and irrevocable license or right in the Government to reproduce, translate, publish, use, disseminate, and dispose of such materials and to authorize others to do so.

§ 56.114 Grantee accountability.

(a) *Accounting for grant award payments.* All payments made by the Secretary shall be recorded by the grantee in accounting records separate from the records of all other grant funds, including funds derived from other grant awards. With respect to each approved project the grantee shall account for the sum total of all amounts paid by presenting or otherwise making available evidence satisfactory to the Secretary of expenditures for direct and indirect costs meeting the requirements of this part: *Provided, however,* That when the amount awarded for indirect cost was based on a predetermined fixed-percentage of estimated direct costs, the amount allowed for indirect costs shall be computed on the basis of such predetermined fixed-percentage rates applied to the total, or a selected element thereof, of the reimbursable direct costs incurred.

(b) *Accounting for equipment.* As used in this section the term "equipment" means an article of property procured or fabricated which is complete in itself, is of a durable nature, and has an expected service life of more than 1 year. Equipment on hand on the date of termination for which accounting is required in accordance with the procedures set forth in chapter 1–410–50 of the Department of Health, Education, and Welfare Grants Administration Manual shall be identified and reported by the grantee in accordance with such procedures, and, accounted for by one or a combination of the following methods, as determined by the Secretary:

(1) *Retention of equipment for other migrant health projects.* Equipment may be used, without adjustment of accounts, on other grant supported projects (whether or not federally supported) within the scope of the Act, and no other accounting for such equipment shall be required: *Provided, however,* (i) That during such period of use no charge for depreciation, amortization, or for other use of the equipment shall be made against any existing or future Federal grant or contract, and (ii) if, within the period of its useful life, the equipment is transferred by sale or otherwise for use outside the scope of the Act, the Federal

portion of the fair market value at the time of transfer shall be refunded to the Federal Government.

(2) *Sale or other disposition of equipment, crediting of proceeds or value.* The equipment may be sold by the grantee and the net proceeds of the sale credited to the grant account for project use, or they may be used or disposed of in any manner by the grantee by crediting to the grant account the Federal share of the fair market value on the termination date. To the extent equipment purchased from grant funds is used for credit or trade-in on the purchase of new equipment, the accounting obligation shall apply to the same extent to such new equipment.

(3) *Return or transfer of equipment.* The equipment may be returned to the Federal Government by the grantee or, in accordance with the provisions of chapter 1-410-50B of the Department of Health, Education, and Welfare Grants Administration Manual may be transferred to another grantee for the purpose of continuing the project for which the equipment was purchased.

(c) *Accounting for grant related income*—(1) *Interest.* Pursuant to section 203 of the Intergovernmental Cooperation Act of 1968 (42 U.S.C. 4213), a State will not be held accountable for interest earned on grant funds, pending their disbursement for grant purposes. A State, as defined in section 102 of the Intergovernmental Cooperation Act, means any one of the several States, the District of Columbia, Puerto Rico, any territory or possession of the United States, or any agency or instrumentality of a State, but does not include the governments of the political subdivisions of the State. All grantees other than a State, as defined in this subsection, must return all interest earned on grant funds to the Federal Government.

(2) *Royalties.* Royalties earned from publications or similar material produced from a grant must first be used to reduce the Federal share of the grant to cover the costs of publishing or producing the materials. Royalties in excess of the costs of publishing or producing the materials shall be distributed as in subparagraph (3) of this paragraph.

(3) *Other income.* Other income earned by the grantee shall be disposed of in accordance with one of the alternatives specified in chapter 1-420 of the Grants Administration Manual as determined by the Secretary in the grant award.

(d) *Grant closeout*—(1) *Date of final accounting.* A grantee shall render, with respect to each approved project, a full account, as provided herein, as of date of the termination of grant support. The Secretary may require other special and periodic accounting.

(2) *Final settlement.* There shall be payable to the Federal Government as final settlement with respect to each approved project the total sum of:

(i) Any amount not accounted for pursuant to paragraph (a) of this section;

(ii) Any credits for material on hand as provided in paragraph (b) of this section;

(iii) Any credits for earned interest pursuant to paragraph (c)(1) of this section;

(iv) Any other settlements required pursuant to paragraph (c) (2) and (3) of this section.

Such total sum shall constitute a debt owed by the grantee to the Federal Government and shall be recovered from the grantee or its successors or assignees by set off or other action as provided by law.

§ 56.115 Records, reports, inspection, and audit.

