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## HIGHLIGHTS OF THIS ISSUE

This listing does not affect the legal status of any document published in this issue. Detailed table of contents appears inside.

### PRICE CONTROL—

- Price Comm. withdraws proposed changes in profit margin calculation for lumber firms formerly exempted from control..... 24837
- Price Comm. restates "no price increase" certification statement for firms producing custom products and services; effective 11-20-72..... 24813

- MOTOR VEHICLE LIGHTING—DoT changes planned effective date to 9-1-73 for proposed requirements for turn signal and hazard warning signal flashers..... 24836

- DRUG RETAILING—FDA stays effective date of new enforcement regulations governing "cents-off," "economy size," and other savings offers; effective 11-22-72..... 24815

- POLITICAL BROADCASTING/CABLECASTING—FCC requires stations to submit data on media use by candidates during recent primary and general elections for forthcoming report..... 24847

- ANTIDUMPING—Treasury Dept. discontinues investigation on Japanese welding stainless steel pipe tubing; announces finding on bicycle speedometers from Japan; allows 30 days for comment on intent to revoke finding on chromic acid from Australia (3 documents)..... 24826, 24838

- NEW ANIMAL DRUGS—FDA approves bunamidine tablets for dogs and cats; effective 11-22-72..... 24816

(Continued inside)



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## HIGHLIGHTS—Continued

### ANTIBIOTICS—

- FDA approves cephalixin monohydrate tablets and minocycline hydrochloride oral suspension (2 documents); effective 11-22-72..... 24816, 24817
- FDA proposal for the recodification and technical revisions of the ampicillin monographs; 60 days for comment..... 24830

- FEDERAL COAL MINE VIOLATIONS—**Interior Dept. proposal to revise procedure for protest and appeal of civil penalties; comments within 45 days..... 24828

- SOLICITATIONS IN GUISE OF BILLS—**Postal Service prescribes mailing provisions..... 24825

- COTTON—**USDA 1973 acreage allotments and marketing quotas for extra long staple cotton; effective 11-17-72..... 24813

- TEXTILE AND CLOTHING CARE—**FTC amends garment labeling regulations; effective 11-22-72 and extends suspension of laundering requirements to 1-2-73 for carpets and rugs containing alumina trihydrate in backing (2 documents)..... 24815, 24853

- MOLECULAR SIEVE RESINS—**FDA provides for use in processing food; effective 11-22-72..... 24816

### PUBLIC MEETINGS—

- HEW: Artificial Kidney-Chronic Uremia Advisory Committee, 12-11-72..... 24841
- Medical Education Review Committee, 12-13 to 12-14-72..... 24841
- National Advisory Health Council, 12-13 to 12-14-72..... 24842
- Dental Education Review Committee, 12-12-72..... 24841
- Nat'l Advisory Food Committee, 17-27 to 11-28-72..... 24841
- Nat'l Advisory Public Health Training Council, 12-12-72..... 24841
- FCC: Cable Television Technical Advisory Committee, 12-4-72..... 24847
- Dialer Devices Subcommittee, 12-19 to 12-21-72..... 24847

## Contents

### AIR FORCE DEPARTMENT

- Rules and Regulations
- Disposition of personal property... 24818
- Sentry dog program..... 24823

### AGRICULTURAL MARKETING SERVICE

- Rules and Regulations
- Canned plums; U.S. standards for grades; corrections..... 24813
- Cotton; 1973 crop, extra long staple; State reserves and county allotments..... 24813
- Oranges and grapefruit grown in Lower Rio Grande Valley in Texas; container, pack, and container marking regulations..... 24814

### Proposed Rule Making

- Lettuce grown in Lower Rio Grande Valley in South Texas; expenses and rate of assessment..... 24827
- Oranges, grapefruit, tangerines, and tangelos grown in Florida; exemptions from handling regulations..... 24827

### AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

- Proposed Rule Making
- Marketing quota review regulations; extension of review committee member office term..... 24827

### AGRICULTURE DEPARTMENT

- See Agricultural Marketing Service; Agricultural Stabilization and Conservation Service.

### ATOMIC ENERGY COMMISSION

- Notices
- Availability of applicants' environmental statements:
- Carolina Power and Light Co.... 24842
- Iowa Electric Light & Power Co.... 24842
- Long Island Lighting Co.; schedule for prehearing conference and for evidentiary hearing.... 24843
- Washington Public Power Supply System; order scheduling prehearing conference..... 24843

### CIVIL AERONAUTICS BOARD

- Notices
- Hearings, etc.:
- Delta Air Lines, Inc..... 24843
- Frontier Airlines, Inc..... 24843
- Purdue Airlines, Inc., and Fiesta Air..... 24845
- Southern Airways, Inc..... 24845

### COMMERCE DEPARTMENT

- See Import Programs Office.

### CUSTOMS BUREAU

- Rules and Regulations
- Bicycle speedometers from Japan; antidumping..... 24826
- Notices
- Chromic acid from Australia; intent to revoke finding of dumping..... 24838

### DEFENSE DEPARTMENT

- See Air Force Department.

### FEDERAL AVIATION ADMINISTRATION

- Rules and Regulations
- Transition areas; alterations (2 documents)..... 24815

### FEDERAL COMMUNICATIONS COMMISSION

- Notices
- Advisory subcommittee meetings:
- Dialer Devices..... 24847
- Panel 4 of Technical Advisory Committee..... 24847
- Hearings, etc.:
- Political broadcasting / cable-casting reports..... 24847
- YES! and Fliteline Services.... 24847

### FEDERAL MARITIME COMMISSION

- Notices
- Aero-Nautics Forwarders, Inc., et al; independent ocean freight forwarder license applicants.... 24848
- Agreements filed:
- Maryland Port Association and Ramsay, Scarlett & Co., Inc.... 24848
- United States Atlantic & Gulf-Haiti Conference..... 24849
- Petitions filed:
- Japan-Atlantic & Gulf Freight Conference..... 24848
- Trans-Pacific Freight Conference of Japan..... 24849

(Continued on next page)



**FEDERAL POWER COMMISSION****Notices***Hearings, etc.:*

Asfahl, Nancy Ann, et al.....	24850
Iowa Public Service Co. (2 documents) .....	24850
Louisiana Gas Purchasing Corp. (2 documents) .....	24851
Otter Tail Power Co.....	24851

**FEDERAL RESERVE SYSTEM****Notices**

Ellis Banking Corp.; acquisitions of banks (2 documents) .....	24852
Proposed acquisitions of financial institutions:	
County National Bancorporation .....	24852
First Tennessee National Corp. ....	24852

**FEDERAL TRADE COMMISSION****Rules and Regulations**

Care labeling of textile wearing apparel .....	24815
--	-------

**Notices**

Laundrying procedures for carpets and rugs; extension of requirements .....	24853
---	-------

**FISH AND WILDLIFE SERVICE****Rules and Regulations**

Amagansett National Wildlife Refuge, N.Y.; public access, use and recreation .....	24826
Necedah National Wildlife Refuge, Wis.; sport fishing .....	24826

**FOOD AND DRUG ADMINISTRATION****Rules and Regulations**

Bunamidine hydrochloride; new animal drugs in oral dosage forms .....	24816
"Cents-off" and "economy size" package promotions; stay in part of confirmation of effective date .....	24815
Cephalexin monohydrate tablets; certification .....	24816
Minocycline hydrochloride oral suspension; certification .....	24817
Molecular sieve resins; food additive .....	24816

**Proposed Rule Making**

Ampicillin; recodification and name change .....	24830
--	-------

**Notices**

National Advisory Food Committee; meetings .....	24841
--	-------

**FOREIGN-TRADE ZONES BOARD****Notices**

Mayaguez, Puerto Rico; contiguous expansion .....	24853
---	-------

**GEOLOGICAL SURVEY****Notices**

Power site cancellations:	
Green River, Utah .....	24838
Merced River Basin, Calif. ....	24839
Snake River Basin, Idaho .....	24839

**HEALTH, EDUCATION, AND WELFARE DEPARTMENT**

*See also Food and Drug Administration; National Institutes of Health.*

**Notices**

National Advisory Health Council; meeting .....	24842
---	-------

**IMPORT PROGRAMS OFFICE****Notices**

Applications for duty-free entry of scientific articles; North Carolina Department of Mental Health et al.; correction .....	24839
Decisions on applications for duty-free entry of scientific articles:	
Harvard University .....	24839
University of Colorado (2 documents) .....	24839, 24840
University of Michigan and Kentucky State College .....	24840

**INTERIOR DEPARTMENT**

*See Fish and Wildlife Service; Geological Survey; Land Management Bureau; Mines Bureau.*

**INTERSTATE COMMERCE COMMISSION****Notices**

Assignment of hearings .....	24855
Fourth section application for relief .....	24856
Reading Co.; rerouting or diversion of traffic .....	24856
Motor carriers:	
Alternate route deviation notices (2 documents) .....	24856
Applications and certain other proceedings .....	24861
Board transfer proceedings .....	24864
Temporary authority applications .....	24865
Notice of filing of intrastate applications .....	24867

**LABOR DEPARTMENT****Notices**

Termination of extended unemployment compensation:	
Pennsylvania .....	24855
Puerto Rico .....	24855
Vermont .....	24855

**LAND MANAGEMENT BUREAU****Notices**

Alaska; Seward Meridian; filing of plat of survey .....	24838
---	-------

**MINES BUREAU****Proposed Rule Making**

Coal mine health and safety; civil penalties for violation; assessments and procedures .....	24828
--	-------

**Notices**

Termination of helium purchase contracts; availability of final environmental statement .....	24838
---	-------

**NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION****Rules and Regulations**

Glazing materials; response to petition for reconsideration; correction .....	24826
---	-------

**Proposed Rule Making**

Lamps, reflective devices, and associated equipment; modification of effective date .....	24836
---	-------

**NATIONAL INSTITUTES OF HEALTH****Notices**

Committee meetings:	
Artificial Kidney-Chronic Uremia Advisory Committee .....	24841
Dental Education Review Committee .....	24841
Medical Education Review Committee .....	24841
National Advisory Public Health Training Council .....	24841

**POSTAL SERVICE****Rules and Regulations**

Solicitations by mail in guise of bills or statements of account .....	24825
--	-------

**PRICE COMMISSION****Rules and Regulations**

Price stabilization; certification in Forms PC-50 and PC-51 .....	24813
---	-------

**Proposed Rule Making**

Lumber firms formerly exempted from control; profit margin calculation; withdrawal of proposed rule .....	24837
---	-------

**RENEGOTIATION BOARD****Rules and Regulations**

Contractors; assignment, conduct and forms; correction .....	24825
--	-------

**SECURITIES AND EXCHANGE COMMISSION****Notices**

<i>Hearings, etc.:</i>	
Allegheny Power System, Inc. ....	24853
Marketing Communications, Inc. ....	24854
Power Conversion, Inc. ....	24854
Topper Corp. ....	24854
Western Massachusetts Electric Co. ....	24854

**STATE DEPARTMENT****Rules and Regulations**

Protection of foreign dignitaries and other official personnel .....	24817
--	-------

**TRANSPORTATION DEPARTMENT**

*See Federal Aviation Administration; National Highway Traffic Safety Administration.*

**TREASURY DEPARTMENT**

*See also Customs Bureau.*

**Notices**

Welded stainless steel pipe and tubing from Japan .....	24838
---	-------



## List of CFR Parts Affected

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

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

<b>6 CFR</b>	<b>19 CFR</b>	<b>30 CFR</b>
300..... 24813	153..... 24826	PROPOSED RULES:
PROPOSED RULES:		100..... 24828
300..... 24837	<b>21 CFR</b>	<b>32 CFR</b>
<b>7 CFR</b>	1..... 24815	803..... 24818
52..... 24813	121..... 24816	930..... 24823
722..... 24813	135..... 24816	1471..... 24825
906..... 24814	135c..... 24816	1472..... 24825
PROPOSED RULES:	148w..... 24816	1498..... 24825
711..... 24827	150g..... 24817	<b>39 CFR</b>
905..... 24827	PROPOSED RULES:	123..... 24825
971..... 24827	135c..... 24830	<b>49 CFR</b>
<b>14 CFR</b>	141..... 24830	571..... 24826
71 (2 documents)..... 24815	141a..... 24830	PROPOSED RULES:
<b>16 CFR</b>	146a..... 24830	571..... 24836
423..... 24815	149b..... 24830	<b>50 CFR</b>
	<b>22 CFR</b>	28..... 24826
	2..... 24817	33..... 24826







# Rules and Regulations

## Title 6—ECONOMIC STABILIZATION

### Chapter III—Price Commission

#### PART 300—PRICE STABILIZATION

##### Forms PC-50 and PC-51; Certification

The purpose of this amendment is to restate the certification of no price increase set forth in the instructions for the preparation of Forms PC-50 and PC-51 appearing in Appendix II to Part 300 of the Price Commission regulations.

On November 15, 1972, the Commission published (37 F.R. 24188) a revision of the certification appearing in the second paragraph of the "Who Must File" part of the instructions for the preparation of Forms PC-50 and PC-51 to cover special regulation No. 1, the custom products rule of § 300.410, and the volatile pricing rule of § 300.51(f). The certification provided in part as follows:

"\* \* \* I further certify that this firm has not (1) determined a base price for any custom product or service under § 300.410 of the regulations of the Price Commission, or, if it has determined such a price, that the annual revenues attributable to that product or service represent less than \$1 million and less than 1 percent of the firm's total annual revenues \* \* \* .

In order to make it clear that a firm that has determined a base price for a custom product or service may execute the certification, only if the revenues from all of its custom products or services total less than \$1 million and less than 1 percent of its total annual revenues, the words "the annual revenues attributable to that product or service" in the certification as published on November 15, 1972 are changed to read, "the annual revenues attributable to all its custom products or services."

For the convenience of interested persons, the certification as amended is set forth in full in this amendment.

Because the purpose of this amendment is to provide guidance and information that is needed immediately for compliance with the Price Stabilization Program, notice and public procedure is impracticable and good cause exists for making it effective in less than 30 days after publication in the FEDERAL REGISTER.

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

In consideration of the foregoing, the certification appearing in the second

paragraph of the "Who Must File" part of the "Instructions for the preparation of Form PC-50" and of the "Instructions for the preparation of Form PC-51," is amended to read as follows, effective November 20, 1972:

I certify that as of (last day in firm's fiscal quarter), (name of firm) has not at any time since November 13, 1971, charged a price in excess of base price established for any property or service under the regulations of the Price Commission, or if such a price was charged, that the firm has complied with all of the requirements of special regulation No. 1 and since that time has not increased a price above base price. I further certify that this firm has not (1) determined a base price for any custom product or service under § 300.410 of the regulations of the Price Commission, or, if it has determined such a price, that the annual revenues attributable to all its custom products or services represent less than \$1 million and less than 1 percent of the firm's total annual revenues, and (2) increased a price pursuant to the special rule for volatile pricing under § 300.51(f) of the regulations of the Price Commission.

-----  
Chief Executive Officer (or  
other authorized executive  
officer)

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

By direction of the Commission.

JAMES B. MINOR,  
General Counsel,  
Price Commission.

[FR Doc.72-20157 Filed 11-21-72; 8:53 am]

## Title 7—AGRICULTURE

### Chapter I—Agricultural Marketing Service (Standards, Inspection, Marketing Practices), Department of Agriculture

#### PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

##### Subpart—U.S. Standards for Grades of Canned Plums

###### Correction

In F.R. Doc. 72-19106 appearing at page 23807 of the issue for Thursday, November 9, 1972, the following changes should be made:

1. In § 52.1788(c) the symbols reading "LWLx" and "LRLx", respectively, should read "LWL̄x" and "LRL̄x", respectively.

2. In the second part of table III in § 52.1788 the following heading should be inserted between the sixth and seventh horizontal rows: "Green-Yellow Plums, Whole, Unpeeled".

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

#### SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

##### PART 722—COTTON

##### Subpart—1973 Crop of Extra-Long Staple Cotton; Acreage Allotments and Marketing Quotas

###### STATE RESERVES AND COUNTY ALLOTMENTS

Section 722.562 is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). This section establishes the State reserves and allocation thereof among uses for the 1973 crop of extra-long staple cotton. It also establishes the county allotments. Such determinations were made initially by the respective State committees and are hereby approved and made effective by the Administrator, ASCS, pursuant to delegated authority (35 F.R. 19798, 36 F.R. 6907).

Notice that the Secretary was preparing to establish State and county allotments was published in the FEDERAL REGISTER on September 6, 1972 (37 F.R. 18039) in accordance with 5 U.S.C. 553. The views and recommendations received in response to such notice have been duly considered.

In order that farmers may be informed as soon as possible of 1973 farm allotments so that they may make plans accordingly, it is essential that this section be made effective as soon as possible. Accordingly, it is hereby found and determined that compliance with the 30-day effective date requirement of 5 U.S.C. 553 is impracticable and contrary to the public interest, and § 722.562 shall be effective upon filing this document with the Director, Office of the Federal Register.

§ 722.562 State reserves and county allotments for the 1973 crop of extra-long staple cotton.

(a) *State reserves.* The State reserves for each State shall be established and allocated among uses for the 1973 crop of extra-long staple cotton pursuant to § 722.508 of the Regulations for Acreage Allotments for 1966 and Succeeding Crops of Extra-Long Staple Cotton (31 F.R. 6247, 13530, 32 F.R. 5416, 33 F.R. 8427, 16066, 16435, 34 F.R. 5, 808, 37 F.R. 9202, 11965). Pursuant to this authority, the 1973 State acreage reserve for Florida has been approved by the Deputy Administrator, State and County Operations, to be in excess of 2 percent but not more than 10 percent of the State allotment available for distribution to



counties in the State. It is hereby determined that no State reserve is required for trends, abnormal conditions, inequities and hardships or small farms. The following table sets forth the State reserve for each State. The table also sets forth the allotment in the State productivity pool which shall not be allocated to counties and farms, as required under § 722.509(a) of the Regulations for Acreage Allotments for 1966 and Succeeding Crops of Extra-Long Staple Cotton.

State	State productivity pool	Total State reserve	Allocation from State reserve for new farms and corrections of errors
Arizona.....	606	10.0	10.0
California.....		15.5	15.5
Florida.....		10.8	10.8
Georgia.....			
New Mexico.....	-43	10.8	10.8
Texas.....	171		
U.S. total.....	794	36.3	36.3

(b) *County allotments.* County allotments are established for the 1973 crop of extra-long staple cotton in accordance with § 722.509 of the Regulations for Acreage Allotments for 1966 and Succeeding Crops of Extra-Long Staple Cotton. The following table sets forth the county allotments:

ARIZONA		County allotment (acres)
County		
Cochise .....		2,080.0
Gila .....		18.4
Graham .....		14,132.7
Maricopa .....		17,918.7
Pima .....		3,107.7
Pinal .....		11,447.9
Yuma .....		1,708.6
State .....		50,414.0
CALIFORNIA		
Imperial .....		147.4
Riverside .....		629.6
State .....		777.0
FLORIDA		
Alachua .....		64.7
Hamilton .....		3.3
Jefferson .....		1.7
Madison .....		29.8
Marion .....		0
Suwannee .....		2.4
Union .....		55.6
State .....		157.5
GEORGIA		
Berrien .....		122.4
Cook .....		34.6
State .....		157.0
NEW MEXICO		
Chaves .....		74.1
Dona Ana .....		22,255.6
Eddy .....		182.7
Hidalgo .....		40.4
Luna .....		1,108.3
Otero .....		46.2
Sierra .....		245.9
State .....		23,953.2

## TEXAS

County	County allotment (acres)
Brewster .....	17.0
Culberson .....	407.4
El Paso .....	26,954.7
Hudspeth .....	3,609.8
Jeff Davis .....	87.3
Loving .....	13.6
Pecos .....	1,273.9
Presidio .....	99.5
Reeves .....	8,354.5
Ward .....	617.3
State .....	41,435.0

(Secs. 344, 347, 375, 63 Stat. 670, as amended, 675, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1344, 1347, 1375)

Effective date: Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on November 17, 1972.

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

[FR Doc.72-20093 Filed 11-17-72;10:40 am]

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

[Amdt. 14]

### PART 906—ORANGES AND GRAPEFRUIT GROWN IN THE LOWER RIO GRANDE VALLEY IN TEXAS

#### Container, Pack, and Container Marking Regulations

*Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 906, as amended (7 CFR Part 906), regulating the handling of oranges and grapefruit grown in the Lower Rio Grande Valley in Texas, 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 of the Texas Valley Citrus Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation on the handling of Texas oranges and grapefruit, as hereinafter set forth, is in accordance with the provisions of said marketing agreement and order, and will tend to effectuate the declared policy of the act.

(2) This action reflects the Department's appraisal of the need for restricting the use of containers and pack sizes to those most suitable for the packing and handling of fruit to promote orderly marketing, so as to provide consumers with good quality fruit, while improving returns to producers pursuant to the declared policy of the act. The amendment adds four containers to those currently authorized under paragraph (a) (1) of § 906.340 (7 CFR 906.340; 37 F.R. 2765; 4707; 21800; 23262) for the shipment of Texas oranges and grapefruit. These containers are

four different types of bulk bins, on which the committee has conducted suitability tests under the research provisions of paragraph (a) (1) (ix) of § 906.340. The wire crib would be authorized for an indefinite period, while the two plywood bins and the corrugated fiberboard carton would be authorized through July 31, 1973. Under the amendment, handlers who use bulk bins would be required to use new liners in these containers each time they are filled for shipment. Such requirement is necessary to prevent contamination and spoilage of the fruit during shipment.

(3) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (i) the handling of fruit is now in progress and to be of maximum benefit the provisions of this amendment should be effective upon the date hereinafter specified, (ii) the effective date hereof will not require of handlers any preparation that cannot be completed prior thereto, (iii) this amendment was recommended by members of the Texas Valley Citrus Committee in an open meeting at which all interested persons were afforded opportunity to submit their views, (iv) the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and (v) this amendment relieves restrictions on the handling of oranges and grapefruit grown in the Lower Rio Grande Valley in Texas.

*Order.* Therefore, it is ordered, That the provisions of paragraph (a) (1) of § 906.340 (7 CFR 906.340; 37 F.R. 2765; 4707; 21800; 23262) be revised by deleting subdivision (x), and adding the following new subdivisions (x), (xi), (xii), and (xiii) to read as follows:

#### § 906.340 Container, pack, and container marking regulations.

(a) \* \* \*

(1) \* \* \*

(x) Wire crib with inside dimensions of 46½ by 37 by 30 inches: *Provided*, That such cribs be constructed of either 4 by 4 inch mesh wire at least 0 gage, or 2 by 2 inch mesh wire at least 2 gage; and *Provided further*, That a new liner shall be placed in this container each time it is filled for shipment;

(xi) For the period November 20, 1972, through July 31, 1973, corrugated fiberboard carton with inside dimensions of 47¼ by 39¼ by 28 inches: *Provided*, That the container has a Mullen or Cady test of at least 1,100 pounds; and *Provided further*, That a new liner shall be placed in this container each time it is filled for shipment;

(xii) For the period November 20, 1972, through July 31, 1973, plywood bin with inside dimensions of 45 by 36 by 32



inches: *Provided*, That a new liner shall be placed in this container each time it is filled for shipment; and

(xiii) For the period November 20, 1972, through July 31, 1973, plywood bin with inside dimensions of 46¼ by 41½ by 21½ inches: *Provided*, That a new liner shall be placed in this container each time it is filled for shipment.

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

Dated November 17, 1972, to become effective November 20, 1972.

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

[FR Doc.72-20138 Filed 11-21-72; 8:51 am]

## Title 14—AERONAUTICS AND SPACE

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

[Airspace Docket No. 72-SO-90]

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

##### Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation regulations is to alter the Swainsboro, Ga., transition area.

The Swainsboro transition area is described in § 71.181 (37 F.R. 2143). In the description, an extension is predicated on the Swainsboro TVOR 315° radial. Because of a change in the final approach radial of VOR runway 13 instrument approach procedure it is necessary to alter the description to redesignate the extension and predicate it on the Swainsboro TVOR 294° radial. Since this amendment is minor in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation regulations is amended, effective December 7, 1972, as hereinafter set forth.

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

"\* \* \* 315° \* \* \*" is deleted and  
"\* \* \* 294° \* \* \*" 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 November 13, 1972.

DUANE W. FREER,  
Acting Director, Southern Region.

[FR Doc.72-20065 Filed 11-21-72; 8:45 am]

[Airspace Docket No. 72-WE-39]

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

##### Alteration of Transition Area

On October 6, 1972 a notice of proposed rule making was published in the FEDERAL REGISTER (37 F.R. 21175) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation regulations that would alter the description of the Las Vegas, Nev., 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., January 4, 1973.

(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 November 13, 1972.

ROBERT O. BLANCHARD,  
Acting Director,  
Western Region.

In § 71.181 (37 F.R. 2143) the description of the Las Vegas, Nev. transition area is amended in part as follows: Beginning in line 6 delete "\* \* \* latitude 36°16'00" N., longitude 115°32'00" W., \* \* \*" and substitute "\* \* \* latitude 36°16'00" N., longitude 115°55'00" N., to latitude 36°58'00" N., longitude 115°55'00" W., \* \* \*" therefor.

[FR Doc.72-20064 Filed 11-21-72; 8:45 am]

## Title 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

#### SUBCHAPTER D—TRADE REGULATION RULES

##### PART 423—CARE LABELING OF TEXTILE WEARING APPAREL

##### Amendment to Trade Regulation Rule

The Federal Trade Commission pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41, et seq., and the provisions of Part I, Subpart B of the Commission's procedures and rules of practice, 16 CFR 1.11 et seq., proposed and amendment to example 4 of the trade regulation rule relating to the care labeling of textile wearing apparel. The rule, published in the FEDERAL REGISTER on December 16, 1971, became effective on July 3, 1972. Notice of the proposed amendment was published in the FEDERAL REGISTER on July 11, 1972 (37 F.R.

13560). The proposed amendment was to change example 4 of the rule to read: "4. Professional dry clean only." Example 4 of the rule as originally promulgated read: "4. Dry clean only. Do not use petroleum solvents, or the coin operated method of drycleaning." Interested parties were thereafter afforded opportunity to comment on the proposed amendment through the submission of written data and to express their approval or disapproval of the proposed amendment or to recommend revisions thereof.

The Commission has now considered all matters of fact, law, policy, and discretion, including the data and views submitted for the record by interested parties in response to the notice, as prescribed by law, and has determined that example 4 to the care labeling rule be amended as proposed with the exception that the word "professional" not be included. On the basis of the recommendations in the record, the Commission concluded that inclusion of the word "professional" in the amendment would serve only to confuse those for whose benefit the rule was originally promulgated. Otherwise, the record unanimously supported the amendment as proposed in the notice.

Accordingly, example 4 of the trade regulation rule relating to the care labeling of textile wearing apparel now reads:

##### § 423.1 The rule.

Examples: \* \* \*

4. Dry clean only.

(38 Stat. 717, as amended; 15 U.S.C. 41-58)

Effective: November 22, 1972.

Promulgated: November 22, 1972.

By the Commission.

[SEAL] CHARLES A. TOBIN,  
Secretary.

[FR Doc.72-20137 Filed 11-21-72; 8:52 am]

## Title 21—FOOD AND DRUGS

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

#### SUBCHAPTER A—GENERAL

##### PART 1—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT AND THE FAIR PACKAGING AND LABELING ACT

##### "Cents-Off" and "Economy Size" Package Promotions; Stay in Part of Confirmation of Effective Date

In the FEDERAL REGISTER of December 30, 1971 (36 F.R. 25219), a final order was published which established new enforcement regulations (21 CFR 1.1d, 1.1e) to control "cents-off," "economy size," and other savings representations.



This order was confirmed in the FEDERAL REGISTER of Saturday, July 15, 1972 (37 F.R. 13976).

Grocery Manufacturers of America, Inc., and a number of adversely affected persons have petitioned the U.S. Court of Appeals for the District of Columbia Circuit and for the Ninth Circuit for review of the order entered on July 15, 1972, denying requests for hearing and confirming the effectiveness of regulations governing "cents-off," "coupon," or other savings representations, (21 CFR 1.1d), published in the FEDERAL REGISTER of December 30, 1971 (36 F.R. 25219), and confirmed in the FEDERAL REGISTER of July 15, 1972 (37 F.R. 13976).

The Commissioner of Food and Drugs, having considered the request by Grocery Manufacturers of America, Inc., to stay the effectiveness of those provisions of the regulations (21 CFR 1.1d) which apply to coupon promotions pending judicial review, orders that the request for a stay be, and is hereby granted.

**Effective date.** This stay is effective upon publication in the FEDERAL REGISTER (11-22-72).

Dated: November 16, 1972.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc. 72-20069 Filed 11-21-72; 8:45 am]

#### SUBCHAPTER B—FOOD AND FOOD PRODUCTS

##### PART 121—FOOD ADDITIVES

##### Subpart D—Food Additives Permitted in Food for Human Consumption

###### MOLECULAR SIEVE RESINS

The Commissioner of Food and Drugs, having evaluated data in a petition (FAP 1A2644) filed by Energy Products Department, Stauffer Chemical Co., 7505 Washington Avenue S., Edina, MN 55435, formerly ENRG International Corp., 4570 West 77th Street, Minneapolis, MN 55435, and other relevant material, concludes that the food additive regulations should be amended, as set forth below, to provide for the safe use of molecular sieve resins consisting of purified dextran cross-linked with epichlorohydrin in the final purification of partially delactosed whey.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 121 is amended by adding a new section to Subpart D as follows:

###### § 121.1246 Molecular sieve resins.

Molecular sieve resins may be safely used in the processing of food under the following prescribed conditions:

(a) The molecular sieve resins consist of purified dextran having an average molecular weight of 40,000, cross-linked with epichlorohydrin in a ratio of 1 part of dextran to 10 parts of epichlorohydrin, to give a stable three dimensional

structure. The resins have a pore size of 2.0 to 3.0 milliliters per gram of dry resin (expressed in terms of water regain), and a particle size of 10 to 300 microns.

(b) The molecular sieve resins are thoroughly washed with potable water prior to their first use in contact with food.

(c) Molecular sieve resins are used as the gel filtration media in the final purification of partially delactosed whey. The gel bed shall be maintained in a sanitary manner in accordance with good manufacturing practice so as to prevent microbial build-up on the bed and adulteration of the product.

**Effective date.** This order shall become effective on its date of publication in the FEDERAL REGISTER (11-22-72).

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: November 16, 1972.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc. 72-20141 Filed 11-21-72; 8:52 am]

#### SUBCHAPTER C—DRUGS

##### PART 135—NEW ANIMAL DRUGS

##### Subpart C—Sponsors of Approved Applications

##### PART 135c—NEW ANIMAL DRUGS IN ORAL DOSAGE FORMS

###### Bunamidine Hydrochloride

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (35-016V) filed by Cooper U.S.A., Inc., 1909 North Clifton Avenue, Chicago, IL 60614, proposing the safe and effective use of bunamidine hydrochloride tablets in different strengths than those presently provided for, for the treatment of tapeworm infections in dogs and cats. The supplemental application is approved.

The firm changed the corporate name from William Cooper & Nephews, Inc. to Cooper U.S.A., Inc. and an appropriate change is being made in Part 135 in § 135.501 to reflect the new corporate name. A change is also being made in Part 135c in § 135c.27 to identify said firm by their code number to be consistent with other sections in that part.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360(i)) and under authority delegated to the Commissioner (21 CFR 2.120), Parts 135 and 135c are amended as follows:

1. Part 135 is amended in § 135.501 (c) by revising the name and address for the firm identified by Code No. 010 as follows:

§ 135.501 Names, addresses, and code numbers of sponsors of approved applications.

\* \* \* \* \*

(c) \* \* \*

Code No.	Firm name and address
010	Cooper U.S.A., Inc., 1909 North Clifton Avenue, Chicago, IL 60614.

2. Part 135c is amended in § 135c.27 in paragraphs (b) and (c) as follows:

###### § 135c.27 Bunamidine hydrochloride.

(b) **Specifications.** The drug is an oral tablet containing bunamidine hydrochloride.

(c) **Sponsor.** See Code No. 010 in § 135.501(c) of this subchapter.

**Effective date.** This order shall be effective upon publication in the FEDERAL REGISTER (11-22-72).

(Sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(1))

Dated: November 15, 1972.

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

[FR Doc. 72-20068 Filed 11-21-72; 8:45 am]

#### PART 148w—CEPHALOSPORIN

##### Cephalexin Monohydrate Tablets

The Commissioner has evaluated data submitted in accordance with regulations promulgated under section 507 of the Federal Food, Drug, and Cosmetic Act, with respect to approval of the antibiotic drug cephalexin monohydrate tablets.

He concludes that data supplied by the manufacturer concerning the subject antibiotic drug is adequate to establish its safety and efficacy when used as directed in the labeling and that the regulations should be amended to provide for the certification of this drug.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commission (21 CFR 2.120), Part 148w (21 CFR 148w) is amended to provide for the certification of the antibiotic cephalexin monohydrate tablets by adding the following new section:

###### § 148w.9 Cephalexin monohydrate tablets.

(a) **Requirements for certification—**

(1) **Standards of identity, strength, quality, and purity.** Cephalexin monohydrate tablets are composed of cephalexin monohydrate and one or more suitable and harmless diluents, binders, lubricants, colorings, and coating substances. Each tablet contains cephalexin monohydrate equivalent to 500 milligrams of cephalexin. Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of cephalexin that it is represented to contain. Its moisture content is not more than 9 percent. The tablets disintegrate within 30 minutes. The cephalexin monohydrate used conforms to the standards prescribed by § 148w.6 (a)(1).



(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this subchapter.

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this subchapter, each such request shall contain:

(i) Results of tests and assays on:  
(a) The cephalixin monohydrate used in making the batch for potency, safety, moisture, pH, absorptivity, identity, and crystallinity.

(b) The batch for potency, moisture, and disintegration time.

(ii) Samples required:

(a) The cephalixin monohydrate used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch: A minimum of 36 tablets.

(b) *Tests and methods of assay—(1) Potency.* Use either of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(i) *Microbiological agar diffusion assay.* Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Place a representative number of tablets into a high-speed glass blender jar containing sufficient 1 percent potassium phosphate buffer, pH 6.0 (solution 1), to give a stock solution of convenient concentration. Blend for 3 to 5 minutes. Further dilute with solution 1 to the reference concentration of 20.0 micrograms of cephalixin per milliliter (estimated).

(ii) *Iodometric assay.* Proceed as directed in § 141.506 of this chapter, preparing the sample as follows: Blend a representative number of tablets in a high-speed glass blender with sufficient distilled water to give a stock solution of convenient concentration. Further dilute with distilled water to the prescribed concentration of cephalixin. Note: The 10.0 milliliters of 0.01N iodine must be added within 20 seconds after the addition of the 2.0 milliliters of 1.2N hydrochloric acid, and the assay should be completed within 1 hour after the sample and standard are first put into solution.

(2) *Moisture.* Proceed as directed in § 141.502 of this subchapter.

(3) *Disintegration time.* Proceed as directed in § 141.540 of this subchapter, using the procedure described in paragraph (e) (1) of that section.

Since the conditions prerequisite to providing for certification of subject antibiotic have been complied with and since the matter is noncontroversial, notice and public procedures and delayed effective date are not prerequisites to this promulgation.

*Effective date.* This order shall be effective upon publication in the FEDERAL REGISTER (11-22-72).

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: November 14, 1972.

MARY A. MCENIRY,  
Assistant to the Director for  
Regulatory Affairs, Bureau of  
Drugs.

[FR Doc.72-20066 Filed 11-22-72;8:45 am]

## PART 150g—MINOCYCLINE HYDROCHLORIDE

### Minocycline Hydrochloride Oral Suspension

The Commissioner has evaluated data submitted in accordance with regulations promulgated under section 507 of the Federal Food, Drug, and Cosmetic Act, with respect to approval of the antibiotic drug minocycline hydrochloride oral suspension.

He concludes that data supplied by the manufacturer concerning the subject antibiotic drug is adequate to establish its safety and efficacy when used as directed in the labeling and that the regulations should be amended to provide for the certification of this drug.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner (21 CFR 2.120), Part 150g (21 CFR 150g) is amended to provide for the certification of the antibiotic minocycline hydrochloride oral suspension by adding the following new section:

#### § 150g.13 Minocycline hydrochloride oral suspension.

(a) *Requirements for certification—(1) Standards of identity, strength, quality, and purity.* Minocycline hydrochloride oral suspension is minocycline hydrochloride with one or more suitable flavorings, wetting agents, preservatives, and diluents in an aqueous vehicle. Each milliliter contains minocycline hydrochloride equivalent to 10 milligrams of minocycline. Its potency is satisfactory if it is not less than 90 percent and not more than 130 percent of the number of milligrams of minocycline that it is represented to contain. Its pH is not less than 7.0 and not more than 9.0. The minocycline hydrochloride used conforms to the standards prescribed by § 150g.1(a)(1).

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this subchapter.

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:  
(a) The minocycline hydrochloride used in making the batch for potency,

safety, moisture, pH, minocycline content, identity, and crystallinity.

(b) The batch for potency and pH.

(ii) Samples required:

(a) The minocycline hydrochloride used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch: A minimum of five immediate containers.

(b) *Tests and methods of assay—(1) Potency.* Proceed as directed in § 141.111 of this chapter, preparing the sample for assay as follows: Dissolve an accurately measured representative aliquot of the well shaken suspension in sufficient 0.1N hydrochloric acid to give a stock solution of convenient concentration containing not less than 150 micrograms of minocycline per milliliter (estimated). Remove an aliquot and dilute with 0.1M potassium phosphate buffer, pH 4.5 (solution 4), to the reference concentration of 0.100 microgram of minocycline per milliliter (estimated).

(2) *pH.* Proceed as directed in § 141.503 of this subchapter, using the undiluted sample.

Since the conditions prerequisite to providing for certification of subject antibiotic have been complied with and since the matter is noncontroversial, notice and public procedures and delayed effective date are not prerequisites to this promulgation.

*Effective date.* This order shall be effective upon publication in the FEDERAL REGISTER (11-22-72).

(Sec. 507, 59 Stat. 465, as amended; 21 U.S.C. 357)

Dated: November 14, 1972.

MARY A. MCENIRY,  
Assistant to the Director for  
Regulatory Affairs, Bureau of  
Drugs.