(a) *Records and reports.* Each grant awarded pursuant to this part shall be subject to the condition that the grantee shall maintain such operational and accounting records, identifiable by grant number, and file with the Secretary such operational and fiscal reports relating to the use of grant funds, as the Secretary may find necessary to carry out the purposes of the Act and the regulations. All records shall be retained for 3 years after the close of the budget period. Such records may be destroyed at the end of such 3-year period if the applicant has been notified of the completion of the Federal audit by such time. If the applicant has not been so notified, such records shall be retained (1) for 5 years after the close of the budget period or (2) until the grantee is notified of the completion of the Federal audit, whichever comes first. In all cases where audit questions have arisen before the expiration of such 5-year period, records shall be retained until resolution of all such question.

(b) *Inspection and audit.* Any application for a grant under this part shall constitute the consent of the applicant to inspections of the facilities, equipment, and other resources of the applicant at reasonable times by persons designated by the Secretary and to interview with principal staff members to the extent that such resources and personnel are, or will be, part of the project. In addition, the acceptance of any grant under this part shall constitute the consent of the grantee to inspections and fiscal audits by such persons of the supported activity and of records relating to the use of grant funds.

§ 56.116 Additional conditions.

The Secretary may with respect to any grant award impose additional conditions prior to or at the time of any award when in his judgment such conditions are necessary to assure or protect advancement of the approved project, the interests of public health, or the conservation of grant funds.

§ 56.117 Early termination and withholding of payments.

Whenever the Secretary finds that a grantee has failed in a material respect to comply with the Act, the regulations of this part, or the terms of the grant, he may, on reasonable notice to the grantee, withhold further payments, and take such other action, including the termination of the grant, as he finds appropriate to carry out the purposes of the Act and regulations. Noncancelable obligations of the grantee properly incurred prior to the receipt of the notice of termination will be honored. The grantee shall be promptly notified of such termination in writing and given the reasons therefor.

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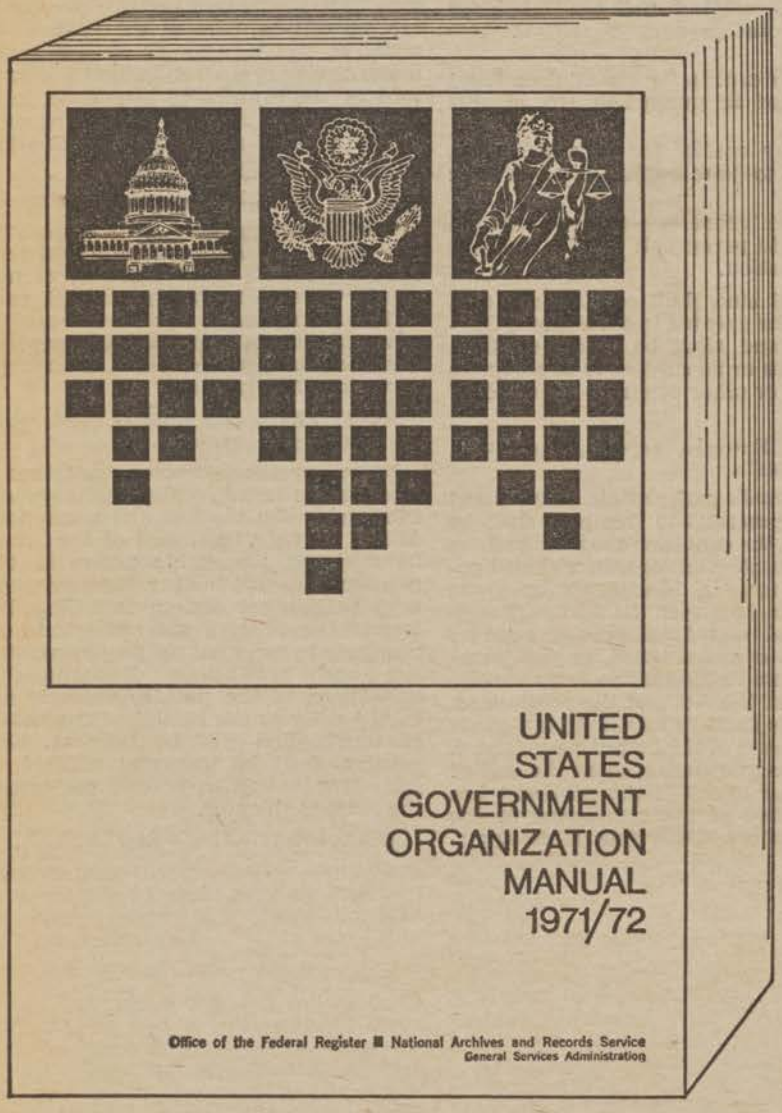

The Manual describes the creation and authority, organization, and functions of the agencies in the legislative, judicial, and executive branches.

Most agency statements include new "Sources of Information" listings which tell you what offices to contact for information on such matters as:

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