[FR Doc.72-20067 Filed 11-21-72;8:45 am]

## Title 22—FOREIGN RELATIONS

### Chapter I—Department of State

[Dept. Reg. 108.679]

### PART 2—PROTECTION OF FOREIGN DIGNITARIES AND OTHER OFFICIAL PERSONNEL

#### Designation of Foreign Officials and Official Guests

Part 2 of Title 22 of the Code of Federal Regulations is amended as set forth below:

New §§ 2.2 through 2.5 are added to read as follows:

#### § 2.2 Purpose.

Section 1116(b)(2) of title 18 of the United States Code, as added by Public



Law 92-539, An Act for the Protection of Foreign Officials and Official Guests of the United States (86 Stat. 1071), defines the term "foreign official" for purposes of that Act as "any person of a foreign nationality who is duly notified to the United States as an officer or employee of a foreign government or international organization, and who is in the United States on official business, and any member of his family whose presence in the United States is in connection with the presence of such officer or employee." Section 1116(c)(4) of the same Act defines the term "official guest" for the purposes of that Act as "a citizen or national of a foreign country present in the United States as an official guest of the Government of the United States pursuant to designation as such by the Secretary of State." It is the purpose of this regulation to specify the officer of the Department of State who shall be responsible for receiving notifications of foreign officials under the Act and determining whether persons are "duly notified" to the United States and who shall be responsible for processing official guest designations by the Secretary of State.

#### § 2.3 Notification of foreign officials.

Any notification of a foreign official for purposes of section 1116(b)(2) of title 18 of the United States Code shall be directed by the foreign government or international organization concerned to the Chief of Protocol, Department of State, Washington, D.C. 20520. For persons normally accredited to the United States in diplomatic or consular capacities and also for persons normally accredited to the United Nations and other international organizations and in turn notified to the Department of State, the procedure for placing a person in the statutory category of being "duly notified to the United States" shall be the current procedure for accreditation, with notification in turn when applicable. The Chief of the Office of Protocol will place on the roster of persons "duly notified to the United States" the names of all persons currently accredited and, when applicable, notified in turn, and will maintain the roster as part of the official files of the Department of State adding to and deleting therefrom as changes in accreditations occur.

For those persons not normally accredited, the Chief of Protocol shall determine upon receipt of notification, by letter from the foreign government or international organization concerned, whether any person who is the subject of such a notification has been duly notified under the Act. Any inquiries by law enforcement officers or other persons as to whether a person has been duly notified shall be directed to the Chief of Protocol. The determination of the Chief of Protocol that a person has been duly notified is final.

#### § 2.4 Designation of official guests.

The Chief of Protocol shall also maintain a roster of persons designated by the Secretary of State as official guests.

Any inquiries by law enforcement officers or other persons as to whether a person has been so designated shall be directed to the Chief of Protocol. The designation of a person as an official guest is final. Pursuant to section 2658 of title 22 of the United States Code, the authority of the Secretary of State to perform the function of designation of official guests is hereby delegated through the Deputy Secretary of State to the Deputy Under Secretary of State for Management.

#### § 2.5 Records.

The Chief of Protocol shall maintain as a part of the official files of the Department of State a cumulative roster of all persons who have been duly notified as foreign officials or designated as official guests under this Part. The roster will reflect the name, position, nationality, and foreign government or international organization concerned or purpose of visit as an official guest and reflect the date the person was accorded recognition as being "duly notified to the United States" or designated as an official guest and the date, if any, of termination of such status.

(18, U.S.C. 1116(b)(2), 1116(c)(4); sec. 4 of the Act of May 26, 1949, as amended (22 U.S.C. 2658))

*Effective date.* These amendments shall be effective upon publication in the FEDERAL REGISTER (11-22-72).

[SEAL] WILLIAM P. ROGERS,  
Secretary of State.

NOVEMBER 18, 1972.

[FR Doc.72-20209 Filed 11-21-72; 8:53 am]

## Title 32—NATIONAL DEFENSE

### Chapter VII—Department of the Air Force

#### SUBCHAPTER A—ADMINISTRATION

#### PART 803—DISPOSITION OF PERSONAL PROPERTY

Part 803, Subchapter A of Chapter VII of Title 32 of the Code of Federal Regulations is revised to read as follows:

- | Sec.   | Purpose.   |
|--|--|
| 803.0  | Purpose.   |
| <b>Subpart A—General Provisions</b>                                  |  |
| 803.1  | Definitions.   |
| 803.2  | Responsibility of the commander.                                 |
| 803.3  | Authority for shipping property of a deceased or missing person. |
| <b>Subpart B—Property of Deceased Active Duty Military Personnel</b> |  |
| 803.10   | Who is responsible for disposing of personal property.           |
| 803.11   | Persons entitled to receive property.                            |
| 803.12   | Screening, cleaning, and repairing personal effects.             |
| 803.13   | Withdrawal of personal uniform items.                            |
| 803.14   | Handling of mail.  |
| 803.15   | Disposal of funds, commercial instruments, stocks, and bonds.    |
| 803.16   | When the legal representative or next of kin is present.         |

- Sec.  
803.17 When the legal representative or next of kin is known but not present.  
803.18 When no legal representative or next of kin can be located.

#### Subpart C—Property of Deceased U.S. Civilians

- 803.20 Which civilians are covered.  
803.21 When the legal representative or next of kin is present.  
803.22 When the legal representative or next of kin is not present.

#### Subpart D—Property of Foreign Nationals

- 803.30 Property of foreign nationals training in the United States.  
803.31 Property of foreign civilian employees.

#### Subpart E—Property of Missing and Captured Persons

- 803.40 Waiting period before disposal of the property.

#### Subpart F—Property of Indigent Persons Who Die on Air Force Installations

- 803.50 Disposition of property under Air Force jurisdiction.

#### Subpart G—Assignment of Responsibility for Effects Offices

- 803.60 Establishment of an effects office.  
803.61 Responsibility for disposing of effects.  
803.62 Paying and collecting debts.

#### Subpart H—Procedures for Disposing of the Effects of Deceased Persons

- 803.70 Classes of effects.  
803.71 Inventory of effects.  
803.72 Disposal of funds.  
803.73 Disposal of identification tags.  
803.74 Shipping effects.

#### Subpart I—Procedures for Disposing of the Effects of Allied Personnel

- 803.80 Effects of allied dead.  
803.81 Unclaimed and miscellaneous effects, and effects of other than known deceased.

*AUTHORITY:* The provisions of this Part 803 issued under 10 U.S.C. 8012, except as otherwise noted.

#### § 803.0 Purpose.

(a) This part explains the procedures of disposition of the personal property of certain deceased and missing Air Force military personnel and civilians when that property is under Air Force jurisdiction. It also explains the handling of personal property of foreign nationals. It assigns responsibility to the commander for safeguarding the property from pilferage, and for protecting the property from damage or loss.

(b) Part 806 of this Chapter states basis policies and instructions of release to the public of Air Force records, manuals, and regulations.

#### Subpart A—General Provisions

##### § 803.1 Definitions.

(a) *Personal property.* This term includes:

(1) Household goods and household effects.

(2) Personal effects and property or estate, except real property that is temporary, movable, and subject to personal use or ownership.



(3) Accouterments are those belongings which are worn on the person (such as jewelry, rings, watches, tie pins, and similar items).

(4) A privately owned motor vehicle. Any self-propelled wheeled motor conveyance that is primarily for use as a passenger-carrying vehicle, and similar vehicles; jeeps; motorcycles and motor-scooters; pickup and panel trucks, including those which have been converted to "campers" (subject to the condition in Joint Travel Regulations (JTR) par M11002-2); small autobuses of the Volkswagen, Micro, and similar types (not to exceed nine-passenger capacity); and other passenger-carrying or multi-purpose motor vehicles designed for overland ground transportation and owned by the member, and which, even though not specifically mentioned here, may be found to qualify for shipment on the basis of the member's written certification that the vehicle was for his personal use as a passenger-carrying vehicle.

(5) House trailers and contents thereof, in lieu of the shipment of household goods.

(b) *Continental United States (CONUS)*. U.S. territory, including the adjacent territorial waters located within the North American continent between Canada and Mexico.

(c) *Missing person*. One reported as missing under the Missing Persons Act, as amended (50 U.S.C. App. 1001-1016). (If there is a question as to whether a person is subject to this Act, a determination will be requested from the Staff Judge Advocate.)

#### § 803.2 Responsibility of the commander.

The commander of any Air Force activity that is responsible for collecting, inventorying, storing, or forwarding any personal property of a deceased or missing person will take positive steps to insure that all personal property is safeguarded, at all times, to prevent any pilferage and to see to it that it is adequately protected against loss or damage.

#### § 803.3 Authority for shipping property of a deceased or missing person.

(a) *Authority and weight limit*. Under AFM 75-4 and the JTR, personal property of a deceased or missing person will be shipped at the expense of the Government. The weight limits are as follows:

(1) *Military member*. A weight limit of 13,500 pounds net. This does not apply to privately owned motor vehicles, professional books, papers and equipment, except for Military Affiliate Radio System (MARS) equipment, which is limited to 3,000 pounds. The maximum payable by law for shipping a house trailer is 74 cents per mile.

(2) *Civilian employee*. A weight limit as outlined in JTR, volume II.

(b) *Motor vehicles*. One privately owned motor vehicle may be shipped at Government expense as personal property, if it:

(1) Was the property of the sponsor or his lawful dependent, and the ownership can be legally established;

(2) Was moved to its current location, or lawfully procured there, by the member or his lawful dependent before the date of the issuance of the official status report; and

(3) Is in good operating condition.

#### Subpart B—Property of Deceased Active Duty Military Personnel

#### § 803.10 Who is responsible for disposing of personal property.

(a) The commander of the activity at (or nearest to) the place where the personal property is located will collect, safeguard, and immediately dispose of property that is under Air Force jurisdiction.

(1) If the legal representative or next of kin is not present to receive the property, the commander responsible for the disposing of it will appoint a summary court to dispose of it as stated here.

(2) If the property is located at two or more widely separated locations, the commander at each location will appoint a summary court, to work with the commander of the organization to which the deceased was assigned, to dispose of the property.

(3) If appropriate, accouterments taken from remains after death will be placed in the transfer case/casket with the remains, by the mortuary officer of the shipping installation.

(b) If the property belongs to a person who dies aboard an air or water transport, the aircraft (or troop) commander will have the personal property collected, inventoried, and safeguarded, and turn it over to the commander of the Air Force activity at (or nearest to) the base or port where the remains are offloaded.

#### § 803.11 Persons entitled to receive property.

(a) The following persons, listed in the order of precedence, are entitled to receive the property of a deceased military member (that is, the recipient):

(1) Surviving spouse or legal representative.

(2) Son.

(3) Daughter.

(4) Father (if he had not abandoned support of his family).

(5) Mother.

(6) Brother.

(7) Sister.

(8) Next of kin.

(9) Beneficiary named in the will of the deceased.

(b) If a dispute or question arises, or is expected to arise, over who is to be the recipient, legal assistance will be requested from a staff judge advocate in making the determination.

(c) When the recipient is a minor, the property will be forwarded in care of the surviving parent, guardian, or adoptive parent.

#### § 803.12 Screening, cleaning, and repairing personal effects.

The commander who is responsible for handling personal effects must insure that the following actions are taken before delivery or shipment to the recipient.

(a) Removal and destruction of any item that:

(1) Is obnoxious or may embarrass the recipient.

(2) Obviously has no intrinsic or sentimental value. This includes partly used cakes of soap, and tubes of toothpaste or creams; newspapers; magazines; used bottles of shoe polish, ink, lotions, tonics; candy; tobacco, and lighter fluid.

(b) Using Government facilities, all bloodstained or mutilated items whose condition might distress the recipient will be cleaned (or made presentable). If an item cannot be made presentable and would be offensive to the recipient, it will be destroyed and a record kept to the item.

(c) Organizational clothing and equipment will be turned in to the responsible supply officer; this action will be recorded on the proper form and credited to the member's records for the items withdrawn.

(d) Standard Form (SF) 46, "U.S. Government Vehicle Operators Identification Card," will be withdrawn and destroyed (AFM 77-1). Department of Defense (DD) Form 2AF (green), "Armed Forces Identification Card," and DD Form 528, "Geneva Convention Identification Card," will be withdrawn and forwarded to the personnel records custodian for disposition. (See Part 809 of this subchapter.)

(e) Examination will be made of all military information or documents. Any classified material, or material that may need classification, will be submitted to the proper authority for disposition under Part 852 of Subchapter E of this chapter, or applicable security regulations.

#### § 803.13 Withdrawal of personal uniform items.

Withdrawal will be made of only enough personal uniform items to provide clothing for burial.

#### § 803.14 Handling the mail.

Mail received personally by the addressee before death will be treated as personal property. If there is mail that has not been delivered, it will be disposed of by the unit mail clerk as directed in AFR 182-11.

#### § 803.15 Disposal of funds, commercial instruments, stocks, and bonds.

(a) If the legal representative or next of kin is present, delivery will be made of all currency, stocks, bonds, checks, and commercial papers to him except the following:

(1) Funds belonging to the Government. If funds are found on or with the deceased and appear to be Government



funds (for example, funds that are entrusted to the agent of a finance officer), they will be turned over to the accounting and finance officer, to be held in special deposits until it can be determined which amount belongs to the Government and which to the individual.

(2) *Government checks and military payment orders.* If a U.S. Treasury check or military payment order was not delivered to the payee before his death, it will be treated as an unclaimed check and delivered to the local accounting and finance officer. The proceeds of the check will be included in the settlement of the deceased member's final pay account.

(b) If the legal representative or next of kin is not present, the summary court will dispose of currencies, commercial papers, checks, etc., as follows:

(1) *U.S. currency.* If there is less than \$5, it will be included with other personal property. If there is more than \$5, it will be turned in to the nearest accounting and finance officer, who will issue a U.S. Treasury check and forward it to the recipient by U.S. mail. This transaction will be recorded on AF 1122a, "Personal Property Inventory (Continuation Sheet)," including the date and number of the check.

(2) *Foreign currency.* This will be included with other personal property. It is considered souvenir money.

(3) *Bank books, stocks, bonds, or negotiable instruments.* Although these are considered personal property, they will be handled as follows:

(i) Bank deposit books, stocks, bonds, or other negotiable instruments, including traveler's checks, money orders, etc. (except checks drawn on the Treasurer of the United States or on foreign depositories and military payment orders) will be sent to the recipient by registered mail.

(ii) If a local debtor has made payable to the deceased a negotiable instrument in settlement of a debt, it may be indorsed by the summary court for collection and the proceeds disposed of the same as currency.

(4) *Military payment certificate.* This is to be converted into a U.S. Treasury check and forwarded to the recipient by U.S. mail. This transaction will be recorded on AF Form 1122a as explained in subparagraph (1) of this paragraph. If the certificate totals less than \$5, it will be presented to the accounting and finance officer for conversion into proper currency and included with the other personal property.

(5) *Funds belonging to the Government.* The procedures given in paragraph (a) (1) of this section will be followed.

(6) *Government checks and military payment orders.* The procedures in paragraph (a) (2) of this section will be followed.

§ 803.16 When the legal representative or next of kin is present.

(a) *Precautions.* The release of property to a relative or friend of the deceased will not be made simply because

that person is present at the time or has traveled to the place of death to claim the property.

(b) *Procedure.* All property in quarters or at the decedent's duty station must be released to the legal recipient as defined in § 803.11, unless that recipient has requested, in writing (or otherwise approved), its release to another person. The following procedures will be used:

(1) Delivery of all currency, commercial papers, stocks, bonds, checks (except the funds, checks, and military payment orders that must be handled as described in § 803.15), will be made to the legal recipient.

(2) AF Form 1122, "Personal Property Inventory" (front and reverse), will be prepared in duplicate for the property that is in Air Force custody. The recipient will be required to sign the original of the form. The original copy will be filed as directed in Part 804 of this subchapter, and the second copy will be given to the recipient.

(c) *Shipping.* Arrangements will be made with the transportation officer to have the property packed and shipped at Government expense as authorized and requested by the legal representative or next of kin.

§ 803.17 When the legal representative or next of kin is known but not present.

The summary court will work closely with the transportation office in forwarding property to the recipient as quickly as possible, and no later than 4 weeks from the date of death. The shipment will not be delayed pending the sale of a motor vehicle, or the collection of outstanding debts. Instead, at the time the first shipment is made, the recipient will be informed of any actions pending and the approximate date they will be completed. The following procedures will be used:

(a) *Inventory.* An inventory will be made of the property and five copies of AF Form 1122 prepared. Distribution of these copies are explained in the following paragraphs of this section.

(b) *Preparation for shipment.* The transportation officer will assist in packing the property properly and securely for shipment to protect it against pilferage, loss, or damage.

(1) The contents of the packages will be checked against the inventory, and the total number of packages entered on AF Form 1122, and one copy of the inventory form placed inside the package. Then, the packages will be sealed.

(2) The name and address of both the consignee and the sender will be clearly marked on one side and one end of the package. If the name of the addressee cannot be shown on the package, a wirestrung shipping tag will be marked and attached securely to the container.

(c) *Shipping procedure.* The following documents will be given to the transportation officer who will ship the property:

(1) DD Form 1299, "Application for Shipment of Household Goods."

(2) Copy of orders appointing the summary court.

(3) Copy of AF Form 1122.

(4) Complete shipping instructions to enable the transportation officer to ship the property promptly and properly.

(d) *Shipping notification.* When the property is shipped, a letter and two copies of AF Form 1122 will be sent to the addressee, giving the date and method of shipment and the anticipated date of arrival at destination. This letter will also state that the property is being shipped as required by Federal law, and that the vesting of title thereto is dependent upon the laws of the State of the decedent's legal residence. A self-addressed envelope will be enclosed and the recipient will be requested to sign the original and one copy of AF Form 1122 upon receipt of the property. Both copies are to be returned to the summary court.

(e) *Financial settlement action.* At the same time the property is being prepared for shipment, the summary court will take the following actions:

(1) *Debt collection.* To the extent feasible, all local debts due the decedent will be collected.

(2) *Payment of debts.* Undisputed local creditors will be paid with any available cash belonging to the decedent and receipts for such payments obtained.

(3) *Funds.* Funds (including proceeds from the sale of property), commercial instruments, stocks, bonds, etc., will be disposed of as directed in § 803.15(b).

(4) *Cash records.* Each sale and cash transaction will be recorded on AF Form 1122a (in three copies). A certified copy of each bill of sale and each receipt of payment of a creditor will be attached to one copy of AF Form 1122a and mailed to the recipient.

(f) *Unfinished settlement action.* When the property has been shipped and the financial settlement action taken as explained here, the recipient will be advised of the settlement action that is still pending. A letter of explanation will be sent to the recipient, as follows:

(1) Describing and listing all known unsettled debts that were owed by or due to the decedent.

(2) If there are any items that cannot be shipped at Government expense, they will be described and the recipient will be asked either to arrange for their disposal or to authorize the summary court to dispose of them through public or private sale. (For example, these might include items that are prohibited by U.S. customs laws from entry into the United States; motor vehicles that do not conform to the explanation given in § 803.1 (a) (3); airplanes, boats, or outboard motors; or more than one vehicle allowed by this part.)

(g) *Closing a case and filing the records.* The following procedures will be used, depending on whether the summary court has been able to obtain a receipt for the property:



(1) *With a receipt.* After the recipient has signed and returned AF Forms 1122, the original signed copy and AF Form 1122a are given, with a detailed account of all transactions of the summary court, to the commander for approval and signature.

(i) The original signed form, together with the account of the transactions of the summary court, will be placed in the file established according to Part 804 of this subchapter.

(ii) The duplicate will become part of the records of the summary court.

(2) *Without a receipt.* After reasonable but unsuccessful efforts to obtain signed copies of AF Form 1122, the case may be closed. A statement of all action taken to obtain the receipts will be prepared and given to the commander for approval and signature.

(i) The original signed form, with the account of the transactions of the summary court, will be placed in the file established according to Part 804 of this subchapter.

(ii) The duplicate will become part of the records of the summary court.

(3) The account of the summary court transactions will be a detailed chronological report of each action taken, and supported by documentary evidence, as applicable.

**§ 803.18 When no legal representative or next of kin can be located.**

The summary court will take the following action.

(a) The property will be inventoried and three copies of AF Form 1122 prepared.

(b) After collection from local debtors and payment of undisputed local creditors of the deceased are made, all property except the following will be sold: Articles having value chiefly as keepsakes (as defined in 10 U.S.C. 9712(e)), stocks, bonds, evidence of bank accounts, or other forms of purely commercial paper.

(1) Property will be sold only when the summary court, after diligent effort, has not been able to discover the existence or address of any of the persons entitled to receive the property and has stated this formally in writing.

(2) Property will not be sold for at least 30 days after the death of the person to whom it belongs.

(c) Any remaining undisputed local creditors of the deceased will be paid with funds derived from sale of the property.

(d) All sales and cash transactions will be recorded on AF Form 1122a in three copies.

(e) All cash and checks remaining after the settlement of debts will be forwarded (with the original and two copies of AF Form 1122a) to the local accounting and finance officer, for deposit as prescribed in AFM 177-108. The accounting and finance officer will indicate receipt of the funds by signing and returning all copies of AF Form 1122a.

(f) The original and two copies of AF Forms 1122 and 1122a and a detailed

account of all transactions of the summary court will be given to the commander for his approval and signature.

(1) The signed original form, with the account of the transactions of the summary court will be placed in the file established in accordance with Part 804 of this subchapter.

(2) One copy of each form, with any insignia, decorations, medals, other articles valuable chiefly as keepsakes, and all purely commercial papers, such as stocks, bonds, evidence of bank accounts, etc., will be forwarded to the U.S. Soldiers' Home, Washington, D.C. 20315, under the provisions of 10 U.S.C. 9712(f).

(3) The remaining copy will be retained for the record of the summary court.

(4) The account of the summary court transactions will be a detailed chronological report of each action taken, and supported by documentary evidence as applicable.

**Subpart C—Property of Deceased U.S. Civilians**

**§ 803.20 Which civilians are covered.**

Any civilian serving with, employed by, or accompanying U.S. Armed Forces personnel at a place or commander under the jurisdiction of the Air Force.

**§ 803.21 When the legal representative or next of kin is present.**

The legal representative or next of kin will be permitted to take possession of the property. The procedure in § 803.15 will be used, as applicable.

**§ 803.22 When the legal representative or next of kin is not present.**

(a) *In the United States or U.S. possessions.* If property cannot be delivered or not claimed within a reasonable time, it will be delivered with all available information to the recipient (in this case, the person designated by the judicial officer or by the local civil government with jurisdiction over the estates of deceased persons; see § 803.15). If the deceased had personal property that is located outside the Conus, it may be shipped to the place designated by the local civil official, at his request, as directed in § 803.3, and AFM 75-4.

(b) *In a foreign country.* The commander will collect and safeguard the property, and request the nearest U.S. consulate to take possession and dispose of it in accordance with State Department procedures (and § 803.15, as applicable). Upon request of the State Department official concerned, personal property may be shipped to the place he designates, as directed in § 803.3 and AFM 75-4.

**Subpart D—Property of Foreign Nationals**

**§ 803.30 Property of foreign nationals training in the United States.**

None of this part applies to deceased foreign nationals who are training in the United States under Air Force juris-

diction. Unless otherwise directed, the following procedures will be used.

(a) The personal property of the deceased person will be forwarded to the appropriate Military Assistance Advisory Group (MAAG) for turnover to the country air force. Articles will be disposed of that cannot be shipped (for example, automobiles) in accordance with instructions of the appropriate country representative. Completed AF Forms 1122 and 1122a, in duplicate, must accompany this property; the recipient will be asked to sign and return the original (a self-addressed envelope will be enclosed).

(b) If the deceased had been issued DD Form 1173, "Uniformed Services Identification and Privilege Card," it will be withdrawn and forwarded to the issuing agency (shown on item 16 of the card) for disposition (see procedure in Part 809 of this subchapter).

**§ 803.31 Property of foreign civilian employees.**

The personal property will be delivered to the legal representative or next of kin promptly, as explained in this part, with the proper precautions taken to protect it from pilferage, damage, or loss.

(a) If the deceased person had been issued a DD Form 1173, it will be withdrawn and forwarded to the issuing agency (shown in item 16 of the card) for disposition (see Part 809 of this subchapter).

(b) If the property cannot be delivered, or it is not claimed, within a reasonable time, it will be delivered, with all available information about the decedent, to the person designated by the judicial officer of the local civil government that has jurisdiction over the estates of deceased persons.

(c) The proper receipts will be obtained, as directed by this part, and filed according to Part 804 of this subchapter, with a complete statement of action taken.

**Subpart E—Property of Missing and Captured Persons**

**§ 803.40 Waiting period before disposal of the property.**

The personal property of a missing or captured person will be held and safeguarded for 30 days before any action is taken to dispose of it; if circumstances warrant, the property may be held longer than 30 days. However, when the person's status:

(a) Has been changed from missing to captured, the property will be transferred to the custody of the person who would be legally entitled to receive it upon the person's death.

(b) Has been changed from missing to dead, the property will be disposed of under the procedures given here (Subparts B, C, and D) for deceased persons.

(c) Continues to be missing, the property will be transferred to the custody of the person who would be legally entitled to receive it upon the person's death.



## Subpart F—Property of Indigent Persons Who Die on Air Force Installations

### § 803.50 Disposition of property under Air Force jurisdiction.

When no legal representative or next of kin can be located, and the appointment of a summary court-martial is not authorized under 10 U.S.C. 9712, the commander of the activity where the personal property is located will:

(a) Collect and safeguard the property and notify the State official who is responsible for the administration of the estate of persons who die without a designated legal representative, or known next of kin.

(b) Request the advice of the local staff judge advocate in the case.

## Subpart G—Assignment of Responsibility for Effects Offices

### § 803.60 Establishment of an effects office.

(a) When combat conditions make it impracticable to ship personal effects direct to the recipient, the Commander, Air Force Logistics Command, will be responsible for the receipt of bulk or individual shipments of personal effects of deceased and missing persons, and will process them for delivery to the recipient.

(b) A command effects office may be established, at the discretion of the local commander, to receive, store, and dispose of personal effects. (If possible, he will assign this function to an existing organization.) The command effects office may appoint a summary court (in addition to the one appointed under § 803.10) to dispose of personal effects.

### § 803.61 Responsibility for disposing of effects.

Responsibility for collecting, inventorying, safeguarding, and disposing of personal effects and property will be as follows:

(a) *In forward areas.*

(1) The unit commander will recover and dispose of personal effects of members of his command who are reported dead. Unless combat conditions make it impractical, he will forward effects direct to the person entitled to receive them (see Subpart B); if direct shipment is not feasible, he will forward effects to the command effects office.

(2) In places where collection of effects is not feasible, burial details are authorized to bury remains without removing or inventorying effects. When the remains are moved to a collecting point or cemetery, all personnel involved are responsible for safeguarding the effects. Effects will be removed from the remains only temporarily, for identification purposes.

(3) Graves registration personnel at cemetery will inventory and dispose of effects received with remains.

(b) *In rear areas.*

(1) The unit commander will dispose of the personal effects of members of his

command who are reported dead. He will forward the effects direct to the person entitled to receive them according to Subpart B; if conditions make direct shipment impossible, he will forward the effects to the command effects office.

(2) The hospital commander will dispose of personal effects of deceased personnel per subparagraph (1) of this paragraph.

### § 803.62 Paying and collecting debts.

The summary court appointed under § 803.10 is legally authorized to pay undisputed local creditors and collect local debts due the deceased. When circumstances or distance make it impossible for him to collect property, liquidate accounts, and pay outstanding debts, the summary court appointed by the command effects office (see § 803.60) will assume further action in this respect.

## Subpart H—Procedures for Disposing of the Effects of Deceased Persons

### § 803.70 Classes of effects.

When disposing of effects, they will be separated into the following classes:

(a) *Personal effects having intrinsic or sentimental value.* Includes jewelry, fountain pens, mechanical pencils, spectacles, cameras, wallets, billfolds, medals, insignia, money orders, traveler's checks, personal letters, diaries, keepsakes, Bibles, books, religious articles, and similar items; these items will not be withheld because they are stained or contaminated. They may often be restored by the command effects office or the CONUS Air Force Effects Office (see paragraph (a) of § 803.60). These items will be wrapped or packaged to avoid contaminating other items; flints and fluids removed from lighters and ink from fountain pens.

(b) *Items of no intrinsic or sentimental value.* These items (including those listed in § 803.12(a)(2)) and items of doubtful value will be forwarded so that the Effects Office may determine whether they have intrinsic or sentimental value.

(c) *Explosives and highly combustible items.* Such items will be withdrawn.

### § 803.71 Inventory of effects.

When effects are to be disposed of through the Air Force Effects Office, three copies of AF Form 1122 will be prepared. The original will be placed in the personal effects container; a copy retained for the originating unit, and one copy forwarded directly to the Air Force Effects Office. (A copy of this inventory will not be sent to the next of kin of the deceased.)

### § 803.72 Disposal of funds.

(a) *Found in effects.* If the amount exceeds \$5, the money will be turned in to the nearest accounting and finance officer (this includes Military Payment Certificates; foreign currencies that do not exceed 1 month of the decedent's basic pay and allowances; and amounts collected from debtors and authorized sales of effects). Money in amounts less

than \$5 will be forwarded with the effects.

(b) *Accounting and finance officer.* A check for the amount turned in (see paragraph (a) of this section) will be prepared, payable to the Air Force effects officer; the object for which drawn "Exchange for cash—personal effects," will be shown. This check will be given to the effects officer or summary court.

(c) *Transmittal sheet.* When a check is drawn for funds of more than one person, the names and service numbers of the persons and the amount belonging to each will be listed on the transmittal sheet accompanying the check. This will enable the Air Force Effects Office to identify the funds readily.

(d) *Description of check.* Before mailing the check, the command effects officer or summary court will enter a brief description of the check (that is, the number, date, total amount, and symbol) on the original and all copies of AF Form 1122a. He will then forward the check by the fastest means to the Air Force Effects Office.

(e) *Listing of amounts.* In addition to the total amount on the check, a separate listing will be made on AF Form 1122a of the amount found with the effects. This will enable the Air Force Effects Office to determine the amount found with the effects of each person.

(f) *Undelivered Treasury Checks.* An undelivered U.S. Treasury Check, or a Military Payment Order will be disposed of as directed in § 803.15.

(g) *Mutilated currency refused by an accounting and finance officer.* Mutilated currency will be forwarded (in an envelope) to the command effects office (with the decedent's personal effects) and a statement inserted identifying the deceased. Disposition of the mutilated currency will be shown on AF Form 1122a.

### § 803.73 Disposal of identification tags.

Identification tags are items of military equipment and are not considered personal effects.

### § 803.74 Shipping effects.

(a) *Determining the recipient.* The Air Force Effects Office will determine the recipient of effects forwarded to the command effects office, unless the theater effects officer determines that it is more practicable to transmit the effects direct to the recipient at Government expense, because the recipient resides within the country in which the effects are located. In this case, he will give the Air Force Effects Office a detailed report of the action taken, including the date, name and address of the addressee, and two copies of a completed AF Form 1122.

(b) *Package markings.* Each package or box containing effects will be plainly marked with the owner's full name, grade, service number, and organization; if more than one package or box is required, each container will be numbered: Box No. — of — boxes.

(c) *Damaged packages.* If a container has been tampered with, or is damaged



enough to warrant investigating the contents, the receiving officer will immediately open it, examine the contents, and check them against the enclosed inventory list; if there is any shortage or damage, he will investigate further and include information about the shortage or damage in the container with the effects. Also, he will forward results of the investigation through channels to the Air Force Effects Office.

(d) *Shipping at Government expense.* Effects will be shipped to the United States (or owner, as in paragraph (a) of this section) at Government expense by any available means; receipts will be obtained at all points of shipment and transshipment.

(1) Small packages will be put into one large container to prevent loss or pilferage; on the outside of the large container the number of individual packages it contains will be noted.

(2) Effects will be kept in separate, locked compartments under the control of the security officer while en route to the United States.

#### Subpart I—Procedures for Disposing of the Effects of Allied Personnel

##### § 803.80 Effects of allied dead.

Personal effects of allied dead will be handled and safeguarded the same as effects of U.S. military dead, but payment and collection of debts will not be made.

(a) The effects will be forwarded to the command headquarters responsible for arranging with the country concerned to dispose of them. A receipt will be obtained which will become a permanent part of the records of the unit responsible for making the burial.

(b) One copy of each personal effects inventory, conspicuously marked **ALLIED**, will be forwarded to command headquarters (not to the Air Force Effects Office) for later transmission to the liaison officer.

(c) When the remains are delivered to a civilian cemetery for burial, the effects will be listed on a memorandum advising the graves registration officer of higher headquarters of burial.

(d) Money will not be turned in to the accounting and finance officer. It will be forwarded with other effects to command headquarters. Packages containing such effects will be clearly marked "Allied Dead."

##### § 803.81 Unclaimed and miscellaneous effects, and effects of other than known deceased.

(a) *Time held in command.* The command will hold for 120 days unclaimed or miscellaneous effects of persons interned, captured, or missing in action. If the effects are still unclaimed after this period and efforts to locate missing persons fail, the effects will be forwarded to the Air Force Effects Office.

(b) *Packaging and disposition.* Personal effects found in places other than on the remains or in storage will be forwarded to the command effects office. Two copies of AF Form 1122 will be pre-

pared. Place of recovery will be noted on the list of items; the items packaged; labeled "MISC EFFECTS"; and forwarded. Such effects will not be delivered to a collecting point or cemetery operated by graves registration personnel.

(c) *Lost property.* Lost property left at military installations or on trains or other common carriers will be forwarded to the command effects office. If the property is determined to belong to a deceased person, it will be disposed of as directed in § 803.72. If the property belongs to a person who is not a casualty, it will be disposed of in accordance with theater policy.

(d) *Return of missing person.* When a missing person returns, he will make a written request to the officer in charge of the command effects office that his funds and effects be returned to him.

(e) *Classified matter.* Organizational property, diaries, and records containing classified information will be disposed of as directed by higher authority.

By order of the Secretary of the Air Force.

JOHN W. FAHRNEY,  
Colonel, USAF Chief, Legislative Division, Office of The Judge Advocate General.

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#### SUBCHAPTER M—ANIMALS

### PART 930—USAF SENTRY DOG PROGRAM

#### WORKING DOG PROGRAM

Part 930, Subchapter M of Chapter VII of Title 32 of the Code of Federal Regulations is retitled and revised to read as follows:

### PART 930—USAF MILITARY WORKING DOG PROGRAM

- Sec.
- 930.1 Purpose.
  - 930.2 Concept of the program.
  - 930.3 Use of military working dogs.
  - 930.4 Restrictions in the use of military working dogs.
  - 930.5 Posting of areas.
  - 930.6 How the program works.

AUTHORITY: The provisions of this Part 930 issued under 10 U.S.C. 8012.

#### § 930.1 Purpose.

(a) This part governs the use of military working dogs by USAF Security Police operations in providing protection for USAF resources, assisting in the defense of USAF installations, and assisting in the enforcement of laws and regulations. It applies to all Air Force activities worldwide, engaged in the employment of military working dogs.

(b) Part 806 of this chapter states basic policies and instructions of release to the public of Air Force records, manuals, and regulations.

#### § 930.2 Concept of the program.

Military working dogs (patrol, sentry, drug detection) are special items of equipment used to increase the effectiveness of USAF Security Policemen. The patrol dog is the basic type of dog used by Security Police. The patrol dog is used under the control of a handler who requires specialized training. The patrol dog's chief values are:

(a) The ability, through superior sensory capabilities, to increase the effectiveness of a Security Policeman in providing protection for USAF resources.

(b) Providing an effective psychological deterrent to potential offenders. Patrol dogs can be effectively used during both daylight and darkness, as vehicle or foot patrols. They may be used to scout, track, search, and observe from listening or observation posts. They are additionally trained to pursue, attack, hold, and release an offender upon the command of the handler.

#### § 930.3 Use of military working dogs.

Patrol dogs may be effectively used in all aspects of Security Police operations:

(a) AFM 206-1, Local Ground Defense of U.S. Air Force Bases: Patrol dogs are used to increase the detection and surveillance capability of the ground defense forces by patrolling, scouting, or tracking; to enhance the capability of sentries on observation or listening posts; and as a physical and psychological deterrent.

(b) AFM 207-1, Aerospace Systems Security: Patrol dogs are used to increase detection and surveillance capabilities, to provide a psychological deterrent, and to increase the ability to control intruders.

(c) AFR 35-6, Illegal or Improper Use of Drugs: Patrol dogs may be trained to detect marijuana in order to support the USAF Drug Abuse Control Program.

(d) Part 851 of Subchapter E of this chapter, Protection of USAF Resources: Patrol dogs are used to protect resources and property by providing increased area surveillance, assist in building security checks, protecting funds in transit, as an aid to the security policeman in normal patrol activity, and in the prevention of theft and vandalism. In the investigative role they may be used for stakeouts, tracking, and article and building searches.

(e) Part 809a of Subchapter A of this chapter, Enforcement of Order at Air Force Installations, Control of Civil Disturbance and Support of Disaster Relief Operations and Special Consideration for Overseas Area: Patrol dogs may be used to protect vital resources and provide security for critical facilities. Patrol dogs may also be used to patrol disturbed areas under certain situations. They provide protection to foot patrols, and add to the psychological effect of show of force. Caution must be used when employing patrol dogs. As a general rule, dogs should not be used to confront demonstrators directly.



### § 930.4 Restrictions in the use of military working dogs.

(a) When employed, dogs will always be accompanied by a handler and worked on a leash unless released to search or attack. The handler will be able to maintain control over the actions of the dog when it is off leash.

(b) The handler will insure that the requirements of AFR 125-26, Use of Force by Personnel Engaged in Law Enforcement and Security Duties, have been complied with prior to the release of a military working dog.

(c) A military working dog team consists of one handler permanently assigned with one dog. HQ USAF/IGSM must approve any deviation from the single handler concept.

(d) Air Force units will only use dogs procured in accordance with AFR 400-8, Department of Defense Dog Program, or dogs furnished through negotiation with foreign governments. Other dogs will not be trained or used in any manner that would make the Air Force responsible for their care or actions.

(e) Military working dogs will not be left unattended whether in kennels or in the field. A qualified dog handler will be assigned to attendant duties to insure proper care and safety of military working dogs at all times.

(f) The installation's local stray dog pound will not be operated as a part of the military working dog facility. It will not be located in the immediate or adjacent area, and military working dog handlers will not be used to support the functions of the stray dog pound.

(g) Privately owned pets will not be permitted within the confines of the military working dog facility with the exception of those being evaluated for the Department of Defense at designated procurement locations.

(h) Dogs trained in the detection of drugs will, in addition to their normal patrol functions, be restricted to:

(1) Assisting in searches for illegal drugs in instances authorized by the appropriate commander based upon probable cause, or when the search is based upon voluntary consent.

(2) Searching dormitories and other Air Force facilities specifically for the confiscation of illegal drugs, whether or not the drugs confiscated may be admissible as evidence in a court of law.

(3) Searches during border clearance embarkations and debarkations. In the continental United States, dogs may be used to further search military aircraft, freight, baggage, and personnel once they have been cleared by the U.S. Customs Bureau. At special foreign clearance bases, where U.S. Customs inspections are performed by security police, dogs may be used, except when searching civilian personnel or their baggage.

### § 930.5 Posting of areas.

Warning signs will be appropriately displayed at each gate and around the perimeter of the base. The signs will be so mounted as to be easily read by per-

sons approaching on foot or in vehicles. In foreign countries, the wording will be in English and the local language.

### § 930.6 How the program works.

(a) *Procurement, training, and re-training of dogs.* (1) AFLC procures all military working dogs required by the Air Force. Requisitions for military working dogs must arrive concurrently with the entry of the handler into the ATC training program.

(2) Military working dogs will be initially trained by formal USAF training schools.

(3) The using unit will schedule dogs for replacement as they reach 9 years of age. Dogs reaching this age, however, may be continued on duty if the chief of security police and the attending veterinarian determine that the dog is performing effectively and is in good health.

(4) If the death of a dog creates an urgent requirement for replacement that cannot be satisfied by normal programming, a replacement may be obtained from HQ USAF for the continental United States, and through Pacific and European training schools for overseas units. Special short courses are available to provide previously trained handlers with new dogs.

(5) The emergency establishment of new military working dog sections may occur during the fiscal year because of unforeseen mission changes. The major command will arrange for the procurement of dogs and the training quotas required.

(6) Military working dogs which become excess to the needs of the using command will be disposed of as stated in AFR 400-8, attachment 1, paragraph 9.

(b) *Selection, training, and use of dog handlers.* (1) Personnel selected for training and duty as military working dog handlers are drawn from authorized security police career field manpower resources of the using installation, or upon command request from pipeline graduates of the basic security police courses. It is preferable that the handler be a volunteer, but in all instances, he must be recommended by his superior. Desirable traits to be demonstrated by potential handlers are resourcefulness, patience, intelligence, and a marked degree of dependability.

(2) Once an individual has been trained as a military working dog handler, he will perform duty in that capacity for at least 24 months. Therefore, no one should be selected for such training unless his current military obligation is for 24 months or longer.

(3) Personnel selected to perform duties as kennel master or instructor/trainer will be graduates of the patrol dog supervisors course, or will be scheduled to attend the course upon assignment to such duties. The primary function of the kennel master is to insure that all military dogs assigned to his kennel are proficient in the performance of their duty. The duty hours of the kennel master will normally conform to

those hours when the majority of the military working dogs are on duty. Additionally, the kennel master, through his assistant and kennel attendants, will insure that the health, safety, and well being of the dogs assigned are provided for.

(4) To maintain proficiency, each dog team will normally be rotated through the available posts on a frequent basis. The kennel master or K-9 squad leader, as appropriate, will be the rating official for all assigned dog handlers. However, it is the responsibility of the security or law enforcement flight supervisor to insure effective utilization of the dog teams assigned to his flight for duty.

(c) *Veterinary medical support.* Detailed guidance concerning veterinary medical support is contained in AFR 163-1, Veterinary Services. The Air Force Surgeon General, through the Veterinary Service, provides professional support for the military working-dog program, including medical care and treatment of military working dogs at the training locations and bases of assignment; professional review of plans for new construction and modification of kennels, support buildings, and sites; sanitary inspection of kennel areas; the training and instruction of military working dog handlers and supervisors in the care, feeding, and first aid of military working dogs. Special studies in matters affecting the health and welfare of military working dogs are conducted as required. The director of base medical services will include veterinary requirements for medical material used in the treatment of military working dogs in the medical services budget. Civilian veterinary care for military working dogs is authorized in emergencies where a military veterinarian is not available or when the medical requirements for care are beyond the capabilities of the local military treatment facility.

(d) *Equipment and rations.* (1) TA-538, "Security Police Activities, Organizational Small Arms Equipment, Military Dogs, Associated Equipment, and Civil Disturbance Equipment", lists equipment allowances for the military working-dog program. An initial issue of items is shipped with each dog to the training site or the unit of assignment.

(2) The standard basic ration for all USAF military working dogs is "Feed, High Caloric, For Military Working Dogs." The feed is classified by General Services Administration (GSA) as a "store stock item," category 95, and is procured through supply channels. Delivery is made direct to the user by the processor.

(3) The veterinary officer may have specific uses for specially formulated diets in the feeding of dogs with certain types of illnesses. Special diets may be procured and fed to individual animals when the veterinarian indicates that other than the standard diet is required.

(e) *Kennel and support facilities.* (1) Definitive design AD-39-19-01-R4 as shown in AFM 88-2, Air Force Design



Manual, Definitive Designs of Air Force Structures, is the standard Air Force design. This design and AFM 86-4, standard facility requirements, will be used as guides when constructing military working-dog facilities. New construction or modification of existing canine kennels and support buildings will not be initiated without professional veterinary review as stated in AFR 163-1.

(2) Military dog facilities will be placed (so far as practicable), in areas where there will be the least distraction to the dogs and where dogs will not become a nuisance to personnel, but as close as possible to existing base water, electrical, and sewage outlets. Typical locations which will be avoided are the vicinity of motor pools, POL areas, runways, engine test stands, runup areas where the noise level exceeds 85 decibels, near firing ranges, and officer, family or troop housing areas. The kennel area will be posted with off-limits signs.

(f) *Records and reports.* When each military working dog is procured, a permanent administrative record file will be initiated which thereafter will accompany the dog. The veterinary support unit at the procurement facility will initiate a permanent health record. Together, the administrative record and the health record constitute the permanent field record. This field record will accompany the dog on every transfer, and will be kept current by the organization to which the dog is assigned. Upon death of the dog, the permanent field record will be forwarded to the Central Repository for Military Dog Records.

(1) *Administrative records.* (i) DD Form 323, "Military Dog Record." This form is used as a history of the dog's military service.

(ii) AF Form 321, "Military Dog Training and Utilization Record." Record of the daily training activities to show the continuation training given the dog and to provide a daily record of the employment of each military dog.

(2) *Medical records.* The preparation and maintenance of medical records for military working dogs is the responsibility of the support veterinarian and are maintained in accordance with AFR 163-1, Veterinary Service, USAF.

(g) *Disposition of military working dogs.* (1) AFM 67-1, volume VI, USAF Supply Manual, and AFR 400-8, provide relief from property accountability for military working dogs that die or are euthanized. Military working dogs are not to be euthanized due to being excess to current local or command requirements. Military working dogs may be euthanized: To terminate suffering from disease, injury, or permanent physical disability; to prevent the spread of contagious disease; when they are no longer able to perform duty because of age, incurable disease, or permanent physical disability; or when they are temperamentally unsuited to perform the function for which procured.

(2) Appropriate commanders must give written approval for euthanasia. Veterinary officers must issue supporting

statements if there is medical reason for euthanasia.

(3) In emergency cases to prevent suffering, veterinary officers may perform euthanasia at their discretion.

By order of the Secretary of the Air Force.

JOHN W. FAHRNEY,  
Colonel, USAF Chief, Legislative  
Division, Office of The Judge  
Advocate General.

[FR Doc.72-20072 Filed 11-21-72; 8:49 am]

## Chapter XIV—Renegotiation Board

### SUBCHAPTER B—RENEGOTIATION BOARD REGULATIONS UNDER THE 1951 ACT

#### CONTRACTORS

#### Assignment, Conduct and Forms; Correction

F.R. Doc. 72-19551, appearing at pages 24108-24112 of the FEDERAL REGISTER of November 14, 1972, is corrected as follows:

#### PART 1471—ASSIGNMENT OF CONTRACTORS FOR RENEGOTIATION

1. Under Part 1471 Assignment of Contractors for Renegotiation, paragraph 1 of the amendment to § 1471.2 is corrected to read as follows:

1. Paragraph (b) is amended by deleting the third and fifth sentences thereof.

#### PART 1472—CONDUCT OF RENEGOTIATION

2. Under Part 1472 Conduct of Renegotiation, § 1472.3(j) is corrected by changing "explored by" to "explored with" in the second sentence thereof; § 1472.4(a) (1) is corrected by changing "§ 1472.2(a)" to "§ 1473.2(a)"; and paragraph 4 of § 1472.5 is corrected by deleting "(d)" before the new sentence provided therein.

#### PART 1498—FORM RELATING TO AGREEMENTS AND ORDERS

3. Under Part 1498 Forms Relating to Agreements and Orders, the notice form set forth in § 1498.7 is corrected by inserting "excessive" before "profits" in the first paragraph thereof.

Dated: November 17, 1972.

RICHARD T. BURRESS,  
Chairman.

[FR Doc.72-20116 Filed 11-21-72; 8:49 am]

## Title 39—POSTAL SERVICE

### Chapter I—U.S. Postal Service

#### PART 123—NONMAILABLE MATTER

#### Solicitations by Mail in the Guise of Bills or Statements of Account

In the daily issue of October 13, 1972 (37 F.R. 21641) the Postal Service, com-

plying voluntarily with the advance notice requirement of the Administrative Procedure Act (5 U.S.C. 553 (b), (c)) regarding proposed rule making, published a proposed revision of § 123.4(e) of Title 39, Code of Federal Regulations, dealing with solicitations in the guise of bills or statements of account, with a view to improving the implementation of section 3001(d) of Title 39, United States Code. Interested members of the public were given 30 days within which to submit written data, views, or arguments concerning the proposed revision. After consideration of all comments received, the Postal Service has determined to adopt the proposal without change.

Accordingly, the following amendments to the regulations of the Postal Service are hereby made, to be effective on the 30th day following the date of this publication in the FEDERAL REGISTER.

In § 123.4 paragraph (e) is redesignated as paragraph (f) and amended to read as follows:

§ 123.4 Lotteries, false representations, libelous matter and solicitations in the guise of bills or statements of account.

(f) *Solicitations in the guise of bills or statements of account* (39 U.S.C. 3001(d)). Any otherwise mailable matter which reasonably could be considered a bill, invoice, or statement of account due, but is in fact a solicitation for an order, is nonmailable unless it conforms to the following requirements:

(1) Each such solicitation shall bear the notice: **THIS IS NOT A BILL.** The notice shall appear on the face of such solicitation in boldface capital letters of a color prominently contrasting with the background against which it appears, including all other print thereon, and at least as large and as bold as any other print thereon but not smaller than 30-point type. The notice shall be located in accordance with one of the following options:

(i) On the center of the diagonal described by a straight line drawn from the vertex of the lower left corner to the vertex of the upper right corner; or

(ii) Overprinting each portion of the solicitation which reasonably could be considered to specify a monetary amount due and payable by the recipient.

(2) In addition to the requirements of subparagraph (1) of this paragraph, such solicitation shall bear on its face the following disclaimer:

This is a solicitation. You are under no obligation to pay unless you accept this offer.

(3) The disclaimer required by subparagraph (2) of this paragraph shall meet the following requirements:

(i) It shall be surrounded by clear space of at least one-quarter inch;

(ii) It shall appear in boldface capital letters no smaller than 18-point type and of the same color as the notice required by subparagraph (1) of this paragraph; and



(iii) It shall not, by folding or any other device, be rendered less prominent than any other information on the face of the solicitation.

(4) Any solicitation which states that it has been approved by the Postal Service or by the Postmaster General or that it conforms to any postal law or regulation is nonmailable.

(39 U.S.C. 401, 3001(d))

LOUIS A. COX,  
General Counsel.

[FR Doc.72-20071 Filed 11-21-72;8:45 am]

## Title 49—TRANSPORTATION

### Chapter V—National Highway Traffic Safety Administration, Department of Transportation

[Docket No. 71-1; Notice 4]

#### PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

##### Glazing Materials; Response to Petitions for Reconsideration

###### Correction

In F.R. Doc. 72-19487, appearing at page 24035, in the issue of Saturday, November 11, 1972, on page 24036, directly under paragraph 3., the number "S5.1.2.2" should read "S5.1.1.2".

## Title 50—WILDLIFE AND FISHERIES

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

#### PART 28—PUBLIC ACCESS, USE AND RECREATION

##### Amagansett National Wildlife Refuge, N.Y.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (11-22-72).

§ 28.28 Special regulations, public access, use and recreation; for individual wildlife refuge areas.

NEW YORK

###### AMAGANSETT NATIONAL WILDLIFE REFUGE

Pedestrian access along the refuge beachfront is permitted during daylight hours for the purpose of nature study, photography, shell collecting, and hiking. Access beyond the beachfront for the purpose of environmental education studies is permitted by Special Use Permit on a reservation basis. Permits may be obtained from the Refuge Manager, Target Rock National Wildlife Refuge,

Target Rock Road, Lloyd Neck, Huntington, N.Y. 11743, or Refuge Manager, Morton National Wildlife Refuge, Rural Delivery 359, Noyac Road, Sag Harbor, N.Y. 11963. The use of motorized vehicles on the refuge is prohibited. Parking is limited to designated Town of East Hampton parking areas in accordance with town regulations. Pets are not permitted on the refuge.

The refuge, comprising 35.8 acres, is delineated on a map available from the Refuge Manager, Target Rock National Wildlife Refuge, Target Rock Road, Lloyd Neck, Huntington, N.Y. 11743, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1972.

RICHARD E. GRIFFITH,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

NOVEMBER 9, 1972.

[FR Doc.72-20084 Filed 11-21-72;8:46 am]

#### PART 33—SPORT FISHING

##### Necedah National Wildlife Refuge, Wisconsin

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (11-22-72).

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

WISCONSIN

###### NECEDAH NATIONAL WILDLIFE REFUGE

Sport fishing on the Necedah National Wildlife Refuge, Necedah, Wis., is permitted from December 15, 1972, through December 31, 1972, but only on that area designated as open to fishing. The open area, comprising approximately 38,000 acres, is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Sport fishing on the entire Necedah National Wildlife Refuge, Necedah, Wis., is permitted from January 1, 1973 through March 15, 1973. Sport fishing shall be in accordance with all applicable State regulations.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife areas generally, which are set forth in Title 50, Code

of Federal Regulations, Part 33, and are effective through March 15, 1973.

GERALD H. UPDIKE,  
Refuge Manager, Necedah National Wildlife Refuge, Necedah, Wis.

NOVEMBER 14, 1972.

[FR Doc.72-20083 Filed 11-21-72;8:46 am]

## Title 19—CUSTOMS DUTIES

### Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 72-322]

#### PART 153—ANTIDUMPING

##### Bicycle Speedometers From Japan

NOVEMBER 17, 1972.

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160 (a)), gives the Secretary of the Treasury responsibility for determination of sales at less than fair value. Pursuant to this authority the Secretary of the Treasury has determined that bicycle speedometers from Japan are being, or are likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). (Published in the FEDERAL REGISTER of June 24, 1972 (37 F.R. 12912, F.R. Doc. 72-9565).)

Section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160 (a)), gives the U.S. Tariff Commission responsibility for determination of injury or likelihood of injury. The U.S. Tariff Commission has determined, and on September 22, 1972, it notified the Secretary of the Treasury that an industry in the United States is being injured by reason of the importation of bicycle speedometers from Japan sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended. (Published in the FEDERAL REGISTER of September 28, 1972 (37 F.R. 20288, F.R. Doc. 72-16526).)

On behalf of the Secretary of the Treasury, I hereby make public these determinations, which constitute a finding of dumping with respect to bicycle speedometers from Japan.

Section 153.43 of the Customs regulations is amended by adding the following to the list of findings of dumping currently in effect:

Merchandise	Country	T.D.
Bicycle speedometers.....	Japan.....	72-322

(Secs. 201, 407, 42 Stat. 11, as amended, 19 U.S.C. 160, 173.)

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

[FR Doc.72-20334 Filed 11-21-72;8:52 am]



# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[7 CFR Part 905]

## ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

### Proposed Rules and Regulations

Notice is hereby given that the Department is considering a proposed addition, as hereinafter set forth, to the rules and regulations (Subpart—Rules and Regulations; 7 CFR 905.120 et seq.) currently in effect pursuant to the marketing agreement, as amended, and Order No. 905, as amended, (7 CFR Part 905) regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida. This is a regulatory program effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The aforesaid rules and regulations were proposed by the Growers Administrative Committee, established under said amended marketing agreement and order as the agency to administer the terms and provisions thereof. The proposal is designed to permit tourists to bring fresh fruit home without the expense and inconvenience of having the fruit inspected and an inspection certificate issued. The committee believes that it is not necessary to regulate these small quantities of fruits to attain the objectives of the program. The proposal is as follows:

#### § 905.141 Minimum exemption.

Any shipment of fruit which meets each of the following requirements may be transported from the production area during any one day by any person or by the occupants of one vehicle exempt from the requirements of §§ 905.52 and 905.53 and regulations issued thereunder:

(a) The shipment does not exceed a total of 7½ standard packed boxes (12 bushels) of fruit, either a single fruit or a combination of two or more fruits;

(b) The shipment consists of fruit not for resale; and

(c) Such exempted quantity is not included as a part of a shipment exceeding 7½ standard packed boxes (12 bushels) of fruit.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed rules and regulations shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the fifth day after publication of this notice in

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

Dated: November 16, 1972.

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

[FR Doc.72-20098 Filed 11-28-72;8:48 am]

[7 CFR Part 971]

## LETTUCE GROWN IN LOWER RIO GRANDE VALLEY IN SOUTH TEXAS

### Notice of Proposed Expenses and Rate of Assessment

Consideration is being given to approval of the proposed expenses and rate of assessment, hereinafter set forth, which were recommended by the South Texas Lettuce Committee, established pursuant to Marketing Agreement No. 144 and Marketing Order 971 (7 CFR Part 971). This marketing order program regulates the handling of lettuce grown in the Lower Rio Grande Valley in south Texas and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with these proposals may file the same with the Hearing Clerk, Room 112-A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than the 15th day after publication in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)). The proposals are as follows:

#### § 971.212 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred during the fiscal period ending July 31, 1973, by the South Texas Lettuce Committee for its maintenance and functioning and for such purposes as the Secretary determines to be appropriate will amount to \$24,000.

(b) The rate of assessment to be paid by each handler in accordance with the marketing agreement and this part shall be two cents (\$0.02) per carton of lettuce handled by him as the first handler thereof during said fiscal period.

(c) Unexpended income in excess of expenses for the fiscal period ending July 31, 1973, may be carried over as a reserve.

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

Dated: November 16, 1972.

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

[FR Doc.72-20099 Filed 11-21-72;8:48 am]

## Agricultural Stabilization and Conservation Service

[7 CFR Part 711]

### REVIEW COMMITTEE MEMBER

#### Extension of Office Term

Notice is hereby given that pursuant to authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301, 1364, 1375), the Department proposes to amend the Marketing Quota Review Regulations.

The purpose of this amendment is to change the length of the term of office for serving as a member of a marketing quota review committee panel. Currently each panel member is appointed or reappointed annually by the Secretary for a period of 1 calendar year. It is proposed that effective for the 1973 calendar year each panel member be appointed for 3 consecutive calendar years and be subject to reappointment for succeeding terms.

Section 711.10 be amended to read as follows:

#### § 711.10 Term of office.

Appointment as a member of a review committee panel shall be for a term of 3 calendar years. A member may be reappointed for succeeding terms. Notwithstanding the foregoing, a review committee shall continue in office to conclude hearings before it which are begun during such 3-year term and make final determinations thereof, or to hold a reopened hearing, or to conclude a hearing remanded to it by a court.

Prior to the issuance of this amendment any data, views, or recommendations pertaining thereto which are submitted in writing to the Director, Commodity Stabilization Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250, will be given consideration provided such submissions are submitted within 15 days from date of publication of this notice. To be sure of consideration, such submission should be postmarked not later than 15 days after the date of publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this



notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Signed at Washington, D.C., on November 17, 1972.

KENNETH E. FRICK,  
Administrator, Agricultural Sta-  
bilization and Conservation  
Service.

[FR Doc. 72-20139 Filed 11-21-72; 8:51 am]

## DEPARTMENT OF THE INTERIOR

### Bureau of Mines

#### [ 30 CFR Part 100 ]

### COAL MINE HEALTH AND SAFETY

#### Civil Penalties for Violations; Assessments and Procedures

In the FEDERAL REGISTER for August 26, 1972 (37 F.R. 17395), there was published a notice of proposed rule making which would have amended Part 100, Subchapter O, Chapter I, Title 30, Code of Federal Regulations by: (1) Requiring operators of coal mines or miners charged with liability for a civil penalty to fully utilize the informal protest procedure administered by the Bureau of Mines' Office of Assessment and Compliance Assistance prior to appealing for public hearing and formal adjudication of a proposed order of assessment to the departmental office of hearings and appeals; (2) providing for assignment of assessment officers in the field in order to permit and encourage convenient, inexpensive contact between all persons involved in the informal protest procedure, and to facilitate the information gathering process needed for effective performance by assessment officers; (3) deleting appendix A to Part 100, entitled "Guidelines for Assessment of Penalties"; and (4) establishing policy guidelines to be utilized by assessment officers in their consideration and application of the six statutory criteria set forth in section 109(a)(1) of the Federal Coal Mine Health and Safety Act of 1969.

The written comments, suggestions, and objections submitted to the Bureau of Mines concerning these proposed amendments to Part 100 have been carefully reviewed and evaluated. In response thereto, it is deemed advisable to withdraw the amendments proposed on August 26, 1972, and to propose a totally revised Part 100, as set forth below. The intent of this total revision is the same as that of the August 26 proposal, that is, to ensure that the informal protest procedure is utilized to reduce the vast number of petitions for public hearing and formal adjudication in connection with the assessment of civil penalties under section 109(a) of the Act, and to ensure that the Office of Assessment and Compliance Assistance has adequate information and data to fully and properly consider the six statutory criteria of sec-

tion 109(a)(1) of the Act in determining the proposed amount of civil penalty.

Although Part 100, as set forth below, would permit an operator or miner against whom a civil penalty has been proposed to elect to petition for a public hearing and formal adjudication to the departmental office of hearings and appeals rather than protest a proposed order of assessment to the assessment officer, it is believed that the proper use of the guidelines contained in § 100.3(b) and the requirement that the assessment officer's worksheet (used as the basis for determining the amount of the proposed civil penalty) be furnished to the operator or miner charged, will make the protest procedure the most desirable procedure in most instances. In addition, the period of time for filing a protest or to petition for public hearing and formal adjudication would be lengthened from 20 to 30 days.

Four district assessment offices have been established in major coal mining areas, in addition to the Office of Assessment and Compliance Assistance located in Washington, D.C. These district offices are located at:

Bristol, Va.  
Lexington, Ky.  
Charleston, W. Va.  
Uniontown, Pa.

Other district assessment offices may be established as demand requires.

Appendix A to Part 100, "Guidelines for Assessment of Penalties" would still be deleted in its entirety.

The guidelines contained in § 100.3(b) below, which are to be utilized by the assessment officers in their consideration of the six statutory criteria contained in section 109(a)(1) of the Act, have been revised for clarification, and, in many instances, to indicate that the presence or absence of various factors will justify a higher or lower proposed penalty.

Notice is hereby given that in accordance with the provisions of section 109 (a) of the Federal Coal Mine Health and Safety Act of 1969, and pursuant to the authority vested in the Secretary of the Interior under section 508 of the Act, it is proposed, for the reasons set forth above, to revise Part 100, Subchapter O of Chapter I, Title 30, Code of Federal Regulations as set forth below.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons are invited to submit written comments, suggestions, or objections regarding these proposed amendments to the Director, Bureau of Mines, Washington, D.C. 20240, within 45 days after date of publication of this notice in the FEDERAL REGISTER.

HOLLIS M. DOLE,  
Assistant Secretary  
of the Interior.

NOVEMBER 16, 1972.

#### Sec.

#### 100.1 Purpose.

#### 100.2 Occurrence of violation; review of notices and orders; prima facie liability.

#### 100.3 Assessment of civil penalties; general.

#### 100.4 Procedures for assessment of civil penalties; protest procedures; appeal procedures.

#### 100.5 Hearing procedures.

#### 100.6 Formal penalty assessment.

**AUTHORITY:** The provisions of this Part 100 issued under secs. 109 and 508, Federal Coal Mine Health and Safety Act of 1969, as amended (83 Stat. 756, 803; 30 U.S.C. 819, 957).

#### § 100.1 Purpose.

The assessment of civil penalties under section 109(a) of the Federal Coal Mine Health and Safety Act of 1969 shall be made for the purpose of maintaining the health and safety of the miner and of insuring the maximum compliance effort on the part of the coal mining industry.

#### § 100.2 Occurrence of violation; review of notices and orders; prima facie liability.

(a) Each notice of violation and order of withdrawal issued in accordance with the provisions of the Act will be reviewed by an assessment officer, appointed by and responsible to the Director, Bureau of Mines. The purpose of this review will be to determine prima facie the liability of the operator or miner for a civil penalty and the amount of penalty to be proposed.

(b) Where more than one violation is cited in a notice or order issued in accordance with the provisions of the Act, the assessment officer shall consider all violations so cited, and shall separately assess each such violation.

(c) If, after reviewing a notice of violation or order of withdrawal the assessment officer determines prima facie that the operator or miner is liable for a civil penalty, the procedures set forth in §§ 100.3 through 100.6 shall be applicable, as appropriate.

#### § 100.3 Assessment of civil penalties; general.

(a) Upon determining that the operator is prima facie liable for a civil penalty, the assessment officer shall determine the amount of penalty to be proposed after taking into consideration: (1) The operator's history of previous violations, (2) the appropriateness of the penalty to the size of the operator's business, (3) whether the operator was negligent, (4) the effect on the operator's ability to continue in business, (5) the gravity of the violation, and (6) the demonstrated good faith of the operator in attempting to achieve rapid compliance after notification of violation. All six criteria must be considered in arriving at the amount of the proposed penalty, and no one criterion shall, in and of itself, be determinative of such amount.

(b) The guidelines specified in subparagraphs (1) through (6) of this paragraph, as set forth below, shall be utilized by the assessment officer in his



evaluation of the six criteria set forth in paragraph (a) of this section.

(1) *History of previous violations.* (i) The assessment officer should take into account and utilize an operator's previous history of all violations concerning the mine in question. In addition, the operator's overall history of violations for all mines operated by him should receive consideration. History of the same or similar violations in the mine in question, or other mines, if any, of the particular operator should also be weighed. If the overall history of violations increases, or does not show a decrease, a higher proposed penalty is justified. However, if the overall history of violations decreases, a lower proposed penalty is justified. Regardless of whether the overall history of violations increases or decreases, an increase in the incidence of the same or similar violations justifies a higher proposed penalty; and a decrease or absence of the same or similar violations justifies a lower proposed penalty.

(ii) The period of time which elapses between the same or similar violations should also be considered. If a short period of time elapses between the same or similar violations, a higher proposed penalty may be justified; conversely if a lengthy period of time elapses between such violations, a lower proposed penalty may be justified.

(2) *The appropriateness of the penalty to the size of the operator's business.* The size of the operator's business should be considered in conjunction with the effect on the operator's ability to continue in business, since both criteria are so closely related to the remedial impact of the proposed penalty on the operator. Such remedial impact should ensure that each operator is penalized in proportion to the size of his business and his ability to continue in business. The number of tons of coal produced and number of miners employed by the operator should be included in the evaluation of this criterion.

(3) *Effect on the operator's ability to continue in business.* Since the Bureau does not ordinarily have available the operator's detailed financial records, it should be assumed, in the absence of documentation to the contrary, that a given penalty will not adversely affect an operator's ability to continue in business. In this regard, the burden of showing an adverse effect of a penalty is on the operator. Only verified financial statements should be considered. Additionally, where an operator operates more than one mine, the operator's total ability to pay a penalty should be considered rather than the effect of a penalty on a given mine. In connection with the criteria set forth in subparagraph (2) of this paragraph and this subparagraph it is assumed that the operator who produces large tonnages of coal and employs a large number of miners is, in the absence of evidence to the contrary, more able to pay a higher penalty and continue in business.

(4) *Whether the operator was negligent.* (i) Negligence generally means

committed or omitted conduct which falls below a standard of conduct established by law to protect persons against the risk of harm. The standard of conduct established by the Federal Coal Mine Health and Safety Act of 1969 is that the operator of a coal mine owes a high degree of care to the miners employed by him (91st Con., First Sess., H.R. Conf. Rep. No. 91-761, p. 71); and consequently a rebuttable presumption of negligence should be considered to exist, unless the authorized representative of the Secretary indicates to the contrary on the order or notice. The presence of negligence justifies a higher proposed penalty; conversely, the absence of negligence justifies a lower proposed penalty.

(ii) In the case of notices or orders arising out of the unwarrantable failure of an operator to comply with a mandatory health or safety standard, issued in accordance with section 104(c) of the Act, a rebuttable presumption exists that not only has the operator been negligent, but also that the operator has failed to exercise a high degree of care. Failure to exercise a high degree of care (section 104(c) notice or order) may justify a higher proposed penalty than a penalty for a section 104(b) or (i) notice or order.

(iii) Depending on information supplied by the authorized representative of the Secretary and stated on the notice or order, other tests which may be applied in considering negligence are whether, in the opinion of the authorized representative who issued the notice or order, the condition or practice cited was known by the operator or should have been known by the operator; the length of time during which the condition or practice existed; and whether there were impediments to the operator obtaining the necessary equipment and/or personnel.

(5) *Gravity of the violation.* (i) Gravity should be determined by ascertaining the probability or likelihood that death, physical harm, or occupational disease could reasonably be expected to result from a given violation or combination of violations and by considering the probable severity of such physical harm or occupational disease. The length of time during which the miners were exposed to the hazard in question should also be considered.

(ii) Violation of a mandatory standard which results in an imminent danger order of withdrawal issued pursuant to section 104(a) of the Act, or violation of a standard which results in a notice or order issued pursuant to the unwarrantable failure provisions of section 104(c) of the Act should be considered *prima facie* grave.

(iii) While one violation standing alone may not be viewed as grave, a group of such violations existing simultaneously, when viewed together, may all be considered grave in the context of a given factual situation.

(6) *Good faith of the operator in attempting to achieve rapid compliance.* Abatement within the time specified by

the notice of violation or prompt corrective action initiated during the course of an inspection, should generally be considered as indicating a good faith effort to achieve rapid compliance and should operate as a mitigating factor in determining the amount of the proposed penalty. The more rapid the compliance within the time specified (as noted by the authorized representative of the Secretary on the notice of abatement) the more mitigating the effect should be. Failure to abate a violation within the time specified, without a period for extension, should generally be equated with lack of a good faith effort to achieve rapid compliance, thereby justifying a higher proposed penalty. Even when the time specified for abatement is extended, however, the assessment officer should examine the reasons for the extension in his consideration of this criterion. Furthermore, if the method of abating the violation is unique, not generally known, complex, or very expensive, failure to abate a violation within the specified time may not necessarily indicate lack of good faith.

#### § 100.4 Procedures for assessment of civil penalties; protest procedures; appeal procedures.

(a) (1) The assessment officer shall serve, by certified mail, return receipt requested, a proposed order of assessment upon the operator or miner charged.

(2) The proposed order of assessment shall specify the notice of violation or order of withdrawal (including the underlying violation involved therein) for which the liability of the operator or miner for a penalty has been initially determined, and shall state the amount of the proposed civil penalty. A copy of the assessment officer's worksheet, used as the basis for determining the amount of the proposed civil penalty, shall be attached to the proposed order of assessment.

(3) The proposed order of assessment shall also advise the operator or miner charged that he has 30 days from the date of receipt of the proposed order of assessment to either protest the proposed order, in part or in its entirety, to the assessment officer who issued the order, or petition for public hearing and formal adjudication to the Office of Hearings and Appeals.

(4) The operator or miner issued a proposed order of assessment must file with the particular assessment office issuing the proposed order, all protests, requests for informal conferences and extensions of time, copies of petitions filed with the Office of Hearings and Appeals, and all other correspondence relative to the proposed assessment.

(5) Where an operator or miner fails to either timely protest a proposed order of assessment or petition for a hearing, he shall be deemed to have waived his right of protest and his right to a public hearing and formal adjudication, and the proposed order of assessment shall become the final assessment order of the Secretary of the Interior.



(b) The protest to the proposed order of assessment shall be in writing and shall state any facts, explanations, and arguments denying the charges of violation, or demonstrating any extenuating or mitigating circumstances, error in the proposed order of assessment, or other reason why the penalty should not be imposed, and may request the revision or modification of the proposed penalty.

(c) Where an operator or miner timely protests the proposed order of assessment, the assessment officer will provide opportunity for informal consultation and discussion between himself and said miner or operator: *Provided*, The request for the consultation is included with the protest specifying a suggested date and time of meeting and issues to be discussed.

(d) (1) The assessment officer may extend, in writing, the time within which the operator or miner has to protest the proposed order of assessment.

(2) Upon receipt of a protest, the assessment officer shall reconsider the proposed order of assessment and may amend, reissue or vacate the proposed order of assessment.

(3) When reconsideration is completed, the assessment officer shall notify the operator or miner, by certified mail, return receipt requested, of the results thereof. Such notice of reconsideration shall incorporate the amended or reissued proposed order of assessment, if any, and shall advise the operator or miner that he has 30 days from the date of receipt of such notice to petition for public hearing and formal adjudication of the proposed order of assessment, either in part or in its entirety, to the Office of Hearings and Appeals. Additionally, where a proposed order of assessment has been amended, such notice shall be accompanied by a copy of the assessment officer's worksheet used as the basis for determining the amount of the amended proposed order of assessment.

(4) Where an operator or miner fails to timely file a petition for public hearing and formal adjudication with the Office of Hearings and Appeals, he shall be deemed to have waived his right to a public hearing and formal adjudication, and the proposed order of assessment shall become the final assessment order of the Secretary.

#### § 100.5 Hearing procedures.

An operator or miner who desires a hearing and formal adjudication shall file a petition for hearing with the Office of Hearings and Appeals in accordance with the procedures set forth in Title 43, Part 4, §§ 4.540 et seq. The address of the Office of Hearings and Appeals is 4015 Wilson Boulevard, Arlington, VA 22203.

#### § 100.6 Formal penalty assessment.

(a) In accordance with the procedural rules provided in Part 4, Title 43, Code of Federal Regulations, an Administrative Law Judge or the Board of Mine Operations Appeals (both in the Office of

Hearings and Appeals) shall thereafter issue an order based on findings of fact and conclusions of law.

(b) In assessing a civil penalty against an operator or miner, an Administrative Law Judge or the Board of Mine Operations Appeals shall determine de novo the amount of the civil penalty for each violation in any amount not to exceed in the case of an operator, \$10,000, and in the case of a miner, \$250.

(c) In determining the existence of a violation or assessing a civil penalty thereon, neither the Administrative Law Judge nor the Board is bound by the provisions or guidelines in this part relating to the issuance of proposed assessments.

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## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration

[ 21 CFR Parts 135c, 141, 141a, 146a,  
149b ]

#### AMPICILLIN

#### Recodification and Name Change

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), it is proposed that Parts 135c, 141, 141a, 146a, and 149b be revised to provide for the recodification and technical revisions of the ampicillin monographs. In addition, it is also proposed that for all ampicillin trihydrate products the designation "trihydrate" be deleted from the nonproprietary name and that the word "chewable" be excluded from the names of both the anhydrous and trihydrate dosage forms to conform with the policy of the official compendia.

#### PART 135c—NEW ANIMAL DRUGS IN ORAL DOSAGE FORMS

1. It is proposed that Part 135c be amended in § 135c.47 by revising paragraph (a) to read as follows:

§ 135c.47 Ampicillin trihydrate capsules, veterinary.

(a) *Specifications.* The drug is in capsule form and conforms to the certification requirements of § 149b.17 of this chapter.

#### PART 141—TESTS AND METHODS OF ASSAY OF ANTIBIOTIC AND ANTI- BIOTIC-CONTAINING DRUGS

2. It is proposed that Part 141 be amended by adding a new section to read as follows:

#### § 141.544 Nonaqueous titrations.

(a) *Ampicillin content*—(1) *Acid titration.* Transfer an accurately weighed sample of about 400 milligrams to a 125-milliliter flask, add 50 milliliters of dimethylformamide, swirl until dissolved, then stir magnetically and while stirring, titrate with 0.1N lithium methoxide (previously standardized against benzoic acid dissolved in 50 milliliters of dimethylformamide), using as indicator four drops of 0.5 percent solution of bromothymol blue in dimethylformamide. Each milliliter of 0.1N lithium methoxide is equivalent to 34.94 milligrams of ampicillin. Calculate the ampicillin content to the anhydrous basis.

(2) *Amine titration.* Transfer an accurately weighed 400–500 milligram sample to a 250-milliliter Erlenmeyer flask, add 50 milliliters of glacial acetic acid, and while stirring, warm in a 70° C. water bath until the sample is completely dissolved. Add three drops of a 0.5 percent solution of crystal violet in glacial acetic acid as indicator, and titrate with 0.1N perchloric acid in glacial acetic acid (previously standardized against diphenylguanidine) to the first clear green endpoint. Each milliliter of 0.1N perchloric acid is equivalent to 34.94 milligrams of ampicillin. Calculate the ampicillin content on the anhydrous basis.

#### PART 141a—PENICILLIN AND PENICILLIN-CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

§§ 141a.111, 141a.112, 141a.122, 141a.123, 141a.127, 141a.128, and 141a.129 [Revoked]

3. It is proposed that Part 141a be amended by revoking §§ 141a.111, 141a.112, 141a.122, 141a.123, 141a.127, 141a.128, and 141a.129 and reserving them for future use.

#### PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

§§ 146a.6, 146a.7, 146a.118, 146a.119, 146a.123, 146a.124, and 146a.125 [Revoked]

4. It is proposed that Part 146a be amended by revoking §§ 146a.6, 146a.7, 146a.118, 146a.119, 146a.123, 146a.124, and 146a.125 and reserving them for future use.

5. It is proposed that Part 149b be revised as follows:

#### PART 149b—AMPICILLIN

Sec.  
149b.1 Ampicillin trihydrate.  
149b.2 Sterile ampicillin trihydrate.  
149b.3 Ampicillin.  
149b.4 Sterile sodium ampicillin.  
149b.5–149b.10 [Reserved]  
149b.11 Ampicillin trihydrate capsules.  
149b.12 Ampicillin trihydrate chewable tablets.



- Sec.  
149b.13 Ampicillin tablets.  
149b.14 Ampicillin for oral suspension.  
149b.15 Ampicillin trihydrate for oral suspension.  
149b.16 Ampicillin capsules.  
149b.17 Ampicillin trihydrate capsules, veterinary.  
149b.18 Ampicillin chewable tablets.  
149b.19 Sterile ampicillin trihydrate for suspension, veterinary.  
149b.20 Sterile ampicillin trihydrate for suspension.

AUTHORITY: The provisions of this Part 149b issued under sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357.

§ 149b.1 Ampicillin trihydrate.

(a) *Requirement for certification*—(1) *Standards of identity, strength, quality, and purity.* Ampicillin trihydrate is the trihydrate form of D(-)- $\alpha$ -aminobenzyl penicillin. It is also purified and dried that:

- (i) It contains not less than 900 micrograms of ampicillin per milligram on an anhydrous basis.
- (ii) It passes the safety test.
- (iii) Its loss on drying is not less than 12 percent and not more than 15 percent.
- (iv) Its pH in an aqueous solution containing 10 milligrams per milliliter is not less than 3.5 and not more than 6.0.
- (v) Its ampicillin content is not less than 90 percent on an anhydrous basis.
- (vi) It is crystalline.
- (vii) It gives a positive identity test for ampicillin trihydrate.

(2) *Labeling.* In addition to the labeling requirements prescribed by § 148.3(b) of this chapter, this drug shall be labeled "ampicillin" and each package shall bear on its outside wrapper or container and the immediate container the following statement "For use in the manufacture of nonparenteral drugs only".

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on the batch for potency, safety, loss on drying, pH, ampicillin content, crystallinity, and identity.

(ii) Samples required: 10 packages, each containing approximately 300 milligrams.

(b) *Tests and methods of assay*—(1) *Potency.* Use any of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(i) *Microbiological agar diffusion assay.* Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Dissolve an accurately weighed portion of the sample in sufficient sterile distilled water to give a stock solution containing 0.1 milligram of ampicillin per milliliter (estimated). Further dilute an aliquot of the stock solution with 0.1M potassium phosphate buffer, pH 8.0 (solution 3), to the reference concentration of 0.1 microgram of ampicillin per milliliter (estimated).

(ii) *Iodometric assay.* Proceed as directed in § 141.506 of this chapter.

(iii) *Hydroxylamine colorimetric assay.* Proceed as directed in § 141.507 of this chapter.

(2) *Safety.* Proceed as directed in § 141.5 of this chapter.

(3) *Loss on drying.* Proceed as directed in § 141.501(a) of this chapter.

(4) *pH.* Proceed as directed in § 141.503 of this chapter, using an aqueous solution containing 10 milligrams per milliliter.

(5) *Ampicillin content.* Proceed as directed in § 141.544 of this chapter.

(6) *Crystallinity.* Proceed as directed in § 141.504(a) of this chapter.

(7) *Identity.* Proceed as directed in § 141.521 of this chapter, using a 0.5 percent potassium bromide disc, prepared as described in paragraph (b) (1) of that section.

§ 149b.2 Sterile ampicillin trihydrate.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity.* Ampicillin trihydrate is the trihydrate form of D(-)- $\alpha$ -aminobenzyl penicillin. It is so purified and dried that:

- (i) It contains not less than 900 micrograms of ampicillin per milligram on an anhydrous basis.
- (ii) It is sterile.
- (iii) It is nonpyrogenic.
- (iv) It passes the safety test.
- (v) Its loss on drying is not less than 12 percent and not more than 15 percent.
- (vi) Its pH in an aqueous solution containing 10 milligrams per milliliter is not less than 3.5 and not more than 6.0.
- (vii) Its ampicillin content is not less than 90 percent on an anhydrous basis.
- (viii) It is crystalline.
- (ix) It gives a positive identity test for ampicillin trihydrate.

(2) *Labeling.* In addition to the labeling requirements prescribed by § 148.3(b) of this chapter, this drug shall be labeled "ampicillin."

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on the batch for potency, sterility, pyrogens, safety, loss on drying, pH, ampicillin content, crystallinity, and identity.

(ii) Samples required:

(a) For all tests except sterility: 10 packages, each containing approximately 300 milligrams.

(b) For sterility testing: 20 packages, each containing approximately 300 milligrams.

(b) *Tests and methods of assay*—(1) *Potency.* Use any of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive:

(i) *Microbiological agar diffusion assay.* Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Dissolve an accurately weighed portion of the sample in sufficient sterile distilled water to give a stock solution containing 0.1 milligrams of ampicillin per milliliter. Further dilute an aliquot of the stock solution with 0.1 M potassium phosphate buffer, pH 8.0

(solution 3) to the reference concentration of 0.1 microgram of ampicillin per milliliter (estimated).

(ii) *Iodometric assay.* Proceed as directed in § 141.506 of this chapter.

(iii) *Hydroxylamine colorimetric assay.* Proceed as directed in § 141.507 of this chapter.

(2) *Sterility.* Proceed as directed in § 141.2 of this chapter, using the method described in paragraph (e) (1) of that section, except in lieu of paragraph (e) (1) (i) (a), prepare the sample for test as follows: From each of 10 immediate containers, aseptically transfer approximately 300 milligrams of sample into a sterile 500-milliliter Erlenmeyer flask containing approximately 400 milliliters of diluting fluid D. Add at least 200,000 Levy units<sup>1</sup> of penicillinase. Repeat the process using 10 additional containers. Swirl both of the stoppered flasks to completely solubilize the suspension prior to filtration and proceed as directed in paragraph (e) (1) (ii) of that section.

(3) *Pyrogens.* Proceed as directed in § 141.4(f) of this chapter, using a solution containing 20 milligrams of ampicillin per milliliter.

(4) *Safety.* Proceed as directed in § 141.5 of this chapter.

(5) *Loss on drying.* Proceed as directed in § 141.501(a) of this chapter.

(6) *pH.* Proceed as directed in § 141.503 of this chapter, using an aqueous solution containing 10 milligrams per milliliter.

(7) *Ampicillin content.* Proceed as directed in § 141.544 of this chapter.

(8) *Crystallinity.* Proceed as directed in § 141.504(a) of this chapter.

(9) *Identity.* Proceed as directed in § 141.521 of this chapter, using a 0.5 percent potassium bromide disc.

§ 149b.3 Ampicillin.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity.* Ampicillin is 6-[D- $\alpha$ -aminobenzyl] penicillin. It is a white powder. It is so purified and dried that:

- (i) It contains not less than 900 micrograms of ampicillin per milligram.
- (ii) It passes the safety test.
- (iii) Its loss on drying is not more than 2.0 percent.
- (iv) Its pH in an aqueous solution containing 10 milligrams per milliliter is not less than 3.5 and not more than 6.0.
- (v) Its ampicillin content is not less than 90 percent on an anhydrous basis.
- (vi) It is crystalline.
- (vii) It gives a positive identity test for ampicillin.

(2) *Labeling.* In addition to the labeling requirements prescribed by § 148.3(b) of this chapter, each package shall bear on its outside wrapper or container and the immediate container the following statement "For use in the manufacture of nonparenteral drugs only".

<sup>1</sup> One Levy unit of penicillinase inactivates 59.3 units of penicillin G in 1 hour at 25° C. and at a pH of 7.0 in a phosphate buffered solution of a pure alkali salt of penicillin G when the substrate is in sufficient concentration to maintain a zero order reaction.



(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on the batch for potency, safety, loss on drying, pH, ampicillin content, crystallinity, and identity.

(ii) Samples required: 10 packages, each containing approximately 300 milligrams.

(b) *Tests and methods of assay—(1) Potency.* Assay for potency by any of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(i) *Microbiological agar diffusion assay.* Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Dissolve an accurately weighed portion of the sample in sufficient sterile distilled water to give a stock solution containing 0.1 milligram of ampicillin per milliliter (estimated). Further dilute an aliquot of the stock solution with 0.1M potassium phosphate buffer, pH 8.0 (solution 3), to the reference concentration of 0.1 microgram of ampicillin per milliliter (estimated).

(ii) *Iodometric assay.* Proceed as directed in § 141.506 of this chapter.

(iii) *Hydroxylamine colorimetric assay.* Proceed as directed in § 141.507 of this chapter.

(2) *Safety.* Proceed as directed in § 141.5 of this chapter.

(3) *Loss on drying.* Proceed as directed in § 141.501(a) of this chapter.

(4) *pH.* Proceed as directed in § 141.503 of this chapter, using an aqueous solution containing 10 milligrams per milliliter.

(5) *Ampicillin content.* Proceed as directed in § 141.544 of this chapter.

(6) *Crystallinity.* Proceed as directed in § 141.504(a) of this chapter.

(7) *Identity.* Proceed as directed in § 141.521 of this chapter, using a 0.5 percent potassium bromide disc, prepared as described in paragraph (b) (1) of that section.

#### § 149b.4 Sterile sodium ampicillin.

(a) *Requirements for certification—*

(1) *Standards of identity, strength, quality, and purity.* Sterile sodium ampicillin is the sodium salt or D(-)- $\alpha$ -aminobenzyl penicillin. It is so purified and dried that:

(i) It contains not less than 845 micrograms of ampicillin per milligram. If it is packaged for dispensing, its potency is satisfactory if it is not less than 90 percent and not more than 115 percent of the number of milligrams of ampicillin that it is represented to contain.

(ii) It is sterile.

(iii) It is nonpyrogenic.

(iv) It passes the safety test.

(v) Its moisture content is not more than 2 percent.

(vi) Its pH in an aqueous solution containing 10 milligrams per milliliter is not less than 8.0 and not more than 10.0.

(vii) Its sodium ampicillin content is not less than 90 percent.

(viii) It is crystalline.

(ix) It passes the identity test for sodium ampicillin.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on the batch for potency, sterility, pyrogens, safety, moisture, pH, sodium ampicillin content, crystallinity, and identity.

(ii) Samples required:

(a) If the batch is packaged for repackaging or for use in manufacturing another drug:

(1) For all tests except sterility: 10 packages, each containing approximately 300 milligrams.

(2) For sterility testing: 20 packages each containing approximately 300 milligrams.

(b) If the batch is packaged for dispensing:

(1) For all tests except sterility: A minimum of 15 immediate containers or if each vial contains 250 milligrams or less of ampicillin a minimum of 24 vials.

(2) For sterility testing: 20 immediate containers, collected at regular intervals throughout each filling operation.

(b) *Tests and methods of assay—(1) Potency—(i) Sample preparation.* Dis-

solve an accurately weighed sample in sufficient sterile distilled water to give a stock solution containing 0.1 milligram of ampicillin per milliliter (estimated), for the microbiological agar diffusion assay and in distilled water for the iodometric assay or for the hydroxylamine colorimetric assay to give a stock solution of convenient concentration; and also, if it is packaged for dispensing, reconstitute as directed in the labeling. Then using a suitable hypodermic needle and syringe, remove all of the withdrawable contents if it is represented as a single dose container, or if the labeling specifies the amount of potency in a given volume of the resultant preparation remove an accurately measured representative portion from each container. Dilute with either sterile distilled water or distilled water to give a stock solution as specified above.

(ii) *Assay procedure.* Use any of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(a) *Microbiological agar diffusion assay.* Proceed as directed in § 141.110 of this chapter, diluting an aliquot of the stock solution with 0.1M potassium phosphate buffer, pH 8.0 (solution 3), to the reference concentration of 0.1 microgram of ampicillin per milliliter (estimated).

(b) *Iodometric assay.* Proceed as directed in § 141.506 of this chapter, diluting an aliquot of the stock solution with distilled water to the prescribed concentration.

(c) *Hydroxylamine colorimetric assay.* Proceed as directed in § 141.507 of this chapter.

(2) *Sterility.* Proceed as directed in § 141.2 of this chapter, using the method described in paragraph (e) (1) of that section.

(3) *Pyrogens.* Proceed as directed in § 141.4(b) of this chapter, using a solution containing 20 milligrams of ampicillin per milliliter.

(4) *Safety.* Proceed as directed in § 141.5 of this chapter.

(5) *Moisture.* Proceed as directed in § 141.502 of this chapter.

(6) *pH.* Proceed as directed in § 141.503 of this chapter, using an aqueous solution containing 10 milligrams of ampicillin per milliliter.

(7) *Sodium ampicillin content.* Transfer an accurately weighed 400- to 500-milligram sample to a 125-milliliter Erlenmeyer flask; add 3 milliliters of formic acid, 50 milliliters of glacial acetic acid, three drops of a 0.5 percent solution of crystal violet in glacial acetic acid (as an indicator), and titrate with 0.1N perchloric acid in glacial acetic acid to the first clear green endpoint. Calculate the sodium ampicillin content on the anhydrous basis, with each milliliter of 0.1N perchloric acid being equivalent to 18.57 milligrams of sodium ampicillin.

(8) *Crystallinity.* Proceed as directed in § 141.504(a) of this chapter.

(9) *Identity.* Proceed as directed in § 141.521 of this chapter, using the method described in paragraph (b) (2) of that section.

#### §§ 149b.5—149b.10 [Reserved]

#### § 149b.11 Ampicillin trihydrate capsules.

(a) *Requirements for certification—*

(1) *Standards of identity, strength, quality, and purity.* Ampicillin trihydrate capsules are composed of ampicillin trihydrate with or without one or more buffer substances, diluents, binders, lubricants, vegetable oils, colorings, and flavorings, enclosed in a gelatin capsule. Each capsule contains ampicillin trihydrate equivalent to 250 milligrams or 500 milligrams of ampicillin. Its potency is satisfactory if it contains not less than 90 percent and not more than 120 percent of the number of milligrams of ampicillin that it is represented to contain. Its loss on drying is not less than 10 percent and not more than 15 percent. The ampicillin trihydrate used conforms to the standards prescribed by § 149b.1(a) (1).

(2) *Labeling.* In addition to the labeling requirements prescribed by § 148.3 of this chapter, this drug shall be labeled "ampicillin capsules."

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(a) The ampicillin trihydrate used in making the batch for potency, safety,



loss on drying, pH, ampicillin content, crystallinity, and identity.

(b) The batch for potency and loss on drying.

(ii) Samples required:

(a) The ampicillin trihydrate used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch: A minimum of 30 capsules.

(b) *Tests and methods of assay*—(1) *Potency*. Assay for potency by either of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(i) *Microbiological agar diffusion assay*. Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Place a representative number of capsules into a high-speed glass blender jar with sufficient 0.1M potassium phosphate buffer, pH 8.0 (solution 3), to give a convenient concentration. Blend for 3 to 5 minutes. Remove an aliquot and further dilute with solution 3 to the reference concentration of 0.1 microgram of ampicillin per milliliter (estimated).

(ii) *Iodometric assay*. Proceed as directed in § 141.506 of this chapter, preparing the sample as follows: Place the contents of a representative number of capsules into a high-speed glass blender jar, and add sufficient distilled water to give a convenient concentration. Blend for 3 to 5 minutes. Filter through Whatman No. 2 filter paper. Further dilute an aliquot of the filtrate with distilled water to the prescribed concentration.

(2) *Loss on drying*. Proceed as directed in § 141.501(a) of this chapter.

§ 149b.12 Ampicillin trihydrate chewable tablets.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity*. Ampicillin trihydrate chewable tablets are composed of ampicillin trihydrate with or without one or more suitable diluents, lubricants, preservatives, and flavorings. Each tablet contains ampicillin trihydrate equivalent to 125 or 250 milligrams of ampicillin. Its potency is satisfactory if it contains not less than 90 percent and not more than 120 percent of the number of milligrams of ampicillin that it is represented to contain. Its moisture content is not more than 5.0 percent. The ampicillin trihydrate used conforms to the standards prescribed by § 149b.1(a)(1).

(2) *Labeling*. In addition to the labeling requirements prescribed by § 148.3 of this chapter, this drug shall be labeled "ampicillin tablets."

(3) *Requests for certification; samples*. In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:  
(a) The ampicillin trihydrate used in making the batch for potency, safety, loss on drying, pH, ampicillin content, crystallinity, and identity.

(b) The batch for potency and moisture.

(ii) Samples required:

(a) The ampicillin trihydrate used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch: A minimum of 30 tablets.

(b) *Tests and methods of assay*—(1) *Potency*. Use either of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(i) *Microbiological agar diffusion assay*. Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Place a representative number of tablets into a high-speed glass blender jar with sufficient 0.1M potassium phosphate buffer, pH 8.0 (solution 3), to give a stock solution of convenient concentration. Blend for 3 to 5 minutes. Remove an aliquot and further dilute with solution 3 to the reference concentration of 0.1 microgram of ampicillin per milliliter (estimated).

(ii) *Iodometric assay*. Proceed as directed in § 141.506 of this chapter, preparing the sample as follows: Place a representative number of tablets into a high-speed glass blender jar containing sufficient 1 percent potassium phosphate buffer, pH 6.0 (solution 1), to give a convenient concentration. Blend for 5 minutes. Further dilute to the prescribed concentration.

(2) *Moisture*. Proceed as directed in § 141.502 of this chapter.

§ 149b.13 Ampicillin tablets.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity*. Ampicillin tablets are composed of ampicillin with one or more suitable and harmless diluents and lubricants. Each tablet contains 250 or 500 milligrams of ampicillin. Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of ampicillin that it is represented to contain. Its loss on drying is not more than 4 percent. The tablets disintegrate within 15 minutes. The ampicillin used conforms to the standards prescribed by § 149b.3(a)(1).

(2) *Labeling*. It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) *Requests for certification; samples*. In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:  
(a) The ampicillin used in making the batch for potency, safety, loss on drying, pH, ampicillin content, crystallinity, and identity.

(b) The batch for potency, loss on drying, and disintegration time.

(ii) Samples required:

(a) The ampicillin used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch: A minimum of 36 tablets.

(b) *Tests and methods of assay*—(1) *Potency*. Use either of the following methods; however, the results obtained

from the microbiological agar diffusion assay shall be conclusive.

(i) *Microbiological agar diffusion assay*. Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Place a representative number of tablets into a high-speed glass blender jar with sufficient 0.1M potassium phosphate buffer, pH 8.0 (solution 3), to give a stock solution of convenient concentration. Blend for 3 to 5 minutes. Remove an aliquot and further dilute with solution 3 to the reference concentration of 0.1 microgram of ampicillin per milliliter (estimated).

(ii) *Iodometric assay*. Proceed as directed in § 141.506 of this chapter, preparing the sample solution as follows: Place a representative number of tablets in a high-speed glass blender jar and add sufficient distilled water to give a convenient concentration. Blend for 3 to 5 minutes. Further dilute an aliquot with distilled water to the prescribed concentration.

(2) *Loss on drying*. Proceed as directed in § 141.501(a) of this chapter.

(3) *Disintegration time*. Proceed as directed in § 141.540 of this chapter, using the procedure described in paragraph (e)(1) of that section.

§ 149b.14 Ampicillin for oral suspension.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity*. Ampicillin for oral suspension is a mixture of ampicillin with one or more suitable and harmless colorings, flavorings, buffer substances, sweetening ingredients, and preservatives. When reconstituted as directed in the labeling, it contains either 25 milligrams or 50 milligrams of ampicillin per milliliter. Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of ampicillin that it is represented to contain. Its moisture content is not more than 2.5 percent. When reconstituted as directed in the labeling, its pH is not less than 5.0 and not more than 7.5. The ampicillin used conforms to the standards prescribed by § 149b.3(a)(1).

(2) *Labeling*. It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) *Requests for certification; samples*. In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:  
(a) The ampicillin used in making the batch for potency, safety, loss on drying, pH, ampicillin content, crystallinity, and identity.

(b) The batch for potency, moisture, and pH.

(ii) Samples required:

(a) The ampicillin used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch: A minimum of 6 immediate containers.

(b) *Tests and methods of assay*—(1) *Potency*. Assay for potency by either of



the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(i) *Microbiological agar diffusion assay.* Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Reconstitute the drug as directed in the labeling. Place an accurately measured representative portion of the sample into a suitable volumetric flask and dilute to volume with 0.1M potassium phosphate buffer, pH 8.0 (solution 3), to give a convenient concentration. Mix well. Further dilute an aliquot with solution 3 to the reference concentration of 0.1 microgram of ampicillin per milliliter (estimated).

(ii) *Iodometric assay.* Proceed as directed in § 141.506 of this chapter, preparing the sample as follows: Reconstitute the drug as directed in the labeling. Place an accurately measured aliquot (usually a single dose) into an appropriate-sized volumetric flask and dilute to volume with 1 percent potassium phosphate buffer, pH 6.0 (solution 1). Mix well. Further dilute with solution 1 to the prescribed concentration.

(2) *Moisture.* Proceed as directed in § 141.502 of this chapter.

(3) *pH.* Proceed as directed in § 141.503 of this chapter, using the drug reconstituted as directed in the labeling.

#### § 149b.15 Ampicillin trihydrate for oral suspension.

(a) *Requirements for certification—(1) Standards of identity, strength, quality, and purity.* Ampicillin trihydrate for oral suspension is a mixture of ampicillin trihydrate with one or more suitable and harmless colorings, flavorings, buffers, sweetening ingredients, and preservatives. When reconstituted as directed in the labeling, it contains ampicillin trihydrate equivalent to either 25, 50, or 100 milligrams of ampicillin per milliliter. Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of ampicillin that it is represented to contain: Its moisture content is:

(i) Not more than 2.5 percent if it contains sugar and is intended to contain the equivalent of 25 or 50 milligrams of ampicillin per milliliter when reconstituted as directed in the labeling; or

(ii) Not more than 5 percent if it contains sugar and is intended to contain the equivalent of 100 milligrams of ampicillin per milliliter when reconstituted as directed in the labeling; or

(iii) Not more than 8 percent if it is sugarless and is intended to contain the equivalent of 25 milligrams of ampicillin per milliliter when reconstituted as directed in the labeling; or

(iv) Not more than 12 percent if it is sugarless and is intended to contain the equivalent of 100 milligrams of ampicillin per milliliter when reconstituted as directed in the labeling. Its pH, when reconstituted as directed in the labeling, is not less than 5.0 and is not more than 7.5. The ampicillin trihydrate used conforms to the standards prescribed by § 149b.1(a) (1).

(2) *Labeling.* In addition to the labeling requirements prescribed by § 148.3 of this chapter, this drug shall be labeled "ampicillin for oral suspension."

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(a) The ampicillin trihydrate used in making the batch for potency, safety, loss on drying, pH, ampicillin content, crystallinity, and identity.

(b) The batch for potency, moisture, and pH.

(ii) Samples required:

(a) The ampicillin trihydrate used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch: A minimum of six immediate containers.

(b) *Tests and methods of assay—(1) Potency.* Assay for potency by either of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(i) *Microbiological agar diffusion assay.* Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Reconstitute the drug as directed in the labeling. Place an accurately measured representative portion of the sample into a suitable volumetric flask and dilute to volume with 0.1M potassium phosphate buffer, pH 8.0 (solution 3), to give a convenient concentration. Mix well. Further dilute an aliquot with solution 3 to the reference concentration of 0.1 microgram of ampicillin per milliliter (estimated).

(ii) *Iodometric assay.* Proceed as directed in § 141.506 of this chapter, preparing the sample as follows: Reconstitute the drug as directed in the labeling. Place an accurately measured aliquot (usually a single dose) into an appropriate-sized volumetric flask and dilute to volume with 1 percent potassium phosphate buffer, pH 6.0 (solution 1). Mix well. Further dilute with solution 1 to the prescribed concentration.

(2) *Moisture.* Proceed as directed in § 141.502 of this chapter.

(3) *pH.* Proceed as directed in § 141.503 of this chapter, using the drug reconstituted as directed in the labeling.

#### § 149b.16 Ampicillin capsules.

(a) *Requirements for certification—*

(1) *Standards of identity, strength, quality, and purity.* Ampicillin capsules are composed of ampicillin with or without one or more buffer substances, diluents, binders, lubricants, vegetable oils, colorings, and flavorings, enclosed in a gelatin capsule. Each capsule contains 125 milligrams, 250 milligrams, or 500 milligrams of ampicillin. Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of ampicillin that it is represented to contain. The loss on drying is not more than 4.0 percent. The ampicillin used conforms to the standards prescribed by § 149b.3(a) (1).

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(a) The ampicillin used in making the batch for potency, safety, loss on drying, pH, ampicillin content, crystallinity, and identity.

(b) The batch for potency and loss on drying.

(ii) Samples required:

(a) The ampicillin used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch: A minimum of 30 capsules.

(b) *Tests and methods of assay—(1) Potency.* Assay for potency by either of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(i) *Microbiological agar diffusion assay.* Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Place a representative number of capsules into a high-speed glass blender jar with sufficient 0.1M potassium phosphate buffer, pH 8.0 (solution 3), to give a convenient concentration. Blend for 3 to 5 minutes. Remove an aliquot and further dilute with solution 3 to the reference concentration of 0.1 microgram of ampicillin per milliliter (estimated).

(ii) *Iodometric assay.* Proceed as directed in § 141.506 of this chapter, preparing the sample as follows: Place the contents of a representative number of capsules into a high-speed glass blender jar, and add sufficient distilled water to give a convenient concentration. Blend for 3 to 5 minutes. Filter through Whatman No. 2 filter paper. Further dilute an aliquot of the filtrate with distilled water to the prescribed concentration.

(2) *Loss on drying.* Proceed as directed in § 141.501(a) of this chapter.

#### § 149b.17 Ampicillin trihydrate capsules, veterinary.

(a) *Requirements for certification—*

(1) *Standards of identity, strength, quality, and purity.* Ampicillin trihydrate capsules are composed of ampicillin trihydrate with or without one or more diluents, binders, or lubricants, enclosed in a gelatin capsule. Each capsule contains ampicillin trihydrate equivalent to 125, 250, or 500 milligrams of ampicillin. Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of ampicillin that it is represented to contain. Its loss on drying is not less than 10 percent and not more than 15 percent. The ampicillin trihydrate used conforms to the standards prescribed by § 149b.1(a) (1).

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter, except that in lieu of the requirements of § 148.3(a) (1), it shall be labeled in accordance with



the requirements prescribed by § 1.106 (c) of this chapter, issued under section 507(f) of the Act, and, in addition, this drug shall be labeled "ampicillin capsules, veterinary."

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:  
(a) The ampicillin trihydrate used in making the batch for potency, safety, loss on drying, pH, ampicillin content, crystallinity, and identity.

(b) The batch for potency and loss on drying.

(ii) *Samples required:*

(a) The ampicillin trihydrate used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch: A minimum of 30 capsules.

(b) *Tests and methods of assay—(1) Potency.* Assay for potency by either of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(i) *Microbiological agar diffusion assay.* Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Place a representative number of capsules into a high-speed glass blender jar with sufficient 0.1M potassium phosphate buffer, pH 8.0 (solution 3), to give a convenient concentration. Blend for 3 to 5 minutes. Remove an aliquot and further dilute with solution 3 to the reference concentration of 0.1 microgram of ampicillin per milliliter (estimated).

(ii) *Iodometric assay.* Proceed as directed in § 141.506 of this chapter, preparing the sample as follows: Place the contents of a representative number of capsules into a blending jar and add sufficient distilled water to give a stock solution of convenient concentration. Blend for 3 minutes. Filter through Whatman No. 2 filter paper. Further dilute an aliquot of the filtrate with distilled water to the prescribed concentration.

(2) *Loss on drying.* Proceed as directed in § 141.501(a) of this chapter.

#### § 149b.18 Ampicillin chewable tablets.

(a) *Requirements for certification—(1) Standards of identity, strength, quality, and purity.* Each ampicillin chewable tablet contains 125 milligrams of ampicillin with suitable binders, lubricants, flavorings, and colorings. Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of ampicillin that it is represented to contain. Its loss on drying is not more than 3 percent. The ampicillin used conforms to the standards prescribed by § 149b.3(a) of this chapter.

(2) *Labeling.* In addition to the labeling requirements prescribed by § 148.3 of this chapter, this drug shall be labeled "ampicillin tablets".

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) The results of tests and assays on:

(a) The ampicillin used in making the batch for potency, safety, loss on drying, pH, ampicillin content, crystallinity, and identity.

(b) The batch for potency and loss on drying.

(ii) *Samples required:*

(a) The ampicillin used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch: A minimum of 30 tablets.

(b) *Tests and methods of assay—(1) Potency.* Use either of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(i) *Microbiological agar diffusion assay.* Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Place a representative number of tablets into a high-speed glass blender jar with sufficient 0.1M potassium phosphate buffer, pH 8.0 (solution 3), to give a stock solution of convenient concentration. Blend for 3 to 5 minutes. Remove an aliquot and further dilute with solution 3 to the reference concentration of 0.1 microgram of ampicillin per milliliter (estimated).

(ii) *Iodometric assay.* Proceed as directed in § 141.506 of this chapter, preparing the sample as follows: Blend a representative number of tablets in a high-speed blender with sufficient distilled water to give a stock solution of convenient concentration. Further dilute an aliquot of the stock solution with distilled water to the prescribed concentration.

(2) *Loss on drying.* Proceed as directed in § 141.501(a) of this chapter.

#### § 149b.19 Sterile ampicillin trihydrate for suspension, veterinary.

(a) *Requirements for certification—*

(1) *Standards of identity, strength, quality, and purity.* Sterile ampicillin trihydrate for suspension, veterinary, is a dry mixture of ampicillin trihydrate and one or more suitable and harmless buffer substances, stabilizers, suspending agents, and preservatives. Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of ampicillin that it is represented to contain. It is sterile. It is nonpyrogenic. It passes the safety test. Its loss on drying is not less than 11.4 percent and not more than 14.0 percent. When reconstituted as directed in the labeling, its pH is not less than 5.0 and not more than 7.0. The ampicillin trihydrate used conforms to the requirements of § 149b.2.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter, except that in lieu of the requirements of § 148.3(a) (1), it shall be labeled in accordance with the requirements prescribed by § 1.106(c) of this chapter, and in addition, this drug shall be labeled "sterile ampicillin for suspension, veterinary".

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(a) The ampicillin trihydrate used in making the batch for potency, loss on

drying, pH, ampicillin content, crystallinity, and identity.

(b) The batch for potency, sterility, pyrogens, safety, loss on drying, and pH.

(ii) *Samples required:*

(a) The ampicillin trihydrate used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch:

(1) For all tests except sterility: A minimum of 12 immediate containers.

(2) For sterility testing: 20 immediate containers, collected at regular intervals throughout each filling operation.

(b) *Tests and methods of assay—(1) Potency—(i) Sample preparation.* Re-

constitute as directed in the labeling. Using a suitable hypodermic needle and syringe, remove all of the withdrawable contents if it is represented as a single dose container or, if the labeling specifies the amount of potency in a given volume of the resultant preparation, remove an accurately measured representative portion from each container. Dilute the resultant solution with 0.1M potassium phosphate buffer, pH 8.0 (solution 3), for the microbiological agar diffusion assay, or distilled water for the iodometric assay, to give a stock solution of convenient concentration.

(ii) *Assay procedure.* Use either of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(a) *Microbiological agar diffusion assay.* Proceed as directed in § 141.110 of this chapter, diluting an aliquot of the stock solution with solution 3 to the reference concentration of 0.1 microgram of ampicillin per milliliter (estimated).

(b) *Iodometric assay.* Proceed as directed in § 141.506 of this chapter, diluting an aliquot of the stock solution with distilled water to the prescribed concentration.

(2) *Sterility.* Proceed as directed in § 141.2 of this chapter, using the method described in paragraph (e) (1) of that section, except in lieu of paragraph (e) (1) (i) (a), prepare the sample for test as follows: From each of 10 immediate containers, aseptically transfer approximately 300 milligrams of sample into a sterile 500-milliliter Erlenmeyer flask containing approximately 400 milliliters of diluting fluid D. Add at least 200,000 Levy units<sup>1</sup> of penicillinase. Repeat the process using 10 additional containers. Swirl both of the stoppered flasks to completely solubilize the suspension prior to filtration and proceed as directed in paragraph (e) (1) (ii) of that section. If the formulation cannot be filtered, proceed as directed in § 141.2(e) (2), except use medium B in lieu of medium A and add at least 40,000 Levy units of penicillinase to both medium B and medium E.

(3) *Pyrogens.* Proceed as directed in § 141.4(f) of this chapter, using a solution containing 20 milligrams of ampicillin per milliliter.

<sup>1</sup> One Levy unit of penicillinase inactivates 59.3 units of penicillin G in 1 hour at 25° C. and at a pH of 7.0 in a phosphate buffered solution of a pure alkali salt of penicillin G when the substrate is in sufficient concentration to maintain a zero order reaction.



(4) *Safety*. Proceed as directed in § 141.5 of this chapter.

(5) *Loss on drying*. Proceed as directed in § 141.501(a) of this chapter.

(6) *pH*. Proceed as directed in § 141.503 of this chapter, using the solution obtained when the product is reconstituted as directed in the labeling.

#### § 149b.20 Sterile ampicillin trihydrate for suspension.

(a) *Requirements for certification—*

(1) *Standards of identity, strength, quality, and purity*. Sterile ampicillin trihydrate for suspension is a dry mixture of ampicillin trihydrate and one or more suitable and harmless buffer substances, stabilizers, suspending agents, and preservatives. Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of ampicillin that it is represented to contain. It is sterile. It is nonpyrogenic. It passes the safety test. Its loss on drying is not less than 11.4 percent and not more than 14.0 percent. When reconstituted as directed in the labeling, its pH is not less than 5.0 and not more than 7.0. The ampicillin trihydrate used conforms to the standards prescribed by § 149b.2(a)(1) of this chapter.

(2) *Labeling*. In addition to the labeling requirements prescribed by § 148.3 of this chapter, this drug shall be labeled "sterile ampicillin for suspension."

(3) *Requests for certification; samples*. In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(a) The ampicillin trihydrate used in making the batch for potency, loss on drying, pH, ampicillin content, crystallinity, and identity.

(b) The batch for potency, sterility, pyrogens, safety, loss on drying, and pH.

(ii) Samples required:

(a) The ampicillin trihydrate used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch:

(1) For all tests except sterility: A minimum of 12 immediate containers.

(2) For sterility testing: 20 immediate containers, collected at regular intervals throughout each filling operation.

(b) *Tests and methods of assay—*(1)

*Potency—*(i) *Sample preparation*. Reconstitute as directed in the labeling. Using a suitable hypodermic needle and syringe, remove all of the withdrawable contents if it is represented as a single dose container, or if the labeling specifies the amount of potency in a given volume of the resultant preparation, remove an accurately measured representative portion from each container. Dilute the resultant solution with 0.1M potassium phosphate buffer, pH 8.0 (solution 3), for the microbiological agar diffusion assay, or distilled water for the iodometric assay, to give a stock solution of convenient concentration.

(ii) *Assay procedure*. Use either of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(a) *Microbiological agar diffusion assay*. Proceed as directed in § 141.110 of this chapter, diluting an aliquot of the stock solution with solution 3 to the reference concentration of 0.1 microgram of ampicillin per milliliter.

(b) *Todometric assay*. Proceed as directed in § 141.506 of this chapter, diluting an aliquot of the stock solution with distilled water to the prescribed concentration.

(2) *Sterility*. Proceed as directed in § 141.2 of this chapter, using the method described in paragraph (e)(1) of that section, except in lieu of (e)(1)(i)(a), prepare the sample for test as follows: From each of 10 immediate containers, aseptically transfer approximately 300 milligrams of sample into a sterile 500-milliliter Erlenmeyer flask containing approximately 400 milliliters of diluting fluid D. Add at least 200,000 Levy units<sup>1</sup> of both of the stoppered flasks to completely solubilize the suspension prior to filtration and proceed as directed in paragraph (e)(1)(ii) of that section. If the formulation cannot be filtered, proceed as directed in § 141.2(e)(2), except use medium B in lieu of medium A.

(3) *Pyrogens*. Proceed as directed in § 141.4(f) of this chapter, using a solution containing 20 milligrams of ampicillin per milliliter.

(4) *Safety*. Proceed as directed in § 141.5 of this chapter.

(5) *Loss on drying*. Proceed as directed in § 141.501(a) of this chapter.

(6) *pH*. Proceed as directed in § 141.503 of this chapter, using the solution obtained when the product is reconstituted as directed in the labeling.

Interested persons may, within 60 days after publication hereof in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: November 16, 1972.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc.72-20140 Filed 11-21-72; 8:52 am]

<sup>1</sup> One Levy unit of penicillinase inactivates 59.3 units of penicillin G in 1 hour at 25° C. and at a pH of 7.0 in a phosphate buffered solution of a pure alkali salt of penicillin G when the substrate is in sufficient concentration to maintain a zero order reaction.

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[49 CFR Part 571]

[Docket No. 69-18; Notice 13]

### LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

#### Modification of Proposed Effective Date

The purpose of this notice is to modify the effective date of the proposed amendment of Standard No. 108, 49 CFR 571.108, applicable to turn signal and hazard warning signal flashers.

In Notice 12, Docket No. 69-18 (Nov. 3, 1972; 37 F.R. 23460), this agency proposed reinstatement of the requirements applicable to turn signal and hazard warning signal flashers set aside by the U.S. Court of Appeals on August 29, 1972. An effective date of January 1, 1973, was proposed for the new requirements. Wagner Electric Corp. has asked the NHTSA to provide an effective date of September 1, 1973, to allow greater time for testing, certification by State authorities, and modifications in design or other features that may prove necessary. In accordance with Wagner's request, the NHTSA hereby modifies Notices 12 to propose an effective date of September 1, 1973, with permissible optional compliance prior to that date.

In consideration of the foregoing, the notice of proposed amendments of Standard No. 108, 49 CFR 571.108, published as Notice 12 of Docket 69-18 (Nov. 3, 1972; 37 F.R. 23460) is changed as follows:

1. Item 2. is modified to read:

A new paragraph S4.1.1.1 would be added to read: "Each passenger car, multipurpose passenger vehicle, truck, and bus shall be equipped with a turn signal flasher and a hazard warning signal flasher. Each motorcycle shall be equipped with a turn signal flasher. Flashers on vehicles manufactured before September 1, 1973, shall meet either the requirements of table I or table III as applicable, or the requirements of paragraph S4.6 of this standard. Flashers on vehicles manufactured on or after September 1, 1973, shall meet the requirements of paragraph S4.6."

2. In item 3., the date of deletion of turn signal and hazard warning signal flasher from tables I and III would be September 1, 1973.

This notice is issued under the authority of section 103 and 119 of the National Traffic and Motor Vehicle Safety Act of 1966, 15 U.S.C. 1392, 1407, and the delegations of authority at 49 CFR 1.51 and 49 CFR 501.8.

Issued on November 17, 1972.

ROBERT L. CARTER,  
Associate Administrator,  
Motor Vehicle Programs.

[FR Doc.72-20117 Filed 11-17-72; 3:29 am]



**PRICE COMMISSION**

[ 6 CFR Part 300 ]

[Reference Notice 72-2]

**PRICE STABILIZATION****Profit Margin Calculation for Lumber Firms Formerly Exempted From Control; Withdrawal of Notice of Proposed Rule Making**

The purpose of this notice is to withdraw Notice 72-2 issued by the Price Commission on September 13, 1972 (37 F.R. 18745), soliciting comments of the industry regarding alternative methods

of profit margin calculations for those lumber wholesalers, retailers, or manufacturers whose exemption from the Economic Stabilization Program was eliminated by the Cost of Living Council on July 17, 1972.

Upon reconsideration of the proposal in the light of the comments received the Price Commission has determined that no further rule making action should be taken on that proposal. Accordingly, Notice 72-2 published in the FEDERAL REGISTER on September 15, 1972 (37 F.R. 18745), entitled "Profit Margin Calculation for Lumber Firms Formerly Exempted From Control" is hereby withdrawn.

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

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

By direction of the Commission.

JAMES B. MINOR,

General Counsel, Price Commission.

[FR Doc.72-20156 Filed 11-21-72;8:53 am]



# Notices

## DEPARTMENT OF THE TREASURY

### Bureau of Customs

#### CHROMIC ACID FROM AUSTRALIA

##### Notice of Intent To Revoke Finding of Dumping

NOVEMBER 17, 1972.

A finding of dumping with respect to chromic acid from Australia was made in Treasury Decision 56130 which was published in the FEDERAL REGISTER on March 21, 1964 (29 F.R. 3596).

After due investigation, I find that chromic acid from Australia is no longer being, nor likely to be, sold in the United States at less than fair value. Supporting that finding are the facts that there have been no importations of chromic acid from Australia since 1963 and that the foreign supplier of this merchandise has given assurance that any future sales of chromic acid to the United States will not be made at less than fair value. Accordingly, pursuant to § 153.41(c) of the Customs regulations (19 CFR 153.41(c)), notice is hereby given that the Treasury Department intends to revoke the dumping finding as to chromic acid from Australia.

Prior to the issuance of the proposed revocation, consideration will be given to any relevant data, views, or arguments which are submitted in writing by interested parties to the Commissioner of Customs, 2100 K Street NW., Washington, DC 20226, and received not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

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

[FR Doc. 72-20236 Filed 11-21-72; 8:52 am]

### Office of the Secretary

#### WELDED STAINLESS STEEL PIPE AND TUBING FROM JAPAN

##### Notice of Discontinuance of Antidumping Investigation

NOVEMBER 17, 1972.

On August 4, 1972, there was published in the FEDERAL REGISTER a "Notice of Intent to Discontinue Antidumping Investigation" of welded stainless steel pipe and tubing from Japan.

The statement of reasons for intending to discontinue this investigation was published in the above-mentioned notice, and interested parties were afforded an opportunity to make written submissions

and to present oral views in connection with the intended action.

No written submissions or requests having been received and for the reasons stated in the "Notice of Intent to Discontinue Antidumping Investigation," I hereby discontinue the antidumping investigation of welded stainless steel pipe and tubing from Japan.

This "Notice of Discontinuance of Antidumping Investigation" is published pursuant to § 153.15(b) of the Customs regulations (19 CFR 153.15(b)).

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

[FR Doc. 72-20235 Filed 11-21-72; 8:52 am]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### ALASKA

##### Notice of Filing of Plat of Survey

1. Plat of survey of the lands described below will be officially filed in the Anchorage Land Office, Anchorage, Alaska, effective at 10 a.m., December 18, 1972.

SEWARD MERIDIAN, ALASKA

T. 16 N., R. 3 E.,  
Sec. 4, lots 1 and 2;  
Sec. 5, lots 1, 2, 3, and 4, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ S $\frac{1}{2}$ ;  
Sec. 8, N $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
Sec. 9, lots 1, 2, 3, and 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ ;  
Sec. 10, lots 1, 2, 3, 4, 5, and 6, W $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 14, lots 1, 2, 3, 4, and 5, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 15, lot 1, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 16, E $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
Sec. 23, lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 24, lots 1, 2, 3, and 4, S $\frac{1}{2}$ ;  
Sec. 25, N $\frac{1}{2}$ N $\frac{1}{2}$ ;  
Containing 2,951.23 acres.

2. The land encompassing this survey is bordered on the north by the Knik River and on the south by the Chugach Mountain Range.

The soil is a thin sandy loam covered with a good growth of cottonwood, birch, and spruce, dispersed with alders, rose, willow brush and devil's club.

The elevation ranges from 100 to 1,500 feet above sea level.

The main access is an improved dirt road that enters the survey in section 5, traversing southeasterly and exiting the township in section 25.

The area is located approximately 12 miles southeast of Palmer, Alaska.

3. The public lands affected by this order are hereby restored to the operation of the public land laws, subject to any valid existing rights, the provisions of existing withdrawals, and the require-

ments of applicable law, rules, and regulations.

4. Inquiries concerning the lands should be addressed to the Manager, Anchorage Land Office, 555 Cordova Street, Anchorage, AK 99501.

CLARK R. NOBLE,  
Land Office Manager.

NOVEMBER 14, 1972.

[FR Doc. 72-20082 Filed 11-21-72; 8:46 am]

### Office of the Secretary

[FES 72-41]

#### TERMINATION OF HELIUM PURCHASE CONTRACTS

##### Notice of Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Bureau of Mines, Department of the Interior, has prepared a final environmental statement entitled "Termination of Helium Purchase Contracts." Single copies may be obtained from the Director, Bureau of Mines, U.S. Department of the Interior, Washington, D.C. 20240.

In requesting this document, please refer to the statement number above.

Dated: November 13, 1972.

W. W. LYONS,  
Deputy Assistant Secretary  
of the Interior.

[FR Doc. 72-20100 Filed 11-21-72; 8:47 am]

### Geological Survey

[Power Site Cancellation 239]

#### GREEN RIVER, UTAH

##### Cancellation of Power Site

Pursuant to authority under the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and 220 Departmental Manual 6.1, Power Site Classification 411 of November 9, 1950, is hereby canceled to the extent that it affects the following described land:

SALT LAKE MERIDIAN, UTAH

T. 2 N., R. 20 E.,  
Sec. 2, lots 1 to 8, inclusive, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 10, lots 1 and 2, and NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 11, lots 6 to 16, inclusive, N $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 12, lot 2;  
Sec. 13, lots 4 to 9, inclusive, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 14, lot 1, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , and N $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 24, lots 2, 3, and 4.  
T. 3 N., R. 20 E.,  
Sec. 26, SE $\frac{1}{4}$ SW $\frac{1}{4}$  and SW $\frac{1}{4}$ SE $\frac{1}{4}$ .



T. 2 N., R. 21 E.,

Every smallest legal subdivision along the right bank (south bank) of Green River any portion of which, when surveyed, will be at an elevation of 5,900 feet or less above mean sea level and as shown by the map entitled "Plan and Profile, Green River, Green River, Utah, to Green River, Wyoming" published by the U.S. Geological Survey in 1924. Protraction of land net from existing surveys indicates that the land will be in sections 12, 13, 14, 15, 19, 20, 21, 22, and 23.

T. 2 N., R. 22 E.,

Sec. 7, lots 9, 10, and 11;  
Sec. 9, lots 5 and 6;  
Sec. 10, lots 2 and 3;  
Sec. 15, lots 5 to 12, inclusive, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 16, lots 2 to 8, inclusive, and SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 17, lots 4 to 8, inclusive, and S $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
Sec. 18, lots 6 to 9, inclusive, lots 11 and 12, and SE $\frac{1}{4}$ SW $\frac{1}{4}$ .

The land described aggregates about 3,909 acres.

The effective date of this cancellation is March 14, 1973.

Dated: November 14, 1972.

W. A. RADLINSKI,  
Acting Director.

[FR Doc. 72-20085 Filed 11-21-72; 8:46 am]

[Power Site Cancellation 275]

#### SNAKE RIVER BASIN, IDAHO

##### Cancellation of Power Site

Pursuant to authority under the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and 220 Departmental Manual 6.1, Power Site Classification 365 of August 10, 1944, is hereby canceled to the extent that it affects the following described land:

BOISE MERIDIAN

T. 6 S., R. 6 E.,

Sec. 1, SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 2, N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 5, N $\frac{1}{2}$ S $\frac{1}{2}$ .

The area described aggregates 280 acres.

The effective date of this cancellation is March 14, 1973.

Dated: November 14, 1972.

W. A. RADLINSKI,  
Acting Director.

[FR Doc. 72-20086 Filed 11-21-72; 8:47 am]

[Power Site Cancellation 313]

#### MERCED RIVER BASIN, CALIF.

##### Cancellation of Power Site

Pursuant to authority under the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and 220 Department Manual 6.1, Power Site Classification 267 of August 24, 1933, is hereby canceled to the extent that it affects the following described land:

MOUNT DIABLO MERIDIAN

T. 3 S., R. 15 E.,

Sec. 35, SW $\frac{1}{4}$ SE $\frac{1}{4}$ .

The land described aggregates 40 acres.

The effective date of this cancellation is March 14, 1973.

Dated: November 14, 1972.

W. A. RADLINSKI,  
Acting Director.

[FR Doc. 72-20087 Filed 11-21-72; 8:47 am]

## DEPARTMENT OF COMMERCE

### Office of Import Programs

#### NORTH CAROLINA DEPARTMENT OF MENTAL HEALTH ET AL.

##### Notice of Applications for Duty-Free Entry of Scientific Articles

###### Correction

In F.R. Doc. 72-19095 appearing at page 23740 of the issue for Wednesday, November 8, 1972, in Docket No. 73-00190-33-46040 the figure "295" in the sixth line should read "275".

### HARVARD 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. 73-00025-46040. Applicant: Harvard University, Purchasing Department, 75 Mount Auburn Street, Cambridge, MA 02138. Article: Electron microscope, Model Elmiskop 101. Manufacturer: Siemens AG, West Germany. Intended use of article: The article is intended to be used for structural studies of cellular membranes accompanied by X-ray and neutron diffraction, biochemical and genetic studies in a cooperative effort of several investigators. Other experiments will include structural analysis of isolated gap junctions from mammalian liver and correlated X-ray diffraction and electron microscope studies with nerve myelin. The article will also be used as a teaching instrument for graduate students and postdoctoral fellows in training in the methods of electron microscopy in addition to other aspects of cell biology.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for

such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article has a specified resolving capability of 3.5 angstroms. The most closely comparable domestic instrument is the Model EMU-4C electron microscope manufactured by the Forgi Corp. The Model EMU-4C has a specified resolving capability of 5 angstroms. (The lower the numerical rating in terms of Angstrom units, the better the resolving capability.) We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated November 3, 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.

B. BLANKENHEIMER,  
Acting Director,  
Office of Import Programs.

[FR Doc. 72-20149 Filed 11-21-72; 8:52 am]

### UNIVERSITY OF COLORADO

##### 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. 73-00036-22-26200. Applicant: University of Colorado, Purchasing Department, Regent Hall, Box 8, Boulder, CO 80302. Article: Two (2) Custom built and designed trigger units, 1972 Modified JCSMR-ANU, R.M.T. Schmitt trigger unit, rack mounted and one (1) modular rack. Manufacturer: R. M. Tupper, Australia. Intended use of article: The article is intended to be used in a project to study receptive field organization of the retina and lateral geniculate nucleus of the cat. The major objective of the



project is to correlate the behavior of single neurons with known anatomy.

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 use in the study and recording of action potentials from single cat neurons as obtained from microelectrodes requires a specific design so that the results will be compatible with the applicant's techniques, apparatus and experience. The custom built foreign article provides the specific design. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated November 3, 1972 that the capability described above is pertinent to the purposes for which the article is intended to be used. HEW further advises that it knows of no comparable domestic instrument 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.

B. BLANKENHEIMER,  
Acting Director,  
Office of Import Programs.

[FR Doc.72-20150 Filed 11-21-72;8:52 am]

## UNIVERSITY OF COLORADO

### 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. 72-00262-01-77030. Applicant: University of Colorado, Purchasing Services Department, Regent Hall, Room 122, Boulder, CO 80302. Article: NMR spectrometer, Model PS-100 and accessories. Manufacturer: JEOLCO, Ltd., Japan. Intended use of article: The article is intended to be used in physical chemical and structural studies on organic and inorganic compounds containing  $H^1$ ,  $F^{19}$ ,  $C^{13}$  and  $Si^{29}$  in natural abundance and ultimately  $Si^{29}$ ,  $H^2$  (deuterium),  $P^{31}$  and other magnetic nuclei.

Comments: No comments have been received with respect to this application. A letter dated March 20, 1972 from Varian Associates, Palo Alto, Calif. is

treated as additional information under section 701.10(a) of the regulations.

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 National Bureau of Standards (NBS) stated in its memorandum dated October 17, 1972 that a method of comparing the pulse power of the foreign and comparable domestic instruments is to compare their 90 degree pulse width for  $C^{13}$ . The foreign article has a guaranteed specification of 10 microseconds. The most closely comparable domestic instrument, the Varian Model XL100 and accessories, provides a guaranteed specification of 40 microseconds which is significantly longer. NBS advised that the requirement for high pulse power at least equal to that of the foreign article is pertinent to the purposes for which the article is intended to be used i.e.  $T_1$  (Spin relaxation time) measurements on solutions with paramagnetic ions. NBS also advised that it knows of no domestic instrument which is scientifically equivalent to the foreign article for the applicant's intended use.

For these reasons, we find the Model XL100 and accessories are not of equivalent scientific value to the foreign article for the purposes for which 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.

B. BLANKENHEIMER,  
Acting Director,  
Office of Import Programs.

[FR Doc.72-20151 Filed 11-21-72;8:52 am]

## UNIVERSITY OF MICHIGAN AND KENTUCKY STATE COLLEGE

### 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. 73-00027-33-46040. Applicant: The University of Michigan, School of Dentistry, 1011 North Univer-

sity, Ann Arbor, MI 48104. Article: Electron microscope, Model EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used to observe ultrastructural morphology of oral-facial tissues of mice, rats, rabbits, and humans consisting of abnormally developed cleft lip and palatal material and compare to normal tissues. Tooth tissues will also be observed to better understand the relationship of dentin development related to neural growth. The article will also be used in instructing graduate students in the methods of electron microscopy. Application received by Commissioner of Customs: July 12, 1972. Advice submitted by Department of Health, Education, and Welfare on: November 3, 1972.

Docket No. 73-00041-33-46040. Applicant: Kentucky State College-Biology, Carver Hall, Room 188, East Main Street, Frankfort, Ky. 40601. 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 human and animal tissues in respect to their cellular structure and characteristics to determine the effect of malnutrition upon normal cellular structure. The article will also be used in the course Cell Biology—Electron Microscopy to train a large number of students in analytical techniques. Application received by Commissioner of Customs: July 18, 1972. Advice submitted by Department of Health, Education, and Welfare on: November 3, 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 applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. Each of the foreign articles to which the foregoing applications relate is a relatively simple, medium resolution electron microscope designed for confident use by beginning students with a minimum of detailed programming. The most closely comparable domestic instrument is the Model EMU-4C electron microscope which is a relatively complex instrument designed primarily for research, which requires a skilled electron microscopist for its operation. We are advised by the Department of Health, Education, and Welfare in its respectively cited memoranda, that the relative simplicity of design and ease of operation of the foreign articles described above are pertinent to the applicants' educational purposes. We, therefore, find that the Forglia Model EMU-4C electron microscope is not of equivalent scientific value to any of the foreign articles described above 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.

B. BLANKENHEIMER,  
Acting Director,  
Office of Import Programs.

[FR Doc.72-20152 Filed 11-21-72;8:52 am]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

### NATIONAL ADVISORY FOOD COMMITTEE

#### Notice of Meetings

Pursuant to Executive Order 11671, the Food and Drug Administration announces the following public advisory committee meetings and other required information in accordance with provisions set forth in section 13(a) (1) and (2) of the order:

Committee name	Date, time, place	Type of meeting and contact person
National Advisory Food Committee.	Nov. 27 and 28, 9:20 a.m., Conference Room M, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD.	Open—Nov. 27, open—Nov. 28, 9:20 a.m. to 10:30 a.m., closed Nov. 28 after 10:30 a.m.; Robert A. Littleford, Ph.D., Room 7-67, 5600 Fishers Lane, Rockville, MD 20852, 301-443-4463.

**Purpose.** Advises the Commissioner of Food and Drugs on policy matters of national significance relating to safety of foods. Reviews and makes recommendations on applications for grants-in-aid.

**Agenda.** GRAS review, International Symposium on Benefit-Risk Evaluation, and nutrition labeling activities. Grant review portion of meeting will be closed to the public in accordance with the determination by the Secretary of Health, Education, and Welfare pursuant to the provisions of Executive Order 11671, section 13(d).

Agenda items are subject to change as priorities dictate.

A list of committee members and summary minutes of the meetings may be obtained from the contact person for the committee both for meetings open to public participation and those meetings closed to the public in accordance with section 13(d) of Executive Order 11671 and the Secretary's notice of determination of September 27, 1972, published in the FEDERAL REGISTER of October 5, 1972 (37 F.R. 20995).

Dated: November 16, 1972.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc.72-20142 Filed 11-21-72;8:52 am]

### National Institutes of Health ARTIFICIAL KIDNEY-CHRONIC UREMIA ADVISORY COMMITTEE

#### Notice of Meeting

Pursuant to Executive Order 11671, notice is hereby given of the meeting of the Artificial Kidney-Chronic Uremia Advisory Committee, December 11, 1972, at 8:45 a.m., National Institutes of Health, Building 31, Conference Room 4. This meeting will be open to the public from 8:45 a.m. to 9:45 a.m. on December 11 to discuss the current status of the artificial kidney program, and closed to the public from 9:45 a.m. to 5 p.m. on December 11, to review, discuss, and evaluate and/or rank grant applications in accordance with section 13(d) of Executive Order 11671 and the Secretary's determination.

Name of the person from whom rosters of committee members, summary of the meeting, and other information pertaining to the meeting may be obtained: Mr. Victor Wartofsky, Information Officer, NIAMDD, National Institutes of Health, Building 31, Room 9A04, Bethesda, Md., 301-496-3583.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

NOVEMBER 14, 1972.

[FR Doc.72-20078 Filed 11-21-72;8:46 am]

### DENTAL EDUCATION REVIEW COMMITTEE

#### Notice of Meeting

Pursuant to Executive Order 11671 notice is hereby given of meeting of the following committee and the executive secretary from whom summaries of meeting may be obtained.

Committee, date, time, and location of committee

Dental Education Review Committee; December 12, 1972; 8:30 a.m. to 5:30 p.m.; NIH, Building 31, Conference Room 8.

1. The Executive Secretary who will furnish summaries of the closed meeting and rosters of committee members: Leonard P. Wheat, National Institutes of Health, Building 31, Room 4B-44, phone 496-6641, and

2. The Executive Secretary from whom substantive information may be obtained: Leonard P. Wheat, National Institutes of Health, Building 31, Room 4B-44, phone 496-6641.

This meeting shall be closed to the public in accordance with section 13(d) of Executive Order 11671 and the Secretary's determination, in order to review, discuss, and evaluate and/or rank grant applications.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

NOVEMBER 15, 1972.

[FR Doc.72-20080 Filed 11-21-72;8:46 am]

### MEDICAL EDUCATION REVIEW

#### COMMITTEE

#### Notice of Meetings

Pursuant to Executive Order 11671 notice is hereby given of meetings of the following committee and the executive secretary from whom summaries of meetings may be obtained.

Committee, date, time, and location  
Medical Education Review Committee; December 13-14, 1972; 9 a.m.-5 p.m.; Building 31, Conference Room 10.

Names, addresses, room numbers, and phone numbers of:

1. The Executive Secretary who will furnish summaries of the meeting and roster of committee members is:

Mr. Theodore Lorenzen, National Institutes of Health, Building 31, Room 4C-07, Extension 66801, Exchange 49, Area Code 301, IDS Code 14.

2. The Executive Secretary from whom substantive information may be obtained is:

Mr. Theodore Lorenzen, National Institutes of Health, Building 31, Room 4C-07, Extension 66801, Exchange 49, Area Code 301, IDS Code 14.

These meetings shall be closed to the public in accordance with section 13(d) of Executive Order 11671 and the Secretary's determination, in order to review, discuss, and evaluate and/or rank grant applications.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

NOVEMBER 15, 1972.

[FR Doc.72-20079 Filed 11-21-72;8:46 am]

### NATIONAL ADVISORY PUBLIC HEALTH TRAINING COUNCIL

#### Notice of Meeting

Pursuant to Executive Order 11671, notice is hereby given of the meeting of the National Advisory Public Health Training Council, December 12, 1972, at 9 a.m., National Institutes of Health, Building 31, Conference Room 6. This meeting will be open to the public from 9 a.m. to 5 p.m., December 12, to discuss the status of current legislation and appropriations, revisions in grant program policy documents, evaluation plans for selected grant programs, and the supply and requirements for public health personnel; and closed to the public from 9 a.m. to adjournment, December 13, to review performance of ongoing contracts and to review and rank grant applications in accordance with section 13(d) of Executive Order 11671 and the Secretary's determination.

Summaries of this meeting may be obtained from the Executive Secretary, Mr. Thomas D. Hatch, Director, Division of Allied Health Manpower, Bureau of Health Manpower Education, National Institutes of Health, PHS, Building 31, Room 3C-39, 9000 Rockville Pike,



Bethesda, MD 20014, Telephone: 496-6975.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

NOVEMBER 15, 1972.

[FR Doc.72-20081 Filed 11-21-72;8:46 am]

**Office of the Secretary  
NATIONAL ADVISORY HEALTH  
COUNCIL**

**Notice of Public Meeting**

The National Advisory Health Council, established to advise the Secretary regarding all major aspects of the health problems of the Nation and the programs designed to meet these problems which come under the purview of the Department of Health, Education, and Welfare, is scheduled to meet on December 13-14, 1972. The meeting will be held in the Food and Drug Administration Building located at 200 C Street SW., Washington, DC, Room 1409. The meeting is scheduled to convene at 1 p.m. on December 13, and will continue until 5 p.m.; and at 9 a.m. on December 14 and will adjourn at 12:30 p.m.

The Council will discuss the problems of health manpower with respect to maldistribution both by geographic area and by specialty; and how the Federal Government can best contribute to the solution of these problems. The Council will present its views, also, as to which of the Nation's health problems should receive major attention in the course of the next 5 years.

The meeting is open for public observation.

Dated: November 16, 1972.

MELVIN L. DOLLAR,  
Executive Secretary.

[FR Doc.72-20122 Filed 11-21-72;8:50 am]

**ATOMIC ENERGY COMMISSION**

[Dockets Nos. 50-400, 50-401, 50-402, 50-403]

**CAROLINA POWER AND LIGHT CO.**

**Notice of Availability of Applicant's  
Environmental Report, Supplemental  
Environmental Reports, and  
Draft Environmental Statement**

Pursuant to the National Environmental Policy Act of 1969 and the Atomic Energy Commission's regulations set forth in appendix D to 10 CFR Part 50, notice is hereby given that documents entitled "Applicant's Environmental Report and Amendments to Environmental Report" (collectively known as the "reports"), submitted by the Carolina Power and Light Co. have been placed in the Commission's Public Document Room at 1717 H Street NW., Washington, DC

and in Wake County Public Library, 104 Fayetteville Street, Raleigh, NC 27601. The reports are also available at the Clearinghouse and Information Center, 116 West James Street, Raleigh, NC 27603. Research Triangle Regional Planning Commission, Post Office Box 12255, Research Triangle Park, NC 27709.

Notice of availability of the applicant's environmental report was published in the FEDERAL REGISTER on December 7, 1971 (36 F.R. 23262).

The reports have been analyzed by the Commission's Directorate of Licensing, and a draft environmental statement, related to the proposed issuance of a construction license for the Shearon Harris Nuclear Power Plant Units 1, 2, 3, and 4 located in Wake and Chatham Counties, N.C., has been prepared and is available for public inspection at the locations designated above. Copies of the Commission's draft environmental statement may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Pursuant to appendix D to 10 CFR Part 50, interested persons may, within forty-five (45) days from the date of publication of this notice in the FEDERAL REGISTER, submit comments for the Commission's consideration on the report and supplements, on the draft environmental statement, and on the proposed action. Federal and State agencies are being provided with copies of the draft environmental statement (local agencies may obtain this document on request), and when comments thereon of the Federal, State, and local officials are received, they will be made available for public inspection at the above designated locations. Comments on the draft environmental statement from interested members of the public should be addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Dated at Bethesda, Md., this 16th day of November 1972.

For the Atomic Energy Commission.

DANIEL R. MULLER,  
Assistant Director for Environmental  
Projects, Directorate  
of Licensing.

[FR Doc.72-20095 Filed 11-21-72;8:47 am]

[Docket No. 50-331]

**IOWA ELECTRIC LIGHT AND POWER  
CO.**

**Notice of Availability of Applicant's  
Amendments to Environmental Report  
and Draft Environmental Statement**

Pursuant to the National Environmental Policy Act of 1969 and the

Atomic Energy Commission's regulations set forth in Appendix D to 10 CFR Part 50, notice is hereby given that documents entitled "Applicant's Amendment No. 1 through Amendment No. 2 to Environmental Report" (collectively known as the "reports"), submitted by Iowa Electric Light & Power Co. have been placed in the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. and in Cedar Rapids Public Library, 428 Third Avenue SE., Cedar Rapids, IA 52401. The reports are also available at the Office of Planning and Programming, State Capitol, Des Moines, Iowa 50319 and the Linn County Regional Planning Commission, Courthouse, Cedar Rapids, Iowa 52401.

Notice of availability of the applicant's Environmental Report was published in the FEDERAL REGISTER on January 11, 1972 (37 F.R. 410).

The reports have been analyzed by the Commission's Directorate of Licensing, and a Draft Environmental Statement, dated November 1972, related to the proposed Continuation of Construction Permit No. CRR-70 and the proposed issuance of operating licenses for the Duane Arnold Energy Center located in Linn County, Iowa, has been prepared and has been made available for public inspection at the locations designated above. Copies of the Commission's Draft Environmental Statement may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Pursuant to Appendix D to CFR Part 50, interested persons may, within thirty (30) days from the date of publication of this notice in the FEDERAL REGISTER submit comments for the Commission's consideration on the Report and Supplements, on the Draft Environmental Statement, and on the proposed action. Federal and State agencies are being provided with copies of the Draft Environmental Statement (local agencies may obtain this document on request), and when comments thereon of the Federal, State, and local officials are received, they will be made available for public inspection at the above designated locations. Comments on the Draft Environmental Statement from interested members of the public should be addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Dated at Bethesda, Maryland, this 15th day of November 1972.

For the Atomic Energy Commission.

DANIEL R. MULLER,  
Assistant Director for Environmental  
Projects, Directorate  
of Licensing.

[FR Doc.72-20096 Filed 11-21-72;8:47 am]



[Docket No. 50-322]

**LONG ISLAND LIGHTING CO.****Schedule for Prehearing Conference and for Evidentiary Hearing**

In the matter of Long Island Lighting Co. (Shoreham Nuclear Power Station).

A prehearing conference in the above proceeding will be held on Tuesday, November 28, 1972, 9:30 a.m., local time, at the Holiday Inn (Capri Room), 100-15 Ditmars Boulevard, East Elmhurst, NY 11379 (near La Guardia Airport).

The evidentiary hearing will begin on Monday, December 4, 1972, at 10 a.m., local time, at the Holiday Inn, 4089 Nesconset-Port Jefferson Highway, Centerreach, NY 11720.

For the Atomic Safety and Licensing Board.

Dated at: Washington, D.C., this 20th day of November 1972.

JAMES R. YORE,  
Chairman.

[FR Doc.72-20211 Filed 11-21-72;8:53 am]

[Docket No. 50-397]

**WASHINGTON PUBLIC POWER SUPPLY SYSTEM****Order Scheduling Prehearing Conference**

On September 28, 1972, the Atomic Energy Commission published in the FEDERAL REGISTER (37 F.R. 20271) a notice of hearing to consider the application filed under the Atomic Energy Act of 1954, as amended, by the Washington Public Power Supply System (Applicant) for a construction permit for a boiling water nuclear reactor designated as the Hanford No. 2 Nuclear Power Plant. That notice provided that an Atomic Safety and Licensing Board (which has been designated by the Atomic Safety and Licensing Board Panel on November 15, 1972) would conduct a public hearing, specified the issues to be determined by the Board and provided opportunity for the filing of petitions for leave to intervene. In addition, the notice provided the opportunity to make limited appearances to other persons who wish to make a statement in the proceeding but who do not wish to intervene.

Pursuant to such authorization, notice is hereby given that a prehearing conference in the captioned proceeding will be held on November 30, 1972.

All members of the public are entitled to attend this prehearing conference and any subsequent prehearing conferences as well as the full evidentiary sessions of the hearing in this proceeding. The prehearing conference on November 30, 1972, however, will be conducted in accordance with § 2.751a of 10 CFR Part 2 of the Commission's rules of practice which provide for the development of procedures for the evidentiary hearing which will be scheduled for a later time

with public notice given. The procedures to be considered on November 30 will be limited to the identification of parties and key issues in the proceeding, and the establishment of a schedule for further actions in the proceeding.

No evidence will be received at the prehearing conference on November 30, nor will there be an opportunity at that time for the presentation of statements from members of the public who desire to make limited appearances. All statements by members of the public in this proceeding by way of limited appearances pursuant to § 2.715 of the rules of practice will be received on the initial day or days of the evidentiary hearing which will be scheduled at a later date, public notice of which will be given, both by publication in the FEDERAL REGISTER and by notice sent by mail directly to all members of the public who have requested to be notified.

Wherefore, it is ordered, In accordance with the Atomic Energy Act of 1954, as amended, and the rules of practice of the Commission, that a prehearing conference in this proceeding shall convene at 2 p.m., local time, on Thursday, November 30, 1972, in the Post Office and Court House Auditorium; 25 Jadwin Avenue, Richland, WA 99352.

Issued at Washington, D.C., this 20th day of November 1972.

ATOMIC SAFETY AND LICENSING BOARD,  
ROBERT M. LAZO,  
Chairman.

[FR Doc.72-20276 Filed 11-21-72;11:11 am]

**CIVIL AERONAUTICS BOARD**

[Docket No. 24909]

**DELTA AIR LINES, INC.****Dallas-California Reduced Coach Fares; Notice of Prehearing Conference**

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on December 19, 1972, at 10 a.m. (local time) in Room 1031, North Universal Building, 1875 Connecticut Avenue NW., Washington, DC, before Administrative Law Judge Richard M. Hartsock.

In order to facilitate the conduct of the conference, parties are instructed to submit one copy to each party and four copies to the Judge of (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statement of positions of parties; and (5) proposed procedural dates. The Bureau of Economics will circulate its material on or before December 7, 1972, and the other parties on or before December 14, 1972. The submissions of the other parties shall be limited to points on which they differ with the Bureau of Economics, and shall follow the numbering and lettering used by the Bureau to facilitate cross-referencing.

Dated at Washington, D.C., November 16, 1972.

[SEAL] RALPH L. WISER,  
Chief Administrative Law Judge.  
[FR Doc.72-20123 Filed 11-21-72;8:50 am]

[Docket No. 20213; Order 72-11-29]

**FRONTIER AIRLINES, INC.****Order to Show Cause**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the ninth day of November 1972.

By order 70-11-25, November 5, 1970, the Board authorized Frontier Airlines, Inc., (Frontier), to suspend service temporarily at McAlester, Okla., until July 30, 1972.<sup>1</sup> The Board provided that the suspension authority would terminate should the Sedalia-Marshall-Boonville Stage Lines (SMB) fail to provide a specified minimum level of service.<sup>2</sup>

On May 30, 1972, Frontier filed an application for renewal of its suspension authorization at McAlester for an additional 2-year period, until August 1, 1974. In support of its application, Frontier states that it has been suspended at McAlester for almost 4 years, and alleges that it would be a financial burden for it to reinstitute service to McAlester at this time. Frontier contends that the city boarded an average of only 6.2 passengers per day during the last calendar year of Frontier's service at the city, and that there is convenient alternative surface transportation available.

No answers to Frontier's application have been filed.<sup>3</sup>

Upon consideration of the pleadings and all the relevant facts, we have decided to authorize Frontier to suspend service temporarily at McAlester, Okla., until August 1, 1974, conditioned upon the provision of replacement services by SMB. As we noted in Order 70-11-25, the Board is of the view that the suspension/replacement arrangement at McAlester is in the public interest from an

<sup>1</sup> Frontier was originally granted authority to suspend service at McAlester by Order 68-10-180, Oct. 31, 1968. Order 70-11-25 extending that suspension authorization also permitted Frontier to suspend service temporarily at Muskogee, Okla., and Paris, Tex.

<sup>2</sup> Orders 71-6-150, June 29, 1971, and 72-3-95, Mar. 29, 1972, approved a reduction in the minimum level of replacement service required. Consequently, SMB must now provide one afternoon round trip 7 days a week between McAlester and Dallas, Tex., using Beech-99 or comparable equipment and one southbound trip 6 days a week from Tulsa to McAlester, using at least Piper Aztec or comparable equipment.

<sup>3</sup> On Mar. 24, 1972, the Air Line Pilots Association, International filed a motion in this docket, as well as in a number of other dockets involving suspension/substitution arrangements, requesting that the matters be set down for evidentiary hearing. Frontier filed an answer opposing ALPA's motion. For the reasons stated herein, and in Order 72-9-39, Sept. 12, 1972, which denied the motion with respect to three other suspension/replacement situations, we shall deny ALPA's request for an evidentiary hearing.



overall transportation standpoint.<sup>4</sup> As set forth above, the arrangement provides for daily round-trip commuter service to Dallas and southbound service from Tulsa to McAlester.

We have also examined the facts presented by Frontier's application in light of findings in a recent court case<sup>5</sup> involving air taxi replacement services where the court indicated that the Board should consider whether the statutory conditions for exemption from certification set out in section 416 continue to exist. As discussed below, we tentatively find that, with respect to SMB, the statutory conditions for exemption from certification continue to exist.

SMB, which provides the commuter replacement services at McAlester, has conducted air taxi operations since September 1967 and now provides short-haul commuter air services at four cities in addition to McAlester.<sup>6</sup> While traffic statistics are not available for SMB's commuter service, it is apparent that the size of SMB's short-haul passenger operations in the 154-mile McAlester-Dallas and 90-mile McAlester-Tulsa markets, measured in terms of revenue passenger miles, is quite limited when compared to the average RPM's generated by the local service industry. Indeed, SMB's total passenger operations involve only three daily flights.<sup>7</sup>

SMB has been providing replacement service for Frontier at McAlester since Frontier was first suspended at this point in 1968. SMB currently operates the following service pattern for McAlester with Beech-99 equipment: one southbound flight—Tulsa-Muskogee-McAlester-Paris-Dallas/Fort Worth, and one northbound flight—Dallas/Fort Worth-Paris-McAlester-Muskogee. The carrier maintains aircraft liability insurance re-

quired by the Board under Part 298 of the Board's economic regulations.

On the basis of the foregoing, and on the basis of our findings set forth in Order 72-9-39, September 12, 1972, and our conclusion therein that the certification process is generally inappropriate for replacement commuter carriers, we tentatively conclude that it would not be in the public interest to require SMB to undergo a certification proceeding in order to provide replacement services for Frontier at McAlester. SMB's replacement services are neither of sufficient magnitude nor do they hold such prospects of economic success as to warrant their separate certification.<sup>8</sup>

We further tentatively find that certification would be an undue burden on SMB by reason of the limited extent of, and unusual circumstances affecting, its operations. As described above, the carrier's operations are of limited extent in terms of both the replacement services involved and the overall scope of its operations. Furthermore, the very nature of the small aircraft to which SMB is restricted makes the operations limited in extent. The accommodations on these aircraft not only limit the competitive capabilities of SMB but also limit the amount of traffic it can carry and the length of the markets it can serve, compared with a certificated carrier operating large aircraft. Thus, the cost of certificate procedures would impose a severe financial burden on SMB wholly disproportionate to its existing and proposed operations. Moreover, enforcement of sec 401 requirements would be an undue burden not only because of the substantial cost of certification procedures, but also because certification would deprive SMB of the necessary operating flexibility it must have to conduct nonsubsidized services with small aircraft in short-haul, low-density markets.

We are also satisfied that there are no safety considerations which would warrant a determination that the substitution arrangement is contrary to the public interest. Not only must SMB conduct its operations in strict conformity with the Federal Aviation regulations promulgated by the Secretary of Transportation, who is charged by law with insuring the highest degree of safety in air transportation, but SMB has had a successful operation history.<sup>9</sup>

<sup>8</sup> In this connection, we note that we have approved reductions in the minimum replacement service requirements at McAlester (Orders 71-6-150 and 72-3-95) because SMB was incurring operating losses due to a lack of traffic response to its services at McAlester. Specifically, McAlester boarded less than five passengers per day in 1970, and approximately 3.8 passengers per day during the first 3 months of 1971, a reduction of 17 percent from the first quarter of 1970.

<sup>9</sup> We have informally checked with the FAA and they report that SMB has excellent operations with good management, maintenance, and training, and, with the exception of one accident on Aug. 9, 1972 involving a mail-only flight which was caused by mechanical failure and resulted in no fatalities, SMB has had a good safety record, and no safety or maintenance violations of FAA regulations during the last 12 months.

Consequently, for the reasons set forth above, we tentatively find and conclude that:

1. Frontier Airlines, Inc., should be authorized to suspend service temporarily at McAlester, Okla., subject to the condition that such suspension shall immediately terminate if, at any time, Sedalia-Marshall-Boonville Stage Lines, Inc., fails to operate at least:

(a) One afternoon round trip 7 days a week between McAlester and Dallas using Beech-99 or comparable equipment; and

(b) One southbound trip 6 days a week from Tulsa to McAlester, using at least Piper Aztec or comparable equipment; and

2. The authority granted in ordering paragraph 1 should expire on August 1, 1974.

Interested persons will be given 21 days following the service date of this order to show cause why the tentative findings and conclusions set forth herein should not be made final. We expect such persons to direct their objections, if any, to the specific facts in issue, and to support such objections with detailed economic or legal analysis.

Accordingly, it is ordered, That:

1. All interested persons are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein, and granting the requested suspension;

2. Any interested persons having objection to the issuance of an order making final the proposed findings, conclusions, and suspension authorization set forth herein shall within 21 days after service of a copy of this order, file with the Board and serve upon all persons listed in appendix A,<sup>10</sup> a statement of objections together with such statistical data, and other materials and evidence relied upon to support the stated objections; answers to such objections shall be filed within 14 days, thereafter;

3. Any interested persons requesting an evidentiary hearing shall state in detail why such a hearing is necessary and what relevant and material facts he would expect to establish through such a hearing. General, vague, or unsupported objections will not be entertained;

4. If timely and properly supported objections are filed, full consideration will be accorded the matters or issues raised by the objections before further action is taken by the Board;

5. In the event no objections are filed to any part of this order, all further procedural steps relating to such part or parts will be deemed to have been waived, and the case will be submitted to the Board for final action;

6. The motion of the Air Line Pilots Association, International to reopen the record for an evidentiary hearing filed in this docket be and it hereby is denied; and

7. A copy of this order shall be served upon all persons listed in appendix A.

<sup>10</sup> Filed as part of the original document.

<sup>4</sup> Specifically, we found that the suspension would reduce Frontier's subsidy need and, with the replacement service by SMB, would not result in any significant inconvenience to the traveling public.

<sup>5</sup> We have also taken account of the facts that McAlester is one of three points on the Dallas-Tulsa leg of Frontier's segment 18 and Frontier has applied for authority to terminate its services at the other two points, Muskogee and Paris. Our proposed action herein only continues the status quo at McAlester and should not impair our flexibility to deal with the remaining applications. In processing those applications, we will give full consideration to the effect of any action on McAlester.

<sup>6</sup> Air Line Pilots Association, International v. CAB, 458 F.2d 846 (C.A.D.C. 1972).

<sup>7</sup> The cities are: Tulsa and Muskogee, Okla., and Dallas/Fort Worth and Paris, Tex.

<sup>8</sup> In addition to its commuter services, SMB provides independent air taxi mail-only services. SMB's mail operations in 1971 included service to eight communities in Nebraska and in Kansas, seven in Iowa, five in both Missouri and Texas, three in North Dakota, two in Illinois, and one each in Arkansas, Indiana, Kentucky, Louisiana, Minnesota, Ohio, Oklahoma, South Dakota, and Wisconsin. However, since SMB provides noncertificated service and, consequently, to some extent a demand-type service, the carrier served some of the above cities for only a brief period during 1971.



This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,  
Secretary.

[FR Doc. 72-20125 Filed 11-21-72; 8:50 am]

[Dockets Nos. 24905; 24715]

## PURDUE AIRLINES, INC. AND PRAIRIE AVENUE GOSPEL CENTER

### Notice of Prehearing Conference

Purdue Airlines, Inc., certificates of public convenience and necessity investigation, Docket No. 24905.

Prairie Avenue Gospel Center, doing business as, Fiesta Air acquisition of Purdue Airlines, Inc., Docket No. 24715.

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on December 19, 1972, at 10 a.m. (local time), in Room 726, Universal Building, 1825 Connecticut Avenue, NW., Washington, DC, before Associate Chief Administrative Law Judge Robert L. Park.

In order to facilitate the conduct of the conference, parties are instructed to submit one copy to each party and four copies to the judge of (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statement of positions of parties; and (5) proposed procedural dates. The Bureau of Operating Rights will circulate its material on or before December 5, 1972, and the other parties on or before December 12, 1972. The submissions of the other parties shall be limited to points on which they differ with the Bureau of Operating Rights, and shall follow the numbering and lettering used by the Bureau to facilitate cross-referencing.

Dated at Washington, D.C., November 16, 1972.

[SEAL] RALPH L. WISER,  
Chief Administrative Law Judge.

[FR Doc. 20124 Filed 11-21-72; 8:50 am]

[Dockets Nos. 24588, 24589; Order 72-11-69]

## SOUTHERN AIRWAYS, INC.

### Order To Show Cause and Granting Temporary Exemption

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 16th day of November 1972.

On July 3, 1972, Southern Airways, Inc. (Southern) filed a petition in Docket 24589 requesting the Board to issue an order to show cause why its application filed concurrently therewith in Docket 24588, requesting that its certificate for route 98 be amended so as to delete Pascagoula from segments 1 and 3, and to redesignate Mobile as "Mobile, Ala.-Pascagoula, Miss.," should not be granted. Pending final action on the requested show cause order, the carrier seeks authority to suspend service at

Pascagoula's Jackson County Airport and an exemption to permit it to serve Pascagoula through Mobile's Bates Field. As an alternative, Southern requests authority to temporarily suspend service at Pascagoula until 60 days after Board decision on its certificate amendment application to permanently delete Pascagoula and hyphenate it with Mobile.<sup>1</sup>

In support of its application, Southern alleges as follows: that the civic interests do not object to the loss of home-airport service at Pascagoula; that superior air service is available at two alternative airports;<sup>2</sup> that the uneconomically low level of traffic at Pascagoula has continued to decline and shows no tendency to improve; that Southern will offer improved service to other communities on its system by eliminating the unnecessary stop at Pascagoula; that the elimination of this stop will produce an additional 1,319 passengers through stimulation; that by overflying Pascagoula, it expects to retain 73 percent of the anticipated 2,990 local passengers to be generated by Pascagoula in fiscal year 1973; that the grant of the application will result in a substantial subsidy-need reduction;<sup>3</sup> and that the subsidy payments which Southern receives for service to Pascagoula (more than \$45 per passenger) are far out of proportion to those for the balance of its system.

No answers in opposition to the application have been filed.<sup>4</sup>

Upon consideration of Southern's request and all the relevant facts, we have decided to issue an order to show cause proposing to amend Southern's certificate as requested. We will further amend Southern's certificate so as to redesignate Mobile as the hyphenated point "Mobile, Ala.-Pascagoula, Miss." each time it appears in the certificate. That amendment places Southern under an obligation to "hold out" Pascagoula service over additional segments but will have no practical effect in terms of the carrier's aircraft routings since all flights will serve only Mobile's Bates Field. However, the amendment will eliminate the confusion inherent in having conflicting designations in the carrier's certificate.<sup>5</sup> We will also grant Southern authority to temporarily suspend service at Pascagoula, and have decided to grant Southern an exemption from the provisions of section 401 of the Act to the

extent they would prohibit the carrier from serving Mobile and Pascagoula through a single point designated Mobile, Ala.-Pascagoula, Miss.<sup>6</sup>

In support of the foregoing, we tentatively find and conclude as follows: that elimination of service at Pascagoula's Jackson County Airport will not result in serious inconvenience to the traveling public; that service at Pascagoula has generated low levels of traffic; that termination of service at Pascagoula will reduce Southern's need for subsidy; and that hyphenation of Pascagoula with Mobile will result in a more efficient and economic operation for Southern. We further tentatively find and conclude that the public convenience and necessity require the amendment of Southern's certificate for Route 98, as requested in this application, and the redesignation of "Mobile" as "Mobile, Ala.-Pascagoula, Miss." on segments 6 and 7 of Southern's certificate, and we find that the applicant is fit, willing, and able to perform this new authority and to conform to the provisions of the Act.<sup>7</sup>

Interested persons will be given 20 days following service of this order to show cause why the tentative findings and conclusions set forth herein should not be made final. We expect such persons to support their objections, if any, with detailed answers, specifically setting

<sup>1</sup> In view of our tentative findings herein and the lack of opposition by civic interests, we have decided to grant such temporary relief rather than waiting for final action on the show cause order. The matters set forth below establish that a temporary suspension of service by Southern will not significantly inconvenience the public and will benefit the carrier. We further find that while Southern will be temporarily relieved of the obligation to serve Pascagoula through its own airport it would be an undue burden to deprive the carrier of the financial and other benefits it would enjoy during this period from holding out service to Pascagoula through Bates Field. Accordingly, we find that enforcement of the provisions of the Act and the Board's regulations, to the extent it would prohibit such service would not be in the public interest and would be an undue burden on Southern by reason of the unusual circumstances affecting its operations.

<sup>2</sup> Pascagoula is situated in the southeastern corner of Mississippi, 34 highway-miles west of Mobile's Bates Field; driving time is approximately 30-45 minutes over Interstate 10 or other four-lane highways; taxi service is available between Pascagoula and the Mobile Airport at a charge of approximately \$20 per person; scheduled bus service (34 trips daily) is available between Pascagoula and both Mobile and New Orleans, for fares of \$2.60 and \$5.45, respectively; air service at Mobile is furnished by Eastern, National, Southern, and Southeast Commuter Airlines, with frequent direct flights to principal traffic centers, such as New York, Washington, Chicago, Houston, St. Louis, Atlanta, and Birmingham; Southern provides service at Gulfport-Biloxi Airport, situated 35 miles west of Pascagoula with a driving time of 45-50 minutes; and, while departures are not as numerous as at Mobile, direct service to Gulfport is offered to such points as Washington, New York, New Orleans, Memphis, and Atlanta.

<sup>1</sup> Filed in Docket 24588 on July 3, 1972.

<sup>2</sup> Mobile's Bates Field and Gulfport-Biloxi Airport. Jet service, unavailable at Pascagoula, is offered at both alternate airports to a large number of points.

<sup>3</sup> The carrier estimates a net financial improvement—exclusive of the effect of subsidy payments—in excess of \$180,000.

<sup>4</sup> Southern submitted letters from the city of Pascagoula and the Pascagoula-Moss Point Area Chamber of Commerce and a resolution of the Board of Supervisors of Jackson County, Miss., indicating in each case that the respective body would not oppose Southern's application.

<sup>5</sup> If we granted only the relief requested one segment would have the point Mobile-Pascagoula while other segments would have the point Mobile.



forth the findings and conclusions to which objection is taken. Such objections should be accompanied by arguments of fact or law, and should be supported by legal precedent or detailed economic analysis. If an evidentiary hearing is requested, the objector should state in detail why such a hearing is considered necessary and what relevant and material facts he would expect to establish through such a hearing. General, vague, or unsupported objections will not be entertained.

*Accordingly, it is Ordered, That:*

1. All interested persons are directed to show cause why the Board should not issue an order (a) making final the tentative findings and conclusions stated herein, (b) amending Southern Airways, Inc.'s certificate of public convenience and necessity for route 98 so as to redesignate Pascagoula on segments 1 and 3, and "Mobile" on segments 1, 3, 6, and 7 as "Mobile, Ala.-Pascagoula, Miss. (to be served through Bates Field, Mobile)," (c) reissuing the certificate in the form attached hereto, and (d) amending appendix B to Order 69-9-132, as amended by Orders 70-9-19, 71-1-38, and 71-10-40, by deleting references to "Mobile" from paragraph 3 thereof and substituting "Mobile, Ala.-Pascagoula, Miss." in place thereof;

2. Any interested persons having objections to the issuance of an order making final the proposed findings, conclusions, and certificate amendments set forth herein shall, within 20 days after service of a copy of this order, file with the Board and serve upon all persons made parties to this proceeding a statement of objections together with a summary of testimony, statistical data, and other evidence expected to be relied upon to support the stated objections;

3. If timely and properly supported objections are filed, full consideration will be accorded the matters or issues raised by the objections before further action is taken by the Board;

4. In the event no objections are filed, all further procedural steps will be deemed to have been waived and the Board may proceed to enter an order in accordance with the tentative findings and conclusions set forth herein;

5. Southern Airways, Inc. be and it hereby is (a) granted authority to suspend service at Pascagoula, Miss., and (b) granted an exemption from the provisions of the Federal Aviation Act and the regulations of the Board pursuant thereto to the extent necessary to permit it to serve Mobile, Ala., and Pascagoula, Miss., as a single point, designated "Mobile, Ala.-Pascagoula, Miss.," service to be provided through Bates Field, Mobile;

6. The authority granted by paragraph "5" supra, is effective immediately and will terminate 60 days following final

action by the Board on Southern's application in Docket 24588;

7. Any other relief requested by Southern Airways, Inc. in Dockets 24588 and 24589 that has not otherwise been granted be and it hereby is denied;

8. A copy of this order shall be served upon the parties listed in the appendix; and

9. This order may be amended or revoked at any time in the discretion of the Board without a hearing.

This order will be published in the **FEDERAL REGISTER**.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,  
Secretary.

CIVIL AERONAUTICS BOARD

SPECIMEN CERTIFICATE OF PUBLIC CONVENIENCE  
AND NECESSITY FOR LOCAL OR FEEDER SERVICE  
(AS AMENDED) FOR ROUTE 98

Southern Airways, Inc., is hereby authorized, subject to the provisions hereinafter set forth, the provisions of title IV of the Federal Aviation Act of 1958, and the orders, rules, and regulations issued thereunder, to engage in air transportation with respect to persons, property, and mail as follows:

1. Between the terminal point Charleston, S.C., the intermediate points Columbia, S.C., Charlotte, N.C., Greenville-Spartanburg, Anderson, and Greenwood, S.C., and Athens and Atlanta, Ga., and (a) beyond Atlanta, the intermediate points Huntsville, Ala., and Chattanooga and Shelbyville-Tullahoma, Tenn., and the terminal point Nashville, Tenn., and (b) beyond Atlanta, the intermediate points Anniston, Gadsden, Birmingham, and Tuscaloosa, Ala., and (4) beyond Tuscaloosa, the intermediate points Columbus and Tupelo, Miss., and the terminal point Memphis, Tenn., and (1) beyond Tuscaloosa, the intermediate points Meridian, Jackson-Vicksburg (to be served through the Jackson Municipal Airport), Laurel, and Hattiesburg, Miss., Mobile, Ala.-Pascagoula, Miss. (to be served through Bates Field), and Gulfport-Biloxi, Miss., and the terminal point New Orleans, La.;

2. Between the terminal point Memphis, Tenn., the intermediate points Florence-Sheffield-Tusculumbia, Decatur, and Huntsville, Ala., and (a) beyond Huntsville, the alternate intermediate points Birmingham, Ala., or Atlanta, Ga., the intermediate points Columbus, Albany, Moultrie-Thomasville, and Valdosta, Ga., and the terminal point Jacksonville, Fla., and (b) beyond Huntsville, the intermediate points Birmingham, Montgomery, and Dothan, Ala., and Eglin Air Force Base, Panama City, and Tallahassee, Fla., and the terminal point Jacksonville, Fla.;

3. Between the terminal point Memphis, Tenn., the intermediate points University-Oxford, Tupelo, Columbus, Greenwood, and Greenville, Miss., Monroe, La., Jackson-Vicksburg (to be served through the Jackson Municipal Airport), Meridian, Laurel, Natchez, and Hattiesburg, Miss., Mobile, Ala.-Pascagoula, Miss. (to be served through Bates Field) and Gulfport-Biloxi, Miss., and Baton Rouge, La., and the terminal point New Orleans, La.;

4. Between the terminal point Memphis, Tenn., the intermediate points Jackson, Tenn., Florence-Sheffield-Tusculumbia and Huntsville, Ala., and Chattanooga, Shelbyville-Tullahoma, Nashville, Crossville, and Knoxville, Tenn., and the terminal point

Bristol, Va.-Tenn.-Kingsport-Johnson City, Tenn.;

5. Between the terminal point Atlanta, Ga., the intermediate points Columbus and Albany, Ga., Dothan, Ala., and Panama City and Eglin Air Force Base, Fla., and the terminal point New Orleans, La.;

6. Between the terminal point Nashville, Tenn., the intermediate points Huntsville and Birmingham, Ala., Jackson-Vicksburg, Miss. (to be served through the Jackson Municipal Airport), and Mobile, Ala.-Pascagoula, Miss. (to be served through Bates Field), and the terminal point New Orleans, La.;

7. Between the terminal point Gulfport-Biloxi, Miss., the intermediate points Mobile, Ala.-Pascagoula, Miss. (to be served through Bates Field), Eglin Air Force Base, Fla., Dothan, Ala., Columbus, Ga., and Washington, D.C. (to be served through Dulles International Airport), and the terminal point New York, N.Y.-Newark, N.J.;

8. Between the terminal point Memphis, Tenn., and the terminal point St. Louis, Mo.;

9. Between the terminal point Memphis, Tenn., and the terminal point Chicago, Ill.

The service herein authorized is subject to the following terms, conditions, and limitations:

(1) The holder shall render service to and from each of the points named herein, except as temporary suspensions of service may be authorized by the Board; and may begin or terminate, or begin and terminate, trips at points short of terminal points.

(2) The holder may continue to serve regularly any point named herein through the airport last regularly used by the holder to serve such point prior to the effective date of this certificate. Upon compliance with such procedure relating thereto as may be prescribed by the Board, the holder may, in addition to the service hereinabove expressly prescribed, regularly serve a point named herein, other than a point required to be served through an airport named herein, through any airport convenient thereto.

(3) On each trip operated by the holder over all or part of one of the nine numbered route segments in this certificate, the holder shall stop at each point named between the point of origin and point of termination of such trip on such segment, except a point or points with respect to which (a) the Board, pursuant to such procedure as the Board may from time to time prescribe, may by order relieve the holder from the requirements of such condition, (b) the holder is authorized by the Board to suspend service, (c) the holder is unable to render service on such trip because of adverse weather conditions or other conditions which the holder could not reasonably have been expected to foresee or control, or (d) paragraph (4) or (5) below is applicable.

(4) If the holder has scheduled two daily round trips to a given point on any segment, the holder may omit such point on any additional trip scheduled over all or part of such segment, subject to the following limitations:

(a) The holder shall schedule service to a minimum of two intermediate points between the following pairs of points:

Charlotte, N.C., or Greenville-Spartanburg, S.C., on the one hand, and Nashville, Tenn., on the other.

Chicago, Ill., or St. Louis, Mo., on the one hand, and Tallahassee, Fla., on the other (exclusive of Memphis, Tenn.).

New Orleans, La., or Panama City, Fla., on the one hand, and Washington, D.C., or New York, N.Y.-Newark, N.J., on the other.

(b) The holder shall schedule service to a minimum of one intermediate point between the following pairs of points:

\* All motions and/or petitions for reconsideration shall be filed within the period allowed for filing objections and no further such motions, requests, or petitions for reconsideration of this order will be entertained.

\* Filed as part of the original document.



Atlanta, Ga., and Charleston, S.C., Charlotte, N.C., Jacksonville, Fla., Memphis or Nashville, Tenn., or New Orleans, La., Birmingham, Ala., and New Orleans, La., Memphis, Tenn., and Nashville, Tenn.

(5) If the holder has scheduled one daily round trip to Crossville, Tenn., on segment 4, or Dothan, Ala., on segment 2, the holder may omit service to such point on any additional flights scheduled over all or part of such segment.

(6) The holder shall not provide single-plane service between Atlanta, Ga., or Jacksonville, Fla., on the one hand, and Washington, D.C., or New York, N.Y.-Newark, N.J., on the other.

(7) The holder shall not schedule turn-around service between the following pairs of points:

Atlanta, Ga., and Birmingham, Ala., or Columbia, S.C.

Bristol, Va.-Tenn.-Kingsport-Johnson City, Tenn., and Knoxville, Tenn.

New York, N.Y.-Newark, N.J., and Washington, D.C.

(8) The holder is authorized to render flag-stop service by omitting the physical landing of its aircraft at any intermediate point scheduled to be served on a particular flight: *Provided*, That there are no persons, property, or mail on the aircraft destined for such point, and no such traffic available at such point for the flight at the scheduled time of departure.

(9) The holder's authority to engage in the transportation of mail with respect to those operations set forth in Appendix B to Order 69-9-132, as amended by Orders 70-9-19, 71-1-38, 71-10-40 and is limited to the carriage of mail on a nonsubsidy basis, i.e., on a service mail rate to be paid entirely by the Postmaster General, and the holder shall not be entitled to any subsidy with respect to such operations.

The exercise of the privileges granted by this certificate shall be subject to such other reasonable terms, conditions, and limitations required by the public interest as may from time to time be prescribed by the Board.

The services authorized by this certificate were originally established pursuant to a determination of policy by the Civil Aeronautics Board that in the discharge of its obligation to encourage and develop air transportation under the Civil Aeronautics Act, as amended, it is in the public interest to establish certain air carriers who will be primarily engaged in short-haul air transportation as distinguished from the service rendered by trunkline air carriers. In accepting this certificate, the holder acknowledges and agrees that the primary purpose of this certificate is to authorize and require it to offer short-haul, local or feeder, air transportation service of the character described above.

The holder acknowledges and agrees that it is entitled to receive only service mail pay for the mail service rendered or to be rendered solely in connection with operations specified in paragraph (9), and that it is not authorized to request or receive any compensation for mail service rendered or to be rendered for such operations in excess of the amount payable by the Postmaster General.

This certificate shall be effective on ----- *Provided, however*, That the effective date of said certificate shall be automatically postponed until further Board order if the appropriate license fee is not paid pursuant to section 389.21(b) of the regulations.

The authorization to serve Crossville, Tenn., shall expire on February 4, 1969.<sup>1</sup>

<sup>1</sup> On Aug. 1, 1968, the holder filed an application in Docket 20070 for renewal of this authorization.

In witness whereof, the Civil Aeronautics Board has caused this certificate to be executed by the Secretary of the Board, and the seal of the Board to be affixed hereto, on the -----

[SEAL]

HARRY J. ZINK,  
Secretary.

[FR Doc.72-20126 Filed 11-21-72; 8:50 am]

## FEDERAL COMMUNICATIONS COMMISSION

### DIALER DEVICES ADVISORY SUBCOMMITTEE

#### Notice of Public Meeting

NOVEMBER 14, 1972.

In accordance with Executive Order No. 11671, dated June 7, 1972, announcement is made of a public meeting of the Dialer Devices Subcommittee, to be held Tuesday, December 19, and continuing through Thursday, December 21, 1972. The subcommittee will meet at 1229 20th Street NW., Washington, DC, Room A-110 at 9:30 a.m.

1. *Purposes.* To prepare and submit recommended standards and procedures to the FCC, in order to permit the interconnection of dialer devices to the telephone system without the need for carrier provided connecting arrangements.

2. *Membership.* The subcommittee is chaired by Jack Dempsey and is composed of the following: John Albus, D. L. Byers, Donald Briggs, Bryan McNeil, Arnold Dorfman, Robert Webb, Albert Hardy, J. W. Kissel, James McNabb, Donald Moehlenkamp, Richard Reichter, Robin Mosely, Frederic Hildebrandt, Stephen Speltz, Ludwig Walch, Thomas Warner, M. S. Adler, William Wertz, Ronald Binks, Jurgen Kok, H. Marcheschi, Ken Rosenberg, John P. Lekas, William Lindgren, Brendan McShane, John Rison, Amos R. Jackson, and John R. Mineo.

3. *Activities.* As at prior meetings, subcommittee members and observers present their suggestions and recommendations regarding the various technical criteria and standards that should be considered with respect to the interconnection of dialer devices to the public telephone network. Subcommittee members include representatives of the Federal Government, State regulatory bodies, manufacturers, carriers, and users.

4. *Agenda.* The agenda for the December 19-21 meeting will include:

- Review of enforcement procedures;
- Test equipment and inspection standards revisions;
- Considerations of combining equipment and inspection standards with the enforcement criteria in one document; and
- Considerations of quality control.

It is suggested that those desiring more specific information about the

meeting call the Domestic Rates Division 202-632-6457.

FEDERAL COMMUNICATIONS  
COMMISSION,  
BEN F. WAPLE,  
Secretary.

[FR Doc.72-20104 Filed 11-21-72; 8:48 am]

## TECHNICAL ADVISORY COMMITTEE

### Notice of Open Meeting

NOVEMBER 13, 1972.

Panel 4 (Class II Cable Television Channels) of the Cable Television Technical Advisory Committee will hold an open meeting on December 4, 1972, at 10 a.m. The meeting will be held in Room 847S of the main FCC building at 1919 M Street NW., Washington, DC.

FEDERAL COMMUNICATIONS  
COMMISSION,  
BEN F. WAPLE,  
Secretary.

[FR Doc.72-20103 Filed 11-21-72; 8:48 am]

## POLITICAL BROADCASTING/ CABLECASTING REPORTS

### Notice of Required Filing Date

NOVEMBER 9, 1972.

All broadcast stations are required to file a political broadcasting report (FCC Form 322) with the Commission by November 30, 1972.

Cable TV systems originating political programming are also required to file.

(Forms have been distributed to all broadcast licensees and cable TV systems.)

Broadcast stations and cable TV systems must report on use of their facilities by or on behalf of candidates for political office during primary and general elections for the period January 1, 1972, through election day.

The reports will be tabulated and a complete summary, broken down into individual candidate categories, will be issued next spring.

FEDERAL COMMUNICATIONS  
COMMISSION,  
BEN F. WAPLE,  
Secretary.

[FR Doc.72-20106 Filed 11-21-72; 8:48 am]

[Docket Nos. 19606, 19607; File Nos.  
33-A-L-42, 6-A-L-72]

## YES! AND FLITELINE SERVICES

### Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Vermillion Enterprises, Inc., doing business as YES!, Docket No. 19606, File No. 33-A-L-42; James E. Wilkinson, doing business as Fliteline Services, Docket No. 19607, File No. 6-A-L-72; for an aeronautical advisory radio station to serve the Snohomish County Airport (Paine Field), Everett, Wash.



## FEDERAL MARITIME COMMISSION

### AERO-NAUTICS FORWARDERS, INC., 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.

Aero-Nautics Forwarders, Inc., 1167 Northwest 22d Street, Miami, FL 33127. Officers: Stanley N. Burger, president/director; Carol Burger, secretary/treasurer.

Independent Forwarding Service, Inc., 46 Northwest 172d Street, North Miami Beach, FL 33162. Officers: Miguel A. Gonzalez, president; Dulce M. Gonzalez, treasurer; Manuel J. Gonzalez, secretary.

Associated Transportation Center, Inc., Building 41, Pier 91, Seattle, Wash. 98119. Officers and directors: William M. Crawford, president/director; Barbara E. Haro, secretary; Robert E. Metcalf, director; Joseph J. Ewing, director.

Cargo Export Corp., 158-18 Rockaway Boulevard, Jamaica, NY 11434. Officers: Eugene V. Pagano, president; Paul G. Munsch, secretary; Al Wright, treasurer.

Thomas Mantis, 206 East 8th Street, Brooklyn, NY 11223.

Ramon Arguelles doing business as Miami Cargo Services, 6471 Southwest 42d Street, Miami, FL 33155.

By the Commission.

Dated: November 17, 1972.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.72-20147 Filed 11-21-72;8:52 am]

### JAPAN-ATLANTIC & GULF FREIGHT CONFERENCE

#### Notice of Petition Filed

Notice is hereby given that the following petition has been filed with the Commission for approval pursuant to section 14b of the Shipping Act, 1916, as amended (75 Stat. 762, 46 U.S.C. 814).

Interested parties may inspect a copy of the proposed contract form and of the petition at the Washington office of the Federal Maritime Commission, 1405 I Street NW., room 1015, or at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to the proposed contract form and the petition including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, 1405 I Street NW., Washington, DC 20573, within 20 days after publication of this notice in

the FEDERAL REGISTER. Any person desiring a hearing on the proposed contract system 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 proposed contract form and the petition (as indicated hereinafter), and the statement should indicate that this has been done.

Notice of proposed modification of an approved dual rate agreement filed by: Charles F. Warren, Esq., 1100 Connecticut Avenue, NW., Washington, DC 20036.

Agreement No. 3103 DR-2 is a proposed modification to the Japan-Atlantic & Gulf Freight Conference's basic dual rate agreement permitting the conference to modify its currently authorized contract rate spread of fifteen (15) percent to permit establishment of contract rates in the trade lower than the non-contract rates set forth in the conference tariffs by a percentage ranging between fifteen (15) percent and nine and one-half (9.5) percent now permitted by the Fair Trade Commission of the Government of Japan.

Dated: November 17, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.72-20143 Filed 11-21-72;8:51 am]

### MARYLAND PORT ADMINISTRATION AND RAMSAY, SCARLETT & CO., INC.

#### Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 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 10 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the

1. The Commission's rules (§ 87.251 (a)) provide that only one aeronautical advisory station may be authorized to operate at a landing area. The above-captioned applications both seek Commission authority to operate an aeronautical advisory station at the same landing area (Snohomish County Airport (Paine Field), Everett, Wash.) and are, therefore, mutually exclusive. Accordingly, it is necessary to designate the applications for comparative hearing in order to determine which application should be granted. Except for the issues specified herein, each applicant is otherwise qualified.

2. In view of the foregoing: *It is ordered*, That pursuant to the provisions of section 309(e) of the Communication Act of 1934, as amended, and § 0.331(b)-(21) of the Commission rules, the above-captioned applications are hereby designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order on the following issues:

a. To determine which applicant would provide the public with better aeronautical advisory service based on the following considerations:

(1) Location of the fixed-base operation and proposed radio station in relation to the landing area and traffic patterns;

(2) Hours of operation;

(3) Personnel available to provide advisory service;

(4) Experience of applicant and employees in aviation and aviation communications;

(5) Ability to provide information pertaining to primary and secondary communications as specified in § 87.257 of the Commission's rules;

(6) Proposed radio system including control and dispatch points; and

(7) The availability of the radio facilities to other fixed-base operators.

b. To determine in light of the evidence adduced on the foregoing issues which, if either, of the applications should be granted.

3. *It is further ordered*, That to avail themselves of an opportunity to be heard, James E. Wilkinson, doing business as Fliteline Services, Terminal Building, Paine Field, Everett, Wash. 98204, and Vermillion Enterprises, Inc., doing business as YES!, Box 7485, Seattle, Wash. 98133, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date set for hearing and present evidence on the issues specified in this order. Failure to file a written appearance within the time specified may result in dismissal of the application with prejudice.

Adopted: November 13, 1972.

Released: November 14, 1972.

[SEAL] JAMES E. BARR,  
Chief, Safety and Special  
Radio Services Bureau.

[FR Doc.72-20107 Filed 11-21-72;8:48 am]



matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

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

**Notice of agreement filed by:**

Mr. Philip G. Kraemer, Director of Transportation, Maryland Port Administration, 19 South Charles Street, Baltimore, Md 21201.

Agreement No. T-2715, between the Maryland Port Administration (MPA) and Ramsay, Scarlett & Co., Inc. (Ramsay), provides for the 10-year sublease (with renewal option for an additional 10-year term) to Ramsay of Pier 4-5, Locust Point, Baltimore, Md., which is to be used as a marine terminal for the receiving, handling, processing, storage, warehousing, and delivery of waterborne freight and uses incidental thereto. As compensation for the initial term of the agreement, MPA is to receive \$380,000 annually. Should Ramsay exercise its option for a second 10-year term, annual rental is not to exceed \$456,000 annually. Agreement No. T-2715 is subject to all of the terms, provisions, and conditions of Agreement No. T-32, between the MPA and the Baltimore & Ohio Railroad. The agreement further provides that Ramsay will file its tariffs with the Commission, containing a provision that no change therein or supplement thereto or reissue thereof shall become effective until 30 days after such filing, unless good cause exists for the effectiveness thereof upon a shorter notice.

Dated: November 17, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.72-20144 Filed 11-21-72; 8:51 am]

**TRANS-PACIFIC FREIGHT  
CONFERENCE OF JAPAN**

**Notice of Petition Filed**

Notice is hereby given that the following petition has been filed with the Commission for approval pursuant to section 14b of the Shipping Act, 1916, as amended (75 Stat. 762, 46 U.S.C. 814).

Interested parties may inspect a copy of the proposed contract form and of the petition at the Washington office of the Federal Maritime Commission, 1405 I Street NW., room 1015, or at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to the proposed contract form and the petition including a request for hearing, if desired, may be

submitted to the Secretary, Federal Maritime Commission, 1405 I Street NW., Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed contract system 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 proposed contract form and the petition (as indicated hereinafter), and the statement should indicate that this has been done.

**Notice of proposed modification of an approved dual rate agreement filed by:**

Charles F. Warren, Esq., 1100 Connecticut Avenue NW., Washington, DC 20036.

Agreement No. 150 DR-3 is a proposed modification to the Trans-Pacific Freight Conference of Japan's basic dual rate agreement permitting the conference to modify its currently authorized contract rate spread of fifteen (15) percent to permit establishment of contract rates in the trade lower than the non-contract rates set forth in the conference tariffs by a percentage ranging between fifteen (15) percent and nine and one-half (9.5) percent now permitted by the Fair Trade Commission of the Government of Japan.

Dated: November 17, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.72-20145 Filed 11-21-72; 8:51 am]

**U.S. ATLANTIC & GULF-HAITI  
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, NY., 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:**

C. D. Marshall, Chairman, U.S. Atlantic & Gulf-Haiti Conference, 11 Broadway, New York, NY 10004.

Agreement No. 8120-14, entered into by the member lines of the U.S. Atlantic & Gulf-Haiti Conference, amends Article 2 of their basic conference agreement (No. 8120, as amended) to provide that the member lines shall pay a commission to bona fide freight forwarders as may be agreed but not less than 1¼ percent of the freight charges specified in the applicable tariff regulations. Article 2 of the conference agreement presently provides that any member line may, at its discretion, pay a commission not in excess of 1¼ percent of the freight and charges to bona fide freight forwarders.

Dated: November 17, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.72-20146 Filed 11-21-72; 8:52 am]

**FEDERAL POWER COMMISSION**

[Docket No. CS73-348, etc.]

**NANCY ANN ASFAHL ET AL.**

**Notice of Applications for "Small  
Producer" Certificates<sup>1</sup>**

NOVEMBER 14, 1972.

Take notice that each of the applicants listed herein has filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said

<sup>1</sup> This notice does not provide for consolidation for hearing of the several matters covered herein.



applications should on or before December 11, 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 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.	Date filed	Name of applicant
CS73-348...	11-2-72	Nancy Ann Asfahl, 611 Beacon Bldg., Tulsa, Okla. 74103.
CS73-353...	11-1-72	Frances G. Jahn, Box 842, Aztec, NM 87140.
CS73-354...	11-2-72	Breckenridge Gasoline Co., Drawer 1272, Breckenridge, TX 76024.
CS73-355...	11-3-72	Donald E. Jarvis, 2010 One Main Pl., Dallas, TX 75250.
CS73-356...	11-3-72	David S. Gottesman, 30 Wall St., New York, NY 10005.
CS73-357...	11-3-72	W. C. Bradford, 313 Hightower Bldg., Oklahoma City, Okla. 73102.
CS73-358...	11-6-72	E. C. Butts, Post Office Box 1513, Shreveport, LA 70102.
CS73-359...	11-6-72	H. A. Bornfeld, Jr., 4022 One Shell Plaza, Houston, TX 77002.
CS73-360...	11-6-72	Borger Enterprises, Post Office Box 1086, Borger, TX 79007.
CS73-361...	11-6-72	United Oil & Gas Co., 518 Praetorian Bldg., Dallas, Tex. 75201.
CS73-362...	11-6-72	MYCO Industries, Inc., 207 South Fourth St., Artesia, NM 88210.
CS73-363...	11-6-72	ABO Petroleum Corp., 207 South Fourth St., Artesia, NM 88210.
CS73-364...	11-3-72	Charles G. Peppers, Post Office Box 147, Edmond, OK 73034.
CS73-365...	11-6-72	Wilson Production Co., 409 First Federal Bldg., Fort Smith, Ark. 72901.
CS73-366...	11-6-72	Joseline Production Co., 1719 First National Center West, Oklahoma City, Okla. 73102.
CS73-367...	11-6-72	Singer-Fleischaker Royalty Co., 1719 First National Center West, Oklahoma City, Okla. 73102.

Docket No.	Date filed	Name of applicant
CS73-368...	11-6-72	Singer Bros., 1719 First National Center West, Oklahoma City, Okla. 73102.
CS73-369...	11-6-72	Pedestal Co., 1719 First National Bldg., Oklahoma City, Okla. 73101.
CS73-370...	11-6-72	Joe L. Singer, 1719 First National Center West, Oklahoma City, Okla. 73102.
CS73-371...	11-6-72	Alex Singer, 1719 First National Center West, Oklahoma City, Okla. 73102.
CS73-372...	11-7-72	Natural Gas Compression Corp., Box 788, Perryton, TX 79070.
CS73-373...	11-6-72	Jerry Pinkley Transports, Inc., 1606 First National Center, Oklahoma City, Okla. 73102.
CS73-374...	11-7-72	Ermyl W. Boyd, Post Office Box 127, Hanover, IN 47243.
CS73-375...	11-6-72	J. K. Hannifan, 1606 First National Center West, Oklahoma City, Okla. 73102.
CS73-376...	11-6-72	Hannifan Oil Corp., 1606 First National Center West, Oklahoma City, Okla. 73102.
CS73-377...	11-8-72	James A. Justice, 1400 Main St., Dallas, TX 75202.
CS73-378...	11-8-72	Dudley R. Stanley, Post Office Box 7586, Amarillo, TX 79109.
CS73-379...	11-8-72	Dwight S. Ramay, Post Office Box 52027, Lafayette, LA 70802.
CS73-380...	11-9-72	Watson Oil Corp., 1407 Main, Suite 1300, Dallas, TX 75202.
CS73-381...	11-9-72	A. G. Kirschmer, Post Office Box 3536, Amarillo, TX 79106.

[FR Doc.72-19988 Filed 11-21-72;8:45 am]

[Docket No. E-7809]

## IOWA PUBLIC SERVICE CO.

### Notice of Application

NOVEMBER 20, 1972.

Take notice that on November 8, 1972, Iowa Public Service Co. (Applicant) filed an application with this Commission seeking authorization to enter into a Guaranty Agreement with the Trustee of Pollution Control Revenue Bonds to be issued by the Town of Salix, Iowa, in the amount of \$6 million which bonds, taking into account market conditions, will be sold by the town as soon as possible after obtaining approval of this Guaranty.

Applicant is incorporated under the laws of the State of Iowa, with its principal business office in Sioux City, Iowa, and is engaged in the electric utility business in northwestern, north central, and east central Iowa and a few small communities in South Dakota.

The bonds of the town will be sold to purchase and construct pollution abatement equipment at Iowa Public Service Co.'s George Neal Steam Electric Generating Station near Salix, Iowa, installation of which is expected to be completed in mid-1973. Said equipment will be leased by the town to the Applicant and payments under said lease will be sufficient to pay principal, premium if any, and interest due on said bonds. The bonds will not be issued by the Applicant. The rate of interest will be negotiated at a private sale of the bonds between the town and the underwriters.

The authorization sought is for Applicant to issue an independent Guaranty to the trustee and holders of the bonds of payment of principal, premium

if any, and interest on said bonds. No payments will be required under the Guaranty if all payments are made pursuant to the lease.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 29, 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. The application is on file with the Commission and available for public inspection.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.72-20110 Filed 11-21-72;8:49 am]

[Docket No. E-7808]

## IOWA PUBLIC SERVICE CO.

### Notice of Application

NOVEMBER 20, 1972.

Take notice that on November 8, 1972, Iowa Public Service Co. (Applicant) filed an application with this Commission seeking authorization to enter into a Guaranty Agreement with the Trustee of Pollution Control Revenue Bonds to be issued by the City of Waterloo, Iowa, in the amount of \$2 million which bonds, taking into account market conditions, will be sold by the city as soon as possible after obtaining approval of this Guaranty.

Applicant is incorporated under the laws of the State of Iowa, with its principal business office in Sioux City, Iowa, and is engaged in the electric utility business in northwestern, north central, and east central Iowa and a few small communities in South Dakota.

The bonds of the city will be sold to purchase and construct pollution abatement equipment at Iowa Public Service Co.'s Maynard Steam Electric Generating Station at Waterloo, Iowa, installation of which is expected to be completed in mid-1973. Said equipment will be leased by the city to the Applicant and payments under said lease will be sufficient to pay principal, premium if any, and interest due on said bonds. The bonds will not be issued by the Applicant. The rate of interest will be negotiated at a private sale of the bonds between the city and the underwriters.

The authorization sought is for Applicant to issue an independent Guaranty to the trustees and holders of the bonds of payment of principal, premium if any, and interest on said bonds. No payments will be required under the Guaranty if



all payments are made pursuant to the lease.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 29, 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. The application is on file with the Commission and available for public inspection.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.72-20111 Filed 11-21-72; 8:49 am]

[Docket No. CI73-356]

#### LOUISIANA GAS PURCHASING CORP.

##### Notice of Application

NOVEMBER 20, 1972.

Take notice that on November 14, 1972, Louisiana Gas Purchasing Corp. (Applicant), 1704 Esperson Building, Houston, Tex. 77002, filed in Docket No. CI73-356 an application pursuant to section 7(b) 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 United Gas Pipe Line Co. from the West Bryceland and Driscoll Fields, Bienville Parish, La., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it commenced the sale of natural gas on September 28, 1972, within the contemplation of section 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and that it 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 up to 2,500 Mcf of gas per day at 35.0 cents per Mcf at 15.025 p.s.i.a.

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 November 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.

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.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.72-20112 Filed 11-21-72; 8:49 am]

[Docket No. CI73-357]

#### LOUISIANA GAS PURCHASING CORP.

##### Notice of Application

NOVEMBER 20, 1972.

Take notice that on November 14, 1972, Louisiana Gas Purchasing Corp. (Applicant), 1704 Esperson Building, Houston, Tex. 77002, filed in Docket No. CI73-357 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 United Gas Pipe Line Company from the Ada Field, Bienville Parish, Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it commenced the sale of natural gas on September 30, 1972, within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and that it 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 up to 1,000 Mcf of gas per day at 35.0 cents per Mcf at 15.025 p.s.i.a.

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 November 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.

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.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.72-20113 Filed 11-21-72; 8:49 am]

[Docket No. E-7678]

#### OTTER TAIL POWER CO.

##### Notice of Application

NOVEMBER 20, 1972.

Take notice that on October 30, 1972, Otter Tail Power Co. (Applicant) of Fergus Falls, Minn., filed an application seeking an order for approval of the issuance of short-term obligations in the form of short-term obligations in the notes to be issued on or before March 31, 1974, with a final maturity date of not later than March 31, 1975, and in the form of commercial paper to commercial paper dealers, such commercial paper to be issued on or before March 31, 1974, and to have a maturity date of not to exceed 9 months from the date of issue.

The net proceeds from the notes and from the sale of commercial paper will be used to provide general funds for the company's construction program.

Any person desiring to be heard or to make any protest with reference to such application should, on or before November 29, 1972, file with the Federal Power Commission, Washington, D.C. 20426, petitions 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. The application is on file with the Commission and is available for public inspection.

MARY B. KIDD,  
Acting Secretary.

[FR Doc.72-20114 Filed 11-21-72;8:49 am]

## FEDERAL RESERVE SYSTEM

### COUNTY NATIONAL BANCORPORATION

#### Proposed Acquisition of General Mortgage Company of St. Louis

County National Bancorporation, Clayton, Mo., has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of General Mortgage Company of St. Louis, St. Ann, Mo. Notice of the application was published on November 7, 1972, in The St. Louis Countian, a newspaper circulated in St. Louis, Mo.

Applicant states that the proposed subsidiary would engage in the origination and servicing of real estate mortgage loans for its own account and others. Such activity has been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b). Applicant further states that the proposed subsidiary would act as broker or agent with respect to life, hazard, health, and accident insurance placed in connection with loans originated or serviced by the subsidiary. Under certain circumstances specified in § 225.4(a)(9) of Regulation Y and 12 CFR 225.128, such activities may be permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 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 application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of St. Louis.

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 December 12, 1972.

Board of Governors of the Federal Reserve System, November 15, 1972.

[SEAL] MICHAEL A. GREENSPAN,  
Assistant Secretary of the Board.

[FR Doc.72-20077 Filed 11-21-72;8:46 am]

### ELLIS BANKING CORP.

#### Acquisition of Bank

Ellis Banking Corp., Bradenton, Fla., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of Ellis National Bank of Clearwater, Clearwater, Fla., a proposed new bank. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit his views in writing to the Reserve Bank to be received not later than December 8, 1972.

Board of Governors of the Federal Reserve System, November 14, 1972.

[SEAL] MICHAEL A. GREENSPAN,  
Assistant Secretary of the Board.

[FR Doc.72-20075 Filed 11-21-72;8:45 am]

### ELLIS BANKING CORP.

#### Acquisition of Bank

Ellis Banking Corp., Bradenton, Fla., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 51 percent or more of the voting shares of First Park Bank, Pinellas Park, Fla. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Atlanta. 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 December 12, 1972.

Board of Governors of the Federal Reserve System, November 15, 1972.

[SEAL] MICHAEL A. GREENSPAN,  
Assistant Secretary of the Board.

[FR Doc.72-20074 Filed 11-21-72;8:45 am]

### FIRST TENNESSEE NATIONAL CORP.

#### Proposed Acquisition of Crown Finance Corp.

First Tennessee National Corp., Memphis, Tenn., has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of Crown Finance Corp., St. Louis County, Mo. Notice of the application was published in newspapers circulated in Illinois, Indiana, Iowa, Kansas, Missouri, Oklahoma, and Ohio, in the communities where offices of the proposed subsidiary are located.

Applicant states that the proposed subsidiary would engage in the following activities: Making or acquiring, for its own account, interest-bearing and discount loans and other extensions of credit; and acting as agent or broker with respect to insurance that is directly related to an extension of credit by a company or its subsidiaries. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Applicant further states that the proposed subsidiary would engage in the activity of underwriting, as reinsurer, credit life, accident, and health insurance in connection with loans made by credit-extending subsidiaries of the company. The Board has not yet determined this to be a permissible activity for bank holding companies. In making a decision on this application, the Board will take into account the record of its March 24, 1972, hearing involving the underwriting of credit life, accident and health insurance.

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 application may be inspected at the offices of the Board of Governors or at the Federal Reserve Banks of St. Louis, Chicago, Kansas City, and Cleveland.

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 December 11, 1972.



Board of Governors of the Federal Reserve System, November 14, 1972.

[SEAL] MICHAEL A. GREENSPAN,  
Assistant Secretary of the Board.

[FR Doc.72-20076 Filed 11-21-72;8:46 am]

## FEDERAL TRADE COMMISSION

### LAUNDERING PROCEDURES FOR CARPETS AND RUGS

#### Extension of Requirement

The Commission by notice published in the FEDERAL REGISTER on May 19, 1972 (37 F.R. 10104), announced that it had determined to suspend temporarily the present washing requirement under DOC FF 1-70 for carpets containing alumina trihydrate in the backing until September 15, 1972, during which time public hearings would be held for the purpose of (1) considering the possible need for an alternative washing procedure, (2) considering the adoption of specified alternative procedures proposed in the course of the hearings, and (3) obtaining information concerning alumina trihydrate and other substances possessing flame retardant properties and their utilization and characterization as fire retardant treatments. (The suspension of washing procedures did not apply to carpets that are subject to DOC FF 2-70.)

To permit further consideration of the matter, the Commission by notice published in the FEDERAL REGISTER on September 21, 1972 (37 F.R. 19674) extended its suspension of the present washing requirement under DOC FF 1-70 carpets containing alumina trihydrate in the backing until November 3, 1972.

To permit further consideration of the matter and in order to complete laboratory experiments and studies presently in process on carpeting submitted by affected industry members, the Commission has determined to extend its suspension of the present washing requirement under DOC FF 1-70 for carpets containing alumina trihydrate in the backing until January 2, 1973.

By direction of the Commission dated November 15, 1972.

[SEAL] CHARLES A. TOBIN,  
Secretary.

[FR Doc.72-20105 Filed 11-21-72;8:52 am]

## FOREIGN-TRADE ZONES BOARD

[Foreign-Trade Zone 7; Order 91]

### MAYAGUEZ, PUERTO RICO

#### Notice of Contiguous Expansion

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), and the Foreign-Trade Zones Board regulations (15 CFR Part 400), the Foreign-Trade Zones Board (the Board) has adopted the following order:

Whereas, the Puerto Rico Industrial Development Co. (PRIDCO), Grantee of Foreign-Trade Zone No. 7, Mayaguez, Puerto Rico, was issued a grant for the establishment, operation, and maintenance of Foreign-Trade Zone No. 7, Mayaguez, on June 27, 1960 (Board Order No. 50);

Whereas, PRIDCO filed with the Board on January 20, 1972, an application requesting authority to expand, by the addition of 12 contiguous acres, the existing authorized zone area;

Whereas, notice of said application was published in the FEDERAL REGISTER on January 29, 1972 (37 F.R. 1507) and opportunity has been afforded all interested parties to submit their views;

Whereas, an examiners committee has investigated the application in accordance with the regulations and recommends approval thereof;

Whereas, the requested expansion of the zone area is necessary to accommodate zone users and for more efficient operation of the zone; and,

Whereas, the Board has found that the requirements of the Foreign-Trade Zones Act, as amended, and the regulations are satisfied and that approval of the application is in the public interest;

Now, therefore, the Foreign-Trade Zones Board hereby orders:

That the grantee is authorized to contiguously expand the boundary of Foreign-Trade Zone No. 7, Mayaguez, in conformity with exhibits 1-13 of the application filed with the Board on January 20, 1972. The authority given in this order is subject to local approval of the district director of Customs and the district Army engineer regarding compliance with their requirements relating to foreign-trade zones. The grantee shall prenotify the Board's executive secretary for clearance concerning any proposal to use the expanded zone area for manufacturing operations prior to their commencement.

Signed at Washington, D.C., this 16th day of November 1972.

PETER G. PETERSON,  
Secretary of Commerce, Chairman  
and Executive Officer,  
Foreign-Trade Zones Board.

Attest:

JOHN J. DA PONTE, JR.,  
Executive Secretary.

[FR Doc.72-20148 Filed 11-21-72;8:52 am]

## SECURITIES AND EXCHANGE COMMISSION

[70-5263]

### ALLEGHENY POWER SYSTEM, INC. ET AL.

#### Proposed Issue and Sale of Common Stock

NOVEMBER 15, 1972.

Notice is hereby given that Allegheny Power System, Inc. ("APS"), 320 Park

Avenue, New York, NY 10022, a registered holding company, and its wholly-owned electric utility subsidiary companies, Monongahela Power Co. ("Monongahela") and West Penn Power Co. ("West Penn"), have filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6, 7, 9, and 10 thereof and Rule 43 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the joint application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Each of the subsidiary companies proposes to issue and sell to APS, and APS proposes to acquire, prior to December 31, 1972, additional shares of their common stock for cash consideration equal to the aggregate par or stated values thereof, as follows:

Subsidiary company and title of issue	Proposed to be issued	Cash consideration
	Shares	Millions
Monongahela Common stock, \$50 par value	120,000	\$6
West Penn Common stock, no par value (stated value, \$20)	1,100,000	22

APS states that the funds necessary to purchase the stock will be obtained through internal sources and short-term borrowings. The net proceeds from the sale of the stock, together with other corporate funds, are to be used by the subsidiary companies to finance their construction programs. Construction expenditures for 1972 and 1973 are estimated at \$112,000,000 for Monongahela and \$161,000,000 for West Penn. All of the presently outstanding shares of common stock of Monongahela and West Penn is owned by APS.

APS proposes to pledge with Chemical Bank, trustee under the trust indenture dated as of September 1, 1949, as supplemented, securing its 3½ percent sinking fund collateral trust bonds, all of the acquired common stock of Monongahela and West Penn.

The fees and expenses, including legal fees, to be paid in connection with the issue and sale of the additional shares of the subsidiary companies' common stock are estimated not to exceed \$500. It is stated that the Pennsylvania Public Utility Commission and the Public Utilities Commission of Ohio have jurisdiction over the issue and sale of the common stock of West Penn and Monongahela, respectively. The orders of these commissions will be filed by amendment. No other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than December 3, 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 joint application-declaration, which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit, or in case of an attorney at law, by certificate) should be filed with the request. At any time, after said date, the joint application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.72-20091 Filed 11-21-72;8:47 am]

[File No. 500-1]

## MARKETING COMMUNICATIONS, INC.

### Order Amending Order Suspending Trading

NOVEMBER 13, 1972.

The Commission having determined to amend its order of November 3, 1972, summarily suspending trading in the securities of Marketing Communication, Inc. for the period from November 6, 1972 through November 15, 1972:

*It is ordered*, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in the common stock, no par value, and all other securities of Marketing Communication, Inc. being traded otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from November 6, 1972 through 10 a.m. (e.s.t.) on November 14, 1972.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.

[FR Doc.72-20090 Filed 11-21-72;8:47 am]

[File No. 500-1]

## POWER CONVERSION, INC.

### Order Suspending Trading

NOVEMBER 14, 1972.

It appearing to the Securities and Exchange Commission that the summary

suspension of trading in the common stock, \$.01 par value, and all other securities of Power Conversion, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

*It is ordered*, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from November 15, 1972, through November 24, 1972.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.  
[FR Doc.72-20088 Filed 11-21-72;8:47 am]

[File No. 500-1]

## TOPPER CORP.

### Order Suspending Trading

NOVEMBER 14, 1972.

The common stock, \$1 par value of Topper Corp. being traded on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Topper Corp. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

*It is ordered*, Pursuant to sections 19 (a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period November 15, 1972 through November 24, 1972.

By the Commission.

[SEAL] RONALD F. HUNT,  
Secretary.  
[FR Doc.72-20089 Filed 11-21-72;8:47 am]

[70-5267]

## WESTERN MASSACHUSETTS ELECTRIC CO.

### Proposed Amendment of First Mortgage Indenture

NOVEMBER 15, 1972.

Notice is hereby given that Western Massachusetts Electric Co. ("WMECO"), 174 Brush Avenue, West Springfield, MA 01089, an electric utility subsidiary of Northeast Utilities, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 7 and 12(e) of the Act and Rules 62 and 65 promulgated thereunder as applicable to the proposed transactions. All interested

persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

WMECO proposes to amend its First Mortgage Indenture and Deed of Trust, dated as of August 1, 1954, as heretofore supplemented and amended by 34 supplemental indentures ("Indenture") to The First National Bank of Boston, as successor by merger to Old Colony Trust Co., as trustee. Pursuant to a 35th supplemental indenture, WMECO proposes to effect five changes in the indenture. Four of the five proposed changes, relating to "Permitted Encumbrances," "Fundable Property," "Possession," and "Certification of Available Net Property Additions," are stated to be modifications and clarifications of relatively minor provisions concerning matters of no direct significance to holders of bonds issued and outstanding under the indenture. It is further stated that the fifth proposed change, relating to the "Earnings Certificate," may be of greater significance to the bondholders.

In the computation of net earnings available for interest, the earnings certificate of the indenture at present (i) requires that miscellaneous interest (i.e., all interest except interest on the bonds and on other long-term debt ranking equally or prior to the bonds) be included in operating expenses, and (ii) excludes net nonoperating income. The proposed amendment to the earnings certificate would exclude miscellaneous interest from operating expenses and include net nonoperating income (not exceeding 10 percent of net operating income) in net earnings available for interest. It is stated that this proposed amendment is in accordance with sound accounting practice and with the Commission's statement of policy ("SOP") regarding first mortgage bonds subject to the Act; and that the effect would be to help improve WMECO's earnings coverages and thus tend to increase the amount of new bonds issuable under the indenture. All other substantive requirements of the earnings certificate, including the minimum earnings coverage test prescribed by the SOP, will remain unchanged.

The proposed amendments of the indenture will require the written consent of holders of at least 70 percent in principal amount of WMECO's outstanding first mortgage bonds (estimated as of July 31, 1972 to be \$137,000,000). WMECO proposes to solicit the consent of its bondholders through the use of solicitation material submitted herein.

Estimates of the fees and expenses to be incurred in connection with the proposed transactions will be filed by amendment. The declaration states that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

WMECO has requested that the effectiveness of its declaration with respect to the solicitation of consent from its bondholders be accelerated as provided in Rule 62.



Notice is further given that any interested person may, not later than December 15, 1972, request in writing that a hearing be held with respect to the proposed amendment to the indenture, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

It appearing to the Commission that the declaration regarding the proposed solicitation of the bondholders' consent should be permitted to become effective forthwith pursuant to Rule 62:

It is ordered, That the declaration regarding the proposed solicitation of the bondholders' consent be, and it hereby is, permitted to become effective forthwith pursuant to Rule 62 and subject to the terms and conditions prescribed in Rule 24 under the Act.

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

[SEAL]

RONALD F. HUNT,  
Secretary.

[FR Doc.72-20092 Filed 11-21-72;8:47 am]

## DEPARTMENT OF LABOR

Office of the Secretary  
PENNSYLVANIA

### Notice of Termination of Extended Unemployment Compensation

The Federal-State Extended Unemployment Compensation Act of 1970, title II of Public Law 91-373, establishes a program of payment to unemployed workers who have received all of the regular compensation to which they are entitled, commencing when unemployment is high (according to indicators set forth in the law) and terminating when unemployment ceases to be high (according to indicators set forth in the

law). Pursuant to section 203(b)(2) of the Act, notice is hereby given that John M. Clark, Executive Director of the Pennsylvania Bureau of Employment Security, has determined that there was a State "off" indicator in Pennsylvania for the week beginning October 1, 1972, and that an extended benefit period terminated in the State with the week beginning October 22, 1972.

Signed at Washington, D.C., this 17th day of November 1972.

J. D. HODGSON,  
Secretary of Labor.

[FR Doc.72-20120 Filed 11-21-72;8:49 am]

## PUERTO RICO

### Notice of Termination of Extended Unemployment Compensation

The Federal-State Extended Unemployment Compensation Act of 1970, Title II of Public Law 91-373, establishes a program of payment to unemployed workers who have received all of the regular compensation to which they are entitled, commencing when unemployment is high (according to indicators set forth in the law) and terminating when unemployment ceases to be high (according to indicators set forth in the law). Pursuant to section 203(b)(2) of the Act, notice is hereby given that Manuel Rivera, Director of the Department of Labor, Bureau of Employment Security of Puerto Rico, has determined that there was an "off" indicator in Puerto Rico for the week ending September 30, 1972, and that an extended benefit period terminated in Puerto Rico with the week ending October 21, 1972.

Signed at Washington, D.C., this 17th day of November 1972.

J. D. HODGSON,  
Secretary of Labor.

[FR Doc.72-20119 Filed 11-21-72;8:49 am]

## VERMONT

### Notice of Termination of Extended Unemployment Compensation

The Federal-State Extended Unemployment Compensation Act of 1970, Title II of Public Law 91-373, establishes a program of payment to unemployed workers who have received all of the regular compensation to which they are entitled, commencing when unemployment is high (according to indicators set forth in the law) and terminating when unemployment ceases to be high (according to indicators set forth in the law). Pursuant to section 203(b)(2) of the Act, notice is hereby given that Stella B. Hackel, Commissioner of the Vermont Department of Employment Security, has determined that there was a State "off" indicator in Vermont for the week beginning October 1, 1972, and that an extended benefit period terminated in the State with the week beginning October 22, 1972.

Signed at Washington, D.C., this 17th day of November 1972.

J. D. HODGSON,  
Secretary of Labor.

[FR Doc.72-20121 Filed 11-21-72;8:50 am]

## INTERSTATE COMMERCE COMMISSION

[Notice 121]

### ASSIGNMENT OF HEARINGS

NOVEMBER 16, 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. No amendments will be entertained after the date of this publication.

MC-1367 Sub 5, Owl Transfer & Storage Co., Inc., now being assigned for continued hearing December 18, 1972 (3 days), at Seattle, Wash., in a hearing room to be later designated.

MC 102616 Sub 869, Coastal Tank Lines, Inc., now assigned January 29, 1973, at Chicago, Ill., is postponed indefinitely.

MC 107515 Sub 764, Refrigerated Transport Co., Inc., now assigned November 27, 1972, at New York, N.Y., will be held at the City Squire Motor Inn, 55th Street and Broadway, instead of Room E-2222, 26 Federal Plaza.

MC-134513 Sub 3, Polar Transit, Inc., application dismissed.

MC-C-7909, Red Ball Van Lines, Inc., investigation and revocation of certificates, now being assigned hearing January 15, 1973 (2 weeks), at Miami, Fla., in a hearing room to be later designated.

MC 117557 Sub 16, Matson, Inc., now being assigned hearing January 22, 1973 (2 days), at Chicago, Ill., in a hearing room to be later designated.

MC-FC-73782, Beal's Express, Inc., Thurmont, Md., transferee, and Western Express, Inc., Baltimore, Md., transferor, now being assigned hearing December 20, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

I&S 8753, and I&S 8753 Sub 1, revised barge-load rates, inland waterways, now assigned February 26, 1973, at Washington, D.C., is postponed to March 12, 1973, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-C-7874, United Van Lines, Inc., investigation and revocation of certificate, now being assigned hearing January 8, 1973 (2 days), at St. Louis, Mo., January 11, 1973 (2 days), at Chicago, Ill., January 15, 1973 (1 day), at Dallas, Tex., January 16, 1973 (1 day), at Denver, Colo., January 18, 1973 (2 days), at Los Angeles, Calif., January 22, 1973, at St. Louis, Mo., until conclusion of respondent's case, in hearing rooms to be later designated.



FD 27139, Cooper-Jarrett, Inc., notes, now being assigned hearing November 29, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.72-20128 Filed 11-21-72;8:50 am]

#### FOURTH SECTION APPLICATION FOR RELIEF

NOVEMBER 17, 1972.

Protests to the granting of an application must be prepared in accordance with § 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

##### LONG-AND-SHORT HAUL

FSA No. 42572—*Phosphatic feed supplements from Occidental, Fla.* Filed by M. B. Hart, Jr., agent (No. A6329), for interested rail carriers. Rates on phosphatic feed supplements, in carloads, as described in the application, from Occidental, Fla., to specified points in Minnesota.

Grounds for relief—Market competition and rate relationship.

Tariff—Supplement 100 to Southern Freight Association, agent, tariff ICC S-784. Rates are published to become effective on December 21, 1972.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.72-20130 Filed 11-21-72;8:50 am]

[Rev. S.O. 994; ICC Order 76]

#### READING CO.

##### Rerouting or Diversion of Traffic

In the opinion of R. D. Pfahler, agent, the Reading Co., Richardson Dilworth and Andrew L. Lewis, Jr., trustees, is unable to transport traffic over portions of its Reading and Columbia, Gettysburg and Harrisburg, Middletown and Hummelstown, Frackville, and Bloomsburg branches because of track damage caused by flooding.

It is ordered, That:

(a) The Reading Co., Richardson Dilworth and Andrew L. Lewis, Jr., trustees, being unable to transport traffic over portions of its Reading and Columbia, Gettysburg and Harrisburg, Middletown and Hummelstown, Frackville, and Bloomsburg branches because of track damage, that carrier is hereby authorized to reroute or divert such traffic via any available route to expedite the movement. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained. The railroad desiring to divert or reroute traffic under this order shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted, before the rerouting or diversion is ordered.

(c) Notification to shippers. Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic is deemed to be due to carrier disability, the rates applicable to traffic diverted or rerouted by said agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic. Divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date. This order shall become effective at 11:59 p.m., November 15, 1972.

(g) Expiration date. This order shall expire at 11:59 p.m., December 15, 1972, unless otherwise modified, changed, or suspended.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 15, 1972.

INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
Agent.

[SEAL]

[FR Doc.72-20129 Filed 11-21-72;8:50 am]

[Notice 31]

#### MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

NOVEMBER 17, 1972.

The following letter-notices of proposals (except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules-Motor Carriers of Passengers, 1969 (49 CFR 1042.2(c)(9)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.2(c)(9)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.2(c)(9)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

##### MOTOR CARRIERS OF PASSENGERS

No. MC-60325 (Deviation No. 5), JEFFERSON LINES, INC., 1114 Currie Avenue, Minneapolis, MN 55403, filed October 18, 1972. Carrier's representative: Elvin S. Douglas, Jr., Post Office Box 280, Professional Building, Harrisonville, MO 64701. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, over a deviation route as follows: From Little Rock, Ark., over Interstate Highway 30 to North Little Rock, Ark., thence over Interstate Highway 40 to Van Buren, Ark., thence over Interstate Highway 540 to Fort Smith, Ark., with the following access route: from Alma, Ark., over U.S. Highway 71 to junction Interstate Highway 40, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: from Fort Smith, Ark., over U.S. Highway 71 to junction Arkansas Highway 10, thence over Arkansas Highway 10 to Little Rock, Ark., and return over the same route.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.72-20131 Filed 11-21-72;8:50 am]

[Notice 33]

#### MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

NOVEMBER 17, 1972.

The following letter-notices of proposals (except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969 (49 CFR 1042.4(d)(11)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.4(d)(11)).

Protests against the use of any proposed deviation route herein described



may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.4(d)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

#### MOTOR CARRIERS OF PROPERTY

No. MC-26739 (Deviation No. 34), CROUCH BROS., INC., Post Office Box 1059, St. Joseph, MO 64502, filed October 13, 1972. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over deviation routes as follows: (1) From junction Interstate Highway 80 and Ohio Highway 5 (also known as the Ohio Turnpike Gate 14), over Ohio Highway 5 to junction Ohio Highway 82, thence over Ohio Highway 82 to junction U.S. Highway 62, thence over U.S. Highway 62 to junction Pennsylvania Highway 518 (near Sharon, Pa.), thence over Pennsylvania Highway 518 to junction Pennsylvania Highway 18, thence over Pennsylvania Highway 18 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction U.S. Highway 209, thence over U.S. Highway 209 to junction Interstate Highway 84, thence over Interstate Highway 84 to junction New York Highway 121, thence over New York Highway 121 to junction New York Highway 116, thence over New York Highway 116 to the New York-Connecticut State line, thence over Connecticut Highway 33 to junction U.S. Highway 1, (2) from junction U.S. Highway 224 and Interstate Highway 76 (also known as Interstate Highway 80-S) (near Akron, Ohio), over Interstate Highway 76 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction U.S. Highway 209, thence over U.S. Highway 209 to junction Interstate Highway 84, thence over Interstate Highway 84 to junction New York Highway 121, thence over New York Highway 121 to junction New York Highway 116, thence over New York Highway 116 to the New York-Connecticut State line, thence over Connecticut Highway 33 to junction U.S. Highway 1.

(3) From junction Interstate Highway 80 and Ohio Highway 5 (also known as Ohio Turnpike Gate 14) over Ohio Highway 5 to junction Ohio Highway 82, thence over Ohio Highway 82 to junction U.S. Highway 62, thence over U.S. Highway 62 to junction Pennsylvania Highway 518 (near Sharon, Pa.), thence over Pennsylvania Highway 518 to junction Pennsylvania Highway 18, thence over Pennsylvania Highway 18 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction U.S. Highway 209, thence over U.S. Highway 209 to junction New York Highway 17,

thence over New York Highway 17 to junction New York Highway 17K, thence over New York Highway 17K to junction Interstate Highway 84, thence over Interstate Highway 84 to junction New York Highway 121, thence over New York Highway 121 to junction New York Highway 116, thence over New York Highway 116 to the New York-Connecticut State line, thence over Connecticut Highway 33 to junction U.S. Highway 1, (4) from junction U.S. Highway 224 and Interstate Highway 76 (also known as Interstate Highway 80-S), (near Akron, Ohio), over Interstate Highway 76 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction U.S. Highway 209, thence over U.S. Highway 209 to junction New York Highway 17, thence over New York Highway 17 to junction New York Highway 17K, thence over New York Highway 17K to junction Interstate Highway 84, thence over Interstate Highway 84 to junction New York Highway 121, thence over New York Highway 121 to junction New York Highway 116, thence over New York Highway 116 to the New York-Connecticut State line, thence over Connecticut Highway 33 to junction U.S. Highway 1.

(5) From junction Interstate Highway 80 and Ohio Highway 5 (also known as Ohio Turnpike Gate 14) over Ohio Highway 5 to junction Ohio Highway 82, thence over Ohio Highway 82 to junction U.S. Highway 62, thence over U.S. Highway 62 to junction Pennsylvania Highway 518 (near Sharon, Pa.), thence over Pennsylvania Highway 518 to junction Pennsylvania Highway 18, thence over Pennsylvania Highway 18 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction U.S. Highway 209, thence over U.S. Highway 209 to junction Interstate Highway 84, thence over Interstate Highway 84 to junction U.S. Highway 7 (near Danbury, Conn.), thence over U.S. Highway 7 to junction Connecticut Highway 33, thence over Connecticut Highway 33 to junction U.S. Highway 1, (6) from junction U.S. Highway 224 and Interstate Highway 76 (also known as Interstate Highway 80-S) (near Akron, Ohio), over Interstate Highway 76 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction U.S. Highway 209, thence over U.S. Highway 209 to junction Interstate Highway 84, thence over Interstate Highway 84 to junction U.S. Highway 7 (near Danbury, Conn.), thence over U.S. Highway 7 to junction Connecticut Highway 33, thence over Connecticut Highway 33 to junction U.S. Highway 1.

(7) From junction Interstate Highway 80 and Ohio Highway 5 (also known as Ohio Turnpike Gate 14), over Ohio Highway 5 to junction Ohio Highway 82, thence over Ohio Highway 82 to junction U.S. Highway 62, thence over U.S. Highway 62 to junction Pennsylvania Highway 518 (near Sharon, Pa.), thence over Pennsylvania Highway 518 to junction Pennsylvania Highway 18, thence over Pennsylvania Highway 18 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction U.S. Highway 209, thence over U.S. Highway 209 to junction New York Highway 17, thence over New York Highway 17 to junction New York Highway 17K, thence over New York Highway 17K to junction Interstate Highway 84, thence over Interstate Highway 84 to junction U.S. Highway 7 (near Danbury, Conn.), thence over U.S. Highway 7 to junction Connecticut Highway 33, thence over Connecticut Highway 33 to junction U.S. Highway 1.

way 209, thence over U.S. Highway 209 to junction New York Highway 17, thence over New York Highway 17 to junction New York Highway 17K, thence over New York Highway 17K to junction Interstate Highway 84, thence over Interstate Highway 84 to junction U.S. Highway 7 (near Danbury, Conn.), thence over U.S. Highway 7 to junction Connecticut Highway 33, thence over Connecticut Highway 33 to junction U.S. Highway 1, (8) from junction U.S. Highway 224 and Interstate Highway 76 (also known as Interstate Highway 80-S) (near Akron, Ohio), over Interstate Highway 76 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction U.S. Highway 209, thence over U.S. Highway 209 to junction New York Highway 17, thence over New York Highway 17 to junction New York Highway 17K, thence over New York Highway 17K to junction Interstate Highway 84, thence over Interstate Highway 84 to junction U.S. Highway 7 (near Danbury, Conn.), thence over U.S. Highway 7 to junction Connecticut Highway 33, thence over Connecticut Highway 33 to junction U.S. Highway 1.

(9) From junction Interstate Highway 80 and Ohio Highway 5 (also known as Ohio Turnpike Gate 14), over Ohio Highway 5 to junction Ohio Highway 82, thence over Ohio Highway 82 to junction U.S. Highway 62, thence over U.S. Highway 62 to junction Pennsylvania Highway 518 (near Sharon, Pa.), thence over Pennsylvania Highway 518 to junction Pennsylvania Highway 18, thence over Pennsylvania Highway 18 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction U.S. Highway 209, thence over U.S. Highway 209 to junction Interstate Highway 84, thence over Interstate Highway 84 to junction Connecticut Highway 25, thence over Connecticut Highway 25 to Bridgeport, Conn., (10) from junction U.S. Highway 224 and Interstate Highway 76 (also known as Interstate Highway 80-S) (near Akron, Ohio), over Interstate Highway 76 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction U.S. Highway 209, thence over U.S. Highway 209 to junction Interstate Highway 84, thence over Interstate Highway 84 to junction Connecticut Highway 25, thence over Connecticut Highway 25 to Bridgeport, Conn.

(11) From junction Interstate Highway 80 and Ohio Highway 5 (also known as Ohio Turnpike Gate 14) over Ohio Highway 5 to junction Ohio Highway 82, thence over Ohio Highway 82 to junction U.S. Highway 62, thence over U.S. Highway 62 to junction Pennsylvania Highway 518 (near Sharon, Pa.), thence over Pennsylvania Highway 518 to junction Pennsylvania Highway 18, thence over Pennsylvania Highway 18 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction U.S. Highway 209, thence over U.S. Highway 209 to junction New York Highway 17, thence over New York Highway 17 to junction New York Highway 17K, thence over New York Highway 17K to junction Interstate Highway 84, thence over Interstate Highway 84 to junction U.S. Highway 7 (near Danbury, Conn.), thence over U.S. Highway 7 to junction Connecticut Highway 33, thence over Connecticut Highway 33 to junction U.S. Highway 1.







Highway 90 (also known as Gate 10), thence over Interstate Highway 90 to junction Massachusetts Highway 9 (also known as Gate 12), thence over Massachusetts Highway 9 to Boston, Mass., and

(21) From Chicago, Ill., over Interstate Highway 90 (also called Chicago Skyway) to junction Interstate Highway 80, thence over Interstate Highway 80 (also known as the Indiana Toll Road or Indiana Turnpike) to the Indiana-Ohio State line (and is then known as the Ohio Turnpike) to junction Ohio Highway 5 (also known as Gate 14), thence over Ohio Highway 5 to junction Ohio Highway 82, thence over Ohio Highway 82 to junction U.S. Highway 62, thence over U.S. Highway 62 to junction Pennsylvania Highway 518 (near Sharon, Pa.), thence over Pennsylvania Highway 518 to junction Pennsylvania Highway 18, thence over Pennsylvania Highway 18 to junction Interstate Highway 80, thence over Interstate Highway 80 (including highway connecting Interstate Highway 80 where Interstate Highway 80 is not completed) to junction Interstate Highway 95, thence over Interstate Highway 95 to junction U.S. Highway 1 (north of Milford, Conn.), thence over U.S. Highway 1 to junction U.S. Highway 5, thence over U.S. Highway 5 to junction Interstate Highway 86 (also known as Connecticut Highway 15), thence over Interstate Highway 86 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction Massachusetts Highway 12, thence over Massachusetts Highway 12 to junction Interstate Highway 90 (also known as Gate 10), thence over Interstate Highway 90 to junction Massachusetts Highway 9 (also known as Gate 12), thence over Massachusetts Highway 9 to Boston, Mass., and return over the same routes, for operating convenience only.

The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Chicago, Ill., over the Calumet Tri-States Expressway to junction Indiana Highway 152, thence over Indiana Highway 152 to junction U.S. Highway 6, thence over U.S. Highway 6 to junction U.S. Highway 23, thence over U.S. Highway 23 to junction Ohio Highway 18, thence over Ohio Highway 18 to junction U.S. Highway 224, thence over U.S. Highway 224 to junction Ohio Highway 7, thence over Ohio Highway 7 to junction Ohio Turnpike, thence over the Ohio Turnpike to the Pennsylvania Turnpike, thence over the Pennsylvania Turnpike to the Philadelphia, Pa., exit, thence over U.S. Highway 1 via New York, N.Y., to Bridgeport, Conn., (2) from Chicago, Ill., over U.S. Highway 20 to the Ohio Turnpike, thence over the Ohio Turnpike to the Pennsylvania Turnpike, thence over the Pennsylvania Turnpike to the Philadelphia, Pa., exit, thence over U.S. Highway 1 via New York, N.Y., to Bridgeport, Conn., and (3) from Chicago, Ill., over the Calumet Tri-States Expressway to junction Indiana Highway 152, thence

over Indiana Highway 152 to junction U.S. Highway 6, thence over U.S. Highway 6 to junction Ohio Highway 300, thence over Ohio Highway 300 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction Ohio Highway 10, thence over Ohio Highway 10 to Cleveland, Ohio, thence over Ohio Highway 2 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction Pennsylvania Highway 5 near Erie, Pa., thence over Pennsylvania Highway 5 to the Pennsylvania-New York State line, thence over New York Highway 5 to junction U.S. Highway 20 near Silver Creek, N.Y. (also from junction U.S. Highway 20 and Pennsylvania Highway 5 over U.S. Highway 20 to junction New York Highway 5), thence over U.S. Highway 20 to Auburn, N.Y., thence over New York Highway 5 to Albany, N.Y., thence over U.S. Highway 20 to Boston, Mass., and return over the same routes.

No. MC-29910 (Deviation No. 19), ARKANSAS-BEST FREIGHT SYSTEM, INC., 301 South 11th Street, Post Office Box 48, Fort Smith, AR 72901, filed October 25, 1972. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities with certain exceptions, over a deviation route as follows: From Hope, Ark., over Arkansas Highway 4 to junction Interstate Highway 30, thence over Interstate Highway 30 to Texarkana, Ark.-Tex., thence over U.S. Highway 59 to junction Interstate Highway 20, near Marshall, Tex., thence over Interstate Highway 20 to Shreveport, La., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Hope, Ark., over Arkansas Highway 29 to the Arkansas-Louisiana State line, thence over Louisiana Highway 3 to junction U.S. Highway 80, thence over U.S. Highway 80 to Shreveport, La., and return over the same route.

No. MC-30605 (Deviation No. 20), THE SANTA FE TRAIL TRANSPORTATION COMPANY, 433 East Waterman Street, Wichita, KS 67201, filed October 25, 1972. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From junction U.S. Highway 81 and Interstate Highway 70 over Interstate Highway 70 to junction U.S. Highway 156, thence over U.S. Highway 156 to junction U.S. Highway 56, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Omaha, Nebr., over U.S. Highway 6 to Lincoln, Nebr., thence over U.S. Highway 77 via Beatrice, Nebr., to Randolph, Kans., thence over Kansas Highway 13 to Manhattan, Kans., thence over U.S. Highway 40 to Salina, Kans., thence over U.S. Highway 81 to South Haven, Kans., thence over U.S. Highway

177 to junction U.S. Highway 77, thence over U.S. Highway 77 to Oklahoma City, Okla., (2) from Concordia, Kans., over U.S. Highway 81 to Salina, Kans., (3) from Topeka, Kans., over Kansas Highway 4 via Herington, Kans., to junction U.S. Highway 81, (4) from Topeka, Kans., over Kansas Highway 4 to Herington, Kans., thence over U.S. Highway 56 (formerly U.S. Highway 50-N) to Lyons, Kans., (5) from Hutchinson, Kans., over Kansas Highway 96 to Lyons, Kans., thence over U.S. Highway 56 (formerly U.S. Highway 50-N) to junction U.S. Highway 156 (formerly U.S. Highway 50-N), thence over U.S. Highway 156 to Jetmore, Kans., thence over U.S. Highway 283 to Dodge City, Kans., and (6) from Salina, Kans., over U.S. Highway 40 to junction U.S. Highway 156 (formerly Kansas Highway 45), thence over U.S. Highway 156 to Great Bend, Kans., and return over the same routes.

No. MC-48958 (Deviation No. 39), ILLINOIS-CALIFORNIA EXPRESS, INC., Post Office Box 9050, Amarillo, TX 79105, filed October 25, 1972. Carrier's representative: Morris G. Cobb, same address as applicant. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Prescott, Ariz., over Arizona Highway 69 to junction Interstate Highway 17, thence over Interstate Highway 17 to Phoenix, Ariz., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Colton, Calif., over U.S. Highway 99 to Indio, Calif., thence over U.S. Highway 60 to Wickenburg, Ariz., thence over U.S. Highway 89 to Ashfork, Ariz., and (2) from Wickenburg, Ariz., over U.S. Highway 89 to Phoenix, Ariz., and return over the same routes.

No. MC-48958 (Deviation No. 40), ILLINOIS - CALIFORNIA EXPRESS, INC., Post Office Box 9050, Amarillo, TX 79105, filed October 27, 1972. Carrier's representative: Morris G. Cobb, same address as applicant. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Dallas, Tex., over Texas Highway 183 to Fort Worth, Tex., thence over U.S. Highway 180 to junction U.S. Highway 281, thence over U.S. Highway 281 to junction Interstate Highway 20 (U.S. Highway 80), thence over Interstate Highway 20 (U.S. Highway 80) to Abilene, Tex., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Wichita Falls, Tex., over U.S. Highway 281 to Jacksboro, Tex., thence over Texas Highway 199 to Fort Worth, Tex., thence over U.S. Highway 80 to Dallas, Tex., (2) from Jacksboro, Tex., over Texas Highway 199 to Seymour, Tex., thence over



U.S. Highway 283 to the Texas-Oklahoma State line, (3) from Olney, Tex., over Texas Highway 199 to Jean, Tex., thence over Texas Farm or Ranch Road 1769 to junction Texas Highway 24, thence over Texas Highway 24 to Graham, Tex., (4) from New Castle, Tex., over Texas Highway 24 to Throckmorton, Tex., (5) from Abilene, Tex., over Texas Highway 351 to junction U.S. Highway 180, thence over U.S. Highway 180 to Albany, Tex., thence over U.S. Highway 283 to Throckmorton, Tex., and (6) from Graham, Tex., over Texas Highway 24 to New Castle, Tex., thence over Texas Highway 251 to Olney, Tex., thence over Texas Highway 79 to Wichita Falls, Tex., and return over the same routes.

No. MC-48958 (Deviation No. 41), ILLINOIS - CALIFORNIA EXPRESS, INC., Post Office Box 9050, Amarillo, TX 79105, filed November 3, 1972. Carrier's representative: Morris G. Cobb, same address as applicant. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Dallas, Tex., over the Dallas-Fort Worth, Tex., toll road (U.S. Highway 80) to Fort Worth, Tex., thence over U.S. Highway 180 to junction U.S. Highway 183, thence over U.S. Highway 183 to junction Interstate Highway 20 (U.S. Highway 80), thence over Interstate Highway 20 (U.S. Highway 80) to Abilene, Tex., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Wichita Falls, Tex., over U.S. Highway 281 to Jacksboro, Tex., thence over Texas Highway 199 to Fort Worth, Tex., thence over U.S. Highway 80 to Dallas, Tex., (2) from Jacksboro, Tex., over Texas Highway 199 to Seymour, Tex., thence over U.S. Highway 283 to the Texas-Oklahoma State line, (3) from Olney, Tex., over Texas Highway 199 to Jean, Tex., thence over Texas Farm or Ranch Road 1769 to junction Texas Highway 24, thence over Texas Highway 24 to Graham, Tex., (4) from New Castle, Tex., over Texas Highway 24 to Throckmorton, Tex., (5) from Abilene, Tex., over Texas Highway 351 to junction U.S. Highway 180, thence over U.S. Highway 180 to Albany, Tex., thence over U.S. Highway 283 to Throckmorton, Tex., and (6) from Graham, Tex., over Texas Highway 24 to New Castle, Tex., thence over Texas Highway 251 to Olney, Tex., thence over Texas Highway 79 to Wichita Falls, Tex., and return over the same routes.

No. MC-52709 (Deviation No. 26), RINGSBY TRUCK LINES, INC., Post Office Box 109, 5773 South Prince Street, Littleton, CO 80120, filed November 3, 1972. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Kansas City, Mo., over Interstate Highway 29 to junction combined U.S. Highways 59-275, just west of Sa-

vannah, Mo., thence over U.S. Highways 59-275 to junction U.S. Highway 136 near Tarkio, Mo., thence over U.S. Highway 136 to Auburn, Nebr., thence over U.S. Highway 75 to Nebraska City, Nebr., thence over Nebraska Highway 2 to Lincoln, Nebr., and (2) from Kansas City, Mo., over Interstate Highway 29 to junction Iowa Highway 2, thence over Iowa Highway 2 to the Iowa-Nebraska State line, thence over Nebraska Highway 2 to Lincoln, Nebr., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Kansas City, Mo., over U.S. Highway 71 to junction U.S. Highway 36, thence over U.S. Highway 36 to junction U.S. Highway 77, thence over U.S. Highway 77 to Lincoln, Nebr., and return over the same route.

No. MC-75320 (Deviation No. 38), CAMPBELL SIXTY-SIX EXPRESS, INC., Post Office Box 807, Springfield, MO 65801, filed October 25, 1972. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From St. Louis, Mo., over Interstate Highway 70 to Effingham, Ill., thence over Interstate Highway 57 to Chicago, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Springfield, Mo., over U.S. Highway 66 via St. Louis, Mo., to Gardner, Ill., thence over Illinois Highway 53 (formerly Alternate U.S. Highway 66) to junction U.S. Highway 66, thence over U.S. Highway 66 to Chicago, Ill., and return over the same route.

No. MC 103435 (Deviation No. 23), UNITED-BUCKINGHAM FREIGHT LINES, INC., Post Office Box 192, Littleton, CO 80120, filed October 25, 1972. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Minneapolis, Minn., over U.S. Highway 10 to Forsyth, Mont., thence over U.S. Highway 12 to Helena, Mont., and return over the same route, for convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From St. Paul, Minn., over city streets to Minneapolis, Minn., thence over U.S. Highway 212 to Redfield, S. Dak., thence over U.S. Highway 281 to junction South Dakota Highway 26, thence over South Dakota Highway 26 to junction South Dakota Highway 45, hence over South Dakota Highway 45 to Miller, S. Dak., (2) from Montevideo, Minn., over Minnesota Highway 7 to Minneapolis, Minn., (3) from Miller, S. Dak., over U.S. Highway 14 to junction South Dakota Highway 73, thence over South Dakota Highway 73 to Philip Junction, S. Dak., thence over unnumbered highway at or near Cottonwood, S. Dak.,

to junction U.S. Highway 14, thence over U.S. Highway 13 to Sturgis, S. Dak., (4) from Rapid City, S. Dak., over South Dakota Highway 79 to junction South Dakota Highway 36, thence over South Dakota Highway 36 to junction Alternate U.S. Highway 16, thence over Alternate U.S. Highway 16 to Custer, S. Dak., thence over U.S. Highway 385 to Hot Springs, S. Dak., (5) from Sturgis, S. Dak., over Alternate U.S. Highway 14 to Deadwood, S. Dak., thence over U.S. Highway 85 to Belle Fourche, S. Dak., (6) from Redfield, S. Dak., over U.S. Highway 212 to junction South Dakota Highway 79, (7) from junction South Dakota Highway 45 and U.S. Highway 212 over South Dakota Highway 45 to junction South Dakota Highway 26.

(8) from Rapid City, S. Dak., over South Dakota Highway 79 to junction South Dakota Highway 36, thence over South Dakota Highway 36 to junction Alternate U.S. Highway 16, thence over Alternate U.S. Highway 16 to Custer, S. Dak., (9) from Custer, S. Dak., over U.S. Highway 16 to Newcastle, Wyo., (10) from Newcastle, Wyo., over U.S. Highway 16 to Ucross, Wyo., thence over U.S. Highway 14 to Sheridan, Wyo., (11) from Sturgis, S. Dak., over South Dakota Highway 34 to junction South Dakota Highway 79, thence over South Dakota Highway 79 to junction U.S. Highway 212, thence over U.S. Highway 212 to Belle Fourche, S. Dak., (12) from Sturgis, S. Dak., over South Dakota Highway 34 to junction U.S. Highway 85, thence over U.S. Highway 85 to Deadwood, S. Dak., (13) from Moorcroft, Wyo., over U.S. Highway 14 to Spearfish, S. Dak., (14) from Broadus, Mont., over U.S. Highway 212 to junction unnumbered highway, thence over unnumbered highway via Biddle, Mont., to junction U.S. Highway 16, thence over U.S. Highway 16 to Gillette, Wyo., (15) from Broadus, Mont., over U.S. Highway 212 to junction Montana Highway 8, thence over Montana Highway 8 to Crow Agency, Mont., thence over U.S. Highway 86 to Billings, Mont., (16) from Sheridan, Wyo., over U.S. Highway 87 to Acme, Wyo., thence over unnumbered highways to the Wyoming-Montana State line, thence over unnumbered highways via Decker, Mont., to Birney, Mont., (17) from Sheridan, Wyo., over U.S. Highway 87 to junction Montana Highway 8 near Crow Agency, Mont., (18) from Missoula, Mont., over U.S. Highway 10 via Garrison and Three Forks, Mont., to Billings, Mont.

(19) From Missoula, Mont., over U.S. Highway 10 to Garrison, Mont., thence over U.S. Highway 12 to junction Montana Highway 287, thence over Montana Highway 287 to junction U.S. Highway 10 at or near Three Forks, Mont., thence over U.S. Highway 10 to Billings, Mont., (20) from Missoula, Mont., over U.S. Highway 10 to Garrison, Mont., thence over U.S. Highway 12 via Townsend, Mont., to junction Montana Highway 3 approximately 6 miles east of Slayton, Mont., thence over Montana Highway 3 to Billings, Mont., (21) from Billings, Mont., over unnumbered highway via Action and Broadview, Mont., to



junction U.S. Highway 12, thence over U.S. Highway 12 via Townsend, Mont., to Helena, Mont., (22) from Billings, Mont., over unnumbered highway via Action and Broadview, Mont., to junction U.S. Highway 12, thence over U.S. Highway 12 to Harlowton, Mont., (23) from Minneapolis, Minn., over U.S. Highway 12 to Hettinger, N. Dak., (24) from Reeder, N. Dak., over U.S. Highway 12 to Hettinger, N. Dak., (25) from Bowman, N. Dak., over U.S. Highway 12 to Miles City, Mont., (26) from Belle Fourche, S. Dak., over U.S. Highway 85 to Belfield, N. Dak., thence over U.S. Highway 10 to Bismarck, N. Dak., (27) from Minneapolis, Minn., over U.S. Highway 52 to Fargo, N. Dak., (28) from St. Paul, Minn., over U.S. Highway 10 to Fargo, N. Dak., (29) from Devils Lake, N. Dak., over U.S. Highway 2 to Grand Forks, N. Dak., thence over U.S. Highway 81 to Fargo, N. Dak., thence over U.S. Highway 10 to Anoka, Minn., thence over U.S. Highway 169 to Minneapolis, Minn.

(30) from Devils Lake, N. Dak., to Fargo, N. Dak., as specified immediately above, thence over U.S. Highway 52 via Evansville, Minn., to Minneapolis, Minn., (31) from Moorhead, Minn., over U.S. Highway 75 to Crookston, Minn., (32) from Devils Lake, N. Dak., over U.S. Highway 2 via Grand Forks, N. Dak., to junction U.S. Highway 59, thence over U.S. Highway 59 to Elbow Lake, Minn., thence over Minnesota Highway 79 to Evansville, Minn., thence over U.S. Highway 52 to Minneapolis, Minn., (33) from South St. Paul, Minn., over city streets to St. Paul, Minn., thence over U.S. Highway 10 to Detroit Lakes, Minn., thence over U.S. Highway 59 to Erskine, Minn., thence over U.S. Highway 2 to Devils Lake, N. Dak., thence over North Dakota Highway 20 to Starkweather, N. Dak., thence over North Dakota Highway 17 to Cando, N. Dak., thence over U.S. Highway 281 to junction North Dakota Highway 5, thence over North Dakota Highway 5 to Bottineau, N. Dak., (34) from Fargo, N. Dak., over U.S. Highway 10 to Bismarck, N. Dak., (35) from Jamestown, N. Dak., over U.S. Highway 52 to Minot, N. Dak., (36) from Fargo, N. Dak., over U.S. Highway 81 to Hamilton, N. Dak., thence over North Dakota Highway 5 to junction North Dakota Highway 18, thence over North Dakota Highway 18 to junction North Dakota Highway 55, thence over North Dakota Highway 55 to Pembina, N. Dak., (37) from Minot, N. Dak., over U.S. Highway 2 to Culbertson, Mont., (38) from Williston, N. Dak., over U.S. Highway 2 to Glasgow, Mont., (39) from Havre, Mont., over U.S. Highway 2 to Glasgow, Mont., (40) from Great Falls, Mont., over U.S. Highway 87 to junction unnumbered highway just south of Havre, Mont., thence over unnumbered highway to Havre, Mont., and (41) from Great Falls, Mont., over U.S. Highway 91 to Helena, Mont., and return over the same routes.

No. MC-108835 (Deviation No. 3), HYMAN FREIGHTWAYS, INC., 2690

Prior Avenue North, St. Paul, MN 55113, filed October 25, 1972. Carrier's representative; Robert D. Gisvold, 1000 First National Bank Building, Minneapolis, Minn. 55402. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction Minnesota Highways 55 and 5, over Minnesota Highway 5 to junction Interstate Highway 494, thence over Interstate Highway 494 to junction Interstate Highway 35-W and U.S. Highway 65, thence over Interstate Highway 35-W and U.S. Highway 65 to junction Minnesota Highway 13, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent regular route as follows: From Minneapolis, Minn., over Minnesota Highway 55 to junction Minnesota Highway 13, thence over Minnesota Highway 13 to junction U.S. Highway 65, thence over U.S. Highway 65 to Owatonna, Minn., and return over the same route.

No. MC-112713 (Deviation No. 19), YELLOW FREIGHT SYSTEM, INC., Post Office Box 8462, 92d at State Line, Kansas City, MO 64114, filed October 25, 1972. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Indianapolis, Ind., over Interstate Highway 70 to junction Interstate Highway 57 near Effingham, Ill., thence over Interstate Highway 57 to junction Interstate Highway 55 near Sikeston, Mo., thence over Interstate Highway 55 to junction Interstate Highway 40 near West Memphis, Ark., thence over Interstate Highway 40 to junction Interstate Highway 30 to Dallas, Tex., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows:

(1) From St. Louis, Mo., over U.S. Highway 40 to junction Alternate U.S. Highway 40 (formerly U.S. Highway 40), thence over Alternate U.S. Highway 40 via Hagarstown and Vandalia, Ill., to junction U.S. Highway 40, thence over U.S. Highway 40 to junction unnumbered highway (formerly U.S. Highway 40), thence over unnumbered highway via Marshall, Ill., to junction U.S. Highway 40, thence over U.S. Highway 40 to Indianapolis, Ind., (2) from St. Louis, Mo., over U.S. Highway 50 to junction Illinois Highway 37, thence over Illinois Highway 37 to junction U.S. Highway 45, thence over U.S. Highway 45 to junction U.S. Highway 40, thence over the route specified in (1) above to Indianapolis, Ind., (3) from St. Louis, Mo., over U.S. Highway 66 to junction U.S. Highway 63 (formerly U.S. Highway 66) near Rolla, Mo., thence over U.S. Highway 63 to Rolla, thence over unnumbered highway (formerly U.S. Highway 66) to junction U.S. Highway 66, thence over U.S. Highway 66 to junction unnumbered

highway (formerly U.S. Highway 66) near Waynesville, Mo., thence over unnumbered highway to Waynesville, thence over Missouri Highway 17 (formerly U.S. Highway 66) to junction U.S. Highway 66, thence over U.S. Highway 66 to junction unnumbered highway (formerly U.S. Highway 66) near Conway, Mo., thence over unnumbered highway via Conway to junction U.S. Highway 66, thence over U.S. Highway 66 to Baxter Springs, Kans., (4) from Kansas City, Mo., over U.S. Highway 69 to junction Kansas Highway 26, thence over Kansas Highway 26 to junction U.S. Highway 66, thence over U.S. Highway 66 to junction Oklahoma Highway 66 (formerly U.S. Highway 66) near Edmond, Okla., thence over Oklahoma Highway 66 (formerly U.S. Highway 66) to Oklahoma City, Okla., thence over U.S. Highway 77 to Dallas, Tex., thence over U.S. Highway 75 to Houston, Tex., and (5) from Vinita, Okla., over U.S. Highway 69 to Atoka, Okla., thence over U.S. Highway 75 to Dallas, Tex., and return over the same routes.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.72-20133 Filed 11-21-72;8:51 am]

[Notice 94]

## MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

NOVEMBER 17, 1972.

The following publications are governed by the new § 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.<sup>1</sup>

### APPLICATIONS ASSIGNED FOR ORAL HEARING

#### MOTOR CARRIERS OF PROPERTY

No. MC 117119 (Sub-No. 448) (Amendment), filed January 3, 1972, published in the FEDERAL REGISTER, issue of February 3, 1972, and republished as amended this issue. 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

<sup>1</sup> Except as otherwise specifically noted, each applicant (on applications) filed after Mar. 27, 1972, states that there will be no significant effect on the quality of the human environment resulting from approval of its application.



vehicle, over irregular routes, transporting: (1) *Candy, confectionery products, nuts and snack foods, except in bulk;* (2) *advertising materials and premium merchandise, moving in mixed loads with candy, confectionery products, nuts and snack foods, except commodities in bulk, from Chicago, Ill., to points in Arizona, California, Montana, Nevada, Texas, Oklahoma, Oregon, Utah, and Washington.* Note: Applicant states it presently holds authority under its Sub 343 to transport candy and confectionery, from Salt Lake City, Utah, which could possibly be tacked to serve New Mexico, although tacking is not intended. Common control may be involved. The purpose of this republication is to show that application was amended at the hearing to include nuts and snack foods, and to include the State of Texas.

**HEARING:** January 15, 1973, at Chicago, Ill. Location of hearing room will be by subsequent notice.

No. MC 124211 (Sub-No. 205) (Republication), filed November 18, 1971, published in the *FEDERAL REGISTER* issue of December 23, 1971, and republished in this issue. 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). An order of the Commission, Review Board Number 2, dated October 24, 1972, and served November 8, 1972, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, (1) of alcoholic beverages, (a) from Chicago, Ill., to Omaha, Nebr., restricted to the transportation of shipments destined to Omaha, Nebr., and (b) from Minneapolis, Minn., to Omaha, Nebr., and (2) of malt beverages, (a) from Peoria, Ill., and Milwaukee, Wis., to Council Bluffs, Iowa, and (b) from Belleville, Ill., and Sheboygan and La Crosse, Wis., to Omaha, Nebr.; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the *FEDERAL REGISTER* and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 126537 (Sub-No. 23) (Republication), filed November 2, 1970, published in the *FEDERAL REGISTER* issue of December 3, 1970, and republished in this issue. Applicant: **KENT I. TURNER, KENNETH E. TURNER, AND ERVIN L. TURNER**, a partnership, doing business as,

**TURNER EXPEDITING SERVICE**, Post Office Box 21333, Standford Field, Louisville, KY 40221. Applicant's representative: George M. Catlett, 703-706 McClure Building, Frankfort, Ky. 40601. An order of the Commission, Division 1, Acting as an Appellate Division, dated October 27, 1972, and served November 2, 1972, finds that by recommended order served February 24, 1972, the examiner recommended that applicant be granted authority to transport general commodities (with exception) between O'Hare Field, Chicago, Ill., on the one hand, and, on the other, points in the Chicago, Ill., commercial zone, restricted to the handling of traffic originating at or destined to the plantsite of American Greetings Corp. near Danville, Ky.; and that by stay decision and order entered March 14, 1972, the Commission, Review Board No. 2, modified the examiner's findings by deleting the above-mentioned restriction; and that said stay decision and order of March 14, 1972, be, and it is hereby, modified, to authorize: Operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of general commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the plantsite of American Greeting Corp. near Danville, Ky., on the one hand, and, on the other, Chicago, Ill., restricted to the transportation of traffic originating at or destined to the said plantsite. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

#### NOTICE FOR FILING PETITION

No. MC 133984 (Sub-No. 2) (Notice of filing of petition to modify and amend permit, and add additional shipper), filed November 9, 1972. Petitioner: **M. A. POPPERT**, doing business as **POPPERT TRUCKING COMPANY**, El Monte, Calif. Petitioner's representative: Gerold von Pahlen-Fedoroff, Beverly Hills Financial Center, 10th Floor, 9401 Wilshire Boulevard, Beverly Hills, CA 90212. Petitioner states that it holds a permit in MC 133984 Sub-2 authorizing and evidencing operations as a motor contract carrier, over irregular routes, in the transportation of: (1) *Store fixtures and equipment, crated, when moving in mixed loads with store fixtures and equipment, uncrated, and* (2) *store fixtures and equipment, uncrated, when moving in mixed loads with store fixtures and equipment, crated, between*

the plantsites and warehouses of Hill Refrigeration Corp., at points in Los Angeles County, Calif., on the one hand, and, on the other, points in Arizona, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming, restricted and limited to a transportation service to be performed under a continuing contract, or contracts, with Hill Refrigeration Corp. of Glendale, Calif. By the instant petitioner, petitioner seeks to (a) add the name of Merchandising Equipment Group, Inc., as an additional contracting shipper, and (b) amend the commodities to be transported, and area to service to read as follows: *Commercial, institutional, and store fixtures, and equipment, and, climate control equipment, and parts thereof*, (1) between points in Arizona, California, Nevada, Oregon, Idaho, and Washington; and (2) between points in California, on the one hand, and, on the other, points in Colorado, Montana, New Mexico, Texas, Utah, and Wyoming. Any interested person or persons desiring to participate and to be heard in the matter may file an original and six copies of his written representations, views, or arguments in support of or against the petition within 30 days from the date of publication in the *FEDERAL REGISTER*.

#### APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATION UNDER SECTION 5 GOVERNED BY SPECIAL RULE 240 TO THE EXTENT APPLICABLE

No. MC 54567 (Sub-No. 12), filed September 25, 1972. Applicant: **RELANCE TRUCK CO.**, a corporation, 2500 North 24th Avenue, Phoenix, AZ 85009. Applicant's representative: A. Michael Bernstein, 1327 United Bank Building, Phoenix, Ariz. 85012. Authority sought to operate as a common carrier, by motor vehicle, over regular and irregular routes, transporting: *Construction materials, equipment and supplies; machinery and machinery parts; iron and steel products; self-propelled vehicles (excluding automobiles and over the highway trucks); weight require the use of special equipment; pipe and pipe fittings.* Regular routes: On and within 50 (fifty) miles laterally of the following described highways: (a) U.S. Highways 101 and 101 By-Pass between California-Oregon State line and California-Mexico line, inclusive; (b) U.S. Highway 99, 99-E and 99-W between California-Oregon State line and California-Mexico line, inclusive; (c) U.S. Highway 299 between Redding and Alturas, Calif., inclusive; (d) U.S. Highway 395 between California-Oregon State line and California-Nevada State line, inclusive, by way of Alturas and Johnstonville, Calif.; (e) State Highway 36 between junction U.S. Highway 99-E near Red Bluff, Calif., and junction U.S. Highway 395 at Johnstonville, Calif., inclusive; (f) State Highway 20 between Marysville, Calif., and junction U.S. Highway 40, inclusive; (g) U.S. Highway 40 between San Francisco, Calif., and California-Nevada State line.



inclusive; (h) U.S. Highway 50 between Sacramento, Calif., and California-Nevada State line, inclusive; (i) U.S. Highway 395 between California-Nevada State line at Topaz Lake, Calif., and junction U.S. Highway 66, inclusive; (j) U.S. Highway 66 between Los Angeles and Needles, Calif., inclusive; (k) U.S. Highway 60 between Los Angeles, Calif., and California-Arizona State line, inclusive; (l) U.S. Highways 91 and 466 between Barstow, Calif., and California-Nevada State line, inclusive; (m) U.S. Highway 80 between San Diego, Calif., and California-Arizona State line, inclusive; and (n) State Highway 127 between Baker, Calif., and California-Nevada State line, inclusive: Irregular routes: Over irregular routes in the area described by the above listed highways and within 50 miles thereof. NOTE: The instant application is a matter directly related to No. MC-F 11673 published in the FEDERAL REGISTER issue of October 12, 1972. Applicant states that by this application it seeks authority into the States of Oregon, Nevada, and Arizona at all border crossings and seeks authority to serve Yuma, Ehrenberg, Parker, and Topock, Ariz., so as to enable tacking with present authority. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz., or Los Angeles, Calif.

#### APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240.)

#### MOTOR CARRIERS OF PROPERTY

##### MOTOR CARRIER TRANSFER PROCEEDING

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-F-11712. Authority sought for purchase by CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, CA 94025, of the operating rights and property of RAPID DELIVERY SERVICE, INC., Post Office Box No. 727, Jamestown, NY 14701, and for acquisition by CONSOLIDATED FREIGHTWAYS, INC., 601 California Street, San Francisco, CA 94108, of control of such rights and property through the purchase. Applicants' attorneys: Kenneth T. Johnson and Ronald W. Malin, Bankers Trust Building, Jamestown, N.Y. 14701. Operating rights sought to be transferred are set forth in the certificate of registration solely within the State of New York as a *common carrier*, of *General Commodities*, as defined in section 800.1 of title 16 of the Official Compilation of Codes, Rules and Regulations of the State of New York, between all points in Chautauqua and Cat-

taugus Counties. Vendee is authorized to operate as a common carrier in California, Oregon, Washington, Illinois, Minnesota, Wisconsin, Montana, Colorado, Utah, Wyoming, Idaho, Indiana, Nevada, Ohio, Iowa, Michigan, Arizona, Kansas, Maryland, North Dakota, South Carolina, Georgia, Alabama, Kentucky, North Carolina, New York, Massachusetts, Oklahoma, Missouri, Texas, Louisiana, Pennsylvania, South Dakota, New Mexico, Nebraska, West Virginia, Mississippi, New Jersey, Connecticut, Alaska, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11713. Authority sought for control and merger by BRIGGS TRANSPORTATION CO., 2360 West County Road C, St. Paul, MN 55113, of the operating rights and property of CLAMAR, INC., 720, Fifth Street NE, Cedar Rapids, IA 52406, and for acquisition by GEORGE E. BRIGGS AND MICHAEL P. WARDWELL, both of 2360 West County Road C, St. Paul, MN 55113, of control of such rights and property through the merger. Applicants' attorney: Axelrod, Goodman, Steiner & Bazelon, 39 South LaSalle Street, Chicago, IL 60603. Operating rights sought to be controlled and merged are set forth in certificate of registration solely within the State of Iowa as a *common carrier*, of *General Commodities*, over regular routes, between Cedar Rapids, Iowa, and Ottumwa, Iowa, serving the intermediate points of Amana, Fairfax, Hedrick, Martinsburg, North English, Parnell, Sigourney, South English, Walford, Webster, and Williamsburg, as well as all points intermediate to the above points located on said highways, and the off-route points of Conroy, Delta, Fremont, Hayesville, High Amana, Oskaloosa, Rose Hill, Rutledge, South Amana and the U.S. Naval Reserve Aviation Base (also known as Ottumwa Airport): From Cedar Rapids over Iowa Highway 149 to junction U.S. Highway 63 about 5 miles west of Hedrick, Iowa, thence over U.S. Highway 63 to Ottumwa, and return over the same route. Vendee is authorized to operate as a *common carrier* in Minnesota, Illinois, Wisconsin, Iowa, Nebraska, Indiana, and Missouri. Application has been filed for temporary authority under section 210a(b).

No. MC-F-11714. Authority sought for control by ROCOR INTERNATIONAL, 2800 West Bayshore Road, Palo Alto, CA 94303, of CROUCH BROS., INC., Highway 36 West, Post Office Box 1059, St. Joseph, MO 64502, and for acquisition by DAVID P. ROUSH AND DIANE G. ROUSH, both of 2800 West Bayshore Road, Palo Alto, CA 94303, through the acquisition by ROCOR INTERNATIONAL. Applicants' attorneys: Roland Rice, 1111 E Street NW., Washington, DC 20004, and Thomas W. Van Dyke, 900 Walnut Street, Kansas City, MO 64106. Operating rights sought to be controlled: Crouch Bros., Inc., operates as a *common carrier* of *General Commodities* with the usual exceptions, primarily over regular routes to Omaha, Nebraska, and

Wichita, Kans., and Kansas City, Mo., on the west, Chicago, Ill., on the north, and New York, N.Y., and Boston, Mass., on the east, and of specified commodities over irregular routes, in Texas, Oklahoma, Louisiana, Arkansas, Missouri, Kansas, Nebraska, Iowa, Ohio, Indiana, Illinois, Minnesota, Massachusetts, and Connecticut. ROCOR INTERNATIONAL holds no authority from this Commission, however it owns all the capital stock of (1) O.N.C. Freight Systems, a *common carrier*, operating in Washington, Oregon, California, Nevada, Idaho, Montana, Wyoming, Utah, Colorado, Arizona, and New Mexico; (2) United Truck Service, a *common carrier*, operating over irregular routes in California; (3) O.N.C. Forwarding, a freight forwarder, operating in California, Idaho, Montana, Nevada, Utah, Wyoming, and Colorado. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11715. Authority sought for merger into HERMANN FORWARDING COMPANY, Post Office Box 1, North Brunswick, NJ 08902, of the operating rights and property of THE EL DORADO TRANSPORTATION COMPANY, INC., Post Office Box 1, North Brunswick, NJ 08902, and for acquisition by RICHARD W. HERMANN and ALBERT W. HERMANN, both of Post Office Box 1, North Brunswick, NJ 08902, of control through HERMANN SERVICES, INC., a holding company. Applicants' attorney: Maxwell A. Howell, 1100 Investment Building, Washington, D.C. 20005. Operating rights sought to be merged: *General Commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between New Haven, Conn., and New York, N.Y., between Middletown, Conn., and Springfield, Mass., and between Spencer, Mass., and Springfield, Mass., serving certain intermediate and off-route points; *General Commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes, between points in the New York, N.Y., commercial zone, as defined by the Commission; between New Haven and Windsor Locks, Conn., on the one hand, and, on the other, points in Connecticut; *iron and steel articles*, from Elizabeth, N.J., to Harrisburg, and Park View, Pa.; *resin compounds*, from Grasselli, N.J., to Waterbury, Conn., and points in Suffolk County, N.Y.; *turpentine*, *chocolates*, *candies*, *road signals*, *iron and steel articles*, *plumber supplies and equipment*, *paint*, *patterns*, *hardware*, *cast iron pipe and fittings*, and *iron castings*, from Newark, N.J., to points in that part of Connecticut on and west of U.S. Highway 5; and *automobile parts and accessories*, and *batteries*, between Bloomfield, N.J., and New York, N.Y., on the one hand, and, on the other, points in Connecticut. HERMANN FORWARDING COMPANY operates as a *common carrier*, in New Jersey, New York, Pennsylvania, and Delaware. Application has not been filed for temporary authority under Section 210a(b). NOTE: HERMANN



**FORWARDING COMPANY** controls **THE EL DORADO TRANSPORTATION COMPANY, INC.**, through ownership of capital stock pursuant to authority granted in No. MC-F-10450, by order of December 4, 1969.

No. MC-F-11716. Authority sought for purchase by **SMITH'S TRANSFER CORPORATION**, Post Office Box 1000, Staunton, VA 24401, of the operating rights of **TRANS-ILLINOIS EXPRESS, INC.**, 1045 East Arlington, Decatur, IL 62526, and for acquisition by R. R. Smith and R. P. Harrison, both of Post Office Box 1000, Staunton, VA 24401, of control of such rights through the purchase. Applicants' attorney: Francis W. McInerney, 1000 16th Street NW., Washington, DC 20036. Operating rights sought to be transferred are described in the certificate of registration solely within Illinois, covering transportation of unexplosive chemicals, farm products, livestock, rock, building materials, limestone, hardware, freight, farm machinery, household goods, seed and feed within a fifty (50) mile radius of a point five (5) miles East of East St. Louis, Ill., and to transport such property to or from any point outside of such authorized area of operation for a shipper or shippers within such area; also, unexplosive chemicals, farm products, livestock, rock, building materials, limestone, hardware, freight, farm machinery, household goods, seed and feed to or from any point or points within the State of Illinois. Vendee is authorized to operate as a common carrier in Virginia, West Virginia, Kentucky, South Carolina, New York, Pennsylvania, New Jersey, Maryland, District of Columbia, Massachusetts, Connecticut, Rhode Island, Maine, New Hampshire, Vermont, Delaware, Indiana, Tennessee, Georgia, Illinois, Ohio, Missouri, Michigan, Kansas, Wisconsin, Minnesota, and North Carolina. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11717. Authority sought for purchase by **HERMANN FORWARDING COMPANY**, Post Office Box 1, North Brunswick, NJ 08902, of the operating rights of **LAND-SEA-AIR SERVICES, INC.**, 166 Northern Avenue, Boston, MA 02210, and for acquisition by **RICHARD W. HERMANN** and **ALBERT W. HERMANN**, both of Post Office Box 1, North Brunswick, NJ 08902, of control of such rights through the purchase. Applicants' attorney: Maxwell A. Howell, 1100 Investment Building, 1511 K Street NW., Washington, DC 20005. Operating rights sought to be transferred are described in the certificate of registration, over irregular routes of *General Commodities*, in Massachusetts. Vendee is authorized to operate as a common carrier in New Jersey, New York, Pennsylvania, Delaware. Vendee controls **The El Dorado Transportation Co., Inc.**, operating as a common carrier, in New York, Connecticut, Massachusetts, New Jersey. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11718. Authority sought for purchase by **EDMIR TRANSPORTATION, INC.**, 1500 South Cicero Avenue, Cicero, IL 60650, of a portion of the operating rights of **DAN LODESKY TRUCKING, INC.**, Post Office Box 236, Gurnee, IL 60031, and for acquisition by **THOMAS EDMIR, WILLIAM L. EDMIR, JAMES EDMIR, and JOHN L. EDMIR**, all of 1500 South Cicero Avenue, Cicero, IL 60650, of control of such rights through the purchase. Applicants' attorneys: Axelrod, Goodman, Steiner, and Bazelon, 39 South La Salle Street, Chicago, IL 60603. Operating rights sought to be transferred: *Gypsum products*, in bulk, in tank vehicles, from East Chicago, Ind., to points in Boone, Bureau, Carroll, Champaign, Cook, De Kalb, Du Page, Ford, Grundy, Henry, Iroquois, Jo Daviess, Kane, Kankakee, Kendall, Knox, Lake, La Salle, Lee, Livingston, Marshall, McHenry, McLean, Ogle, Peoria, Putnam, Stark, Stephenson, Tazewell, Vermillion, Whiteside, Will, Winnebago, and Woodford Counties, Ill., and Dane, Green, Iowa, Jefferson, Kenosha, Lafayette, Milwaukee, Racine, Rock, Walworth, and Waukesha Counties, Wis.; *Gypsum products*, in bulk, in tank vehicles, from East Chicago, Ind., to points in Adams, Brown, Calumet, Columbia, Crawford, Dodge, Door, Fond du Lac, Grant, Green Lake, Jackson, Juneau, Kewaunee, La Crosse, Manitowish, Marathon, Marietta, Marquette, Monroe, Oconto, Outagamie, Ozaukee, Portage, Richland, Sauk, Shawano, Sheboygan, Vernon, Washington, Waupaca, Waushara, Winnebago, and Wood Counties, Wis. Vendee is authorized to operate as a common carrier in Illinois, Wisconsin, and Indiana. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11720. Authority sought for purchase by **OVERLAND STAGE COACHES, INC.**, of 20 Main Street, Melville, MA 01529, of a portion of the operating rights and certain property of **THE GRAY LINE, INC.**, 25 Webber Street, Roxbury, MA 02119, and for acquisition by **DANIEL WEINER**, 20 Main Street, Melville, MA 01529, of control of such rights and property through the purchase. Applicants' attorney: Charles W. Singer, 2440 East Commercial Boulevard, Fort Lauderdale, FL 33308. Operating rights sought to be transferred: *Passengers and their baggage and express and newspapers in the same vehicle with passengers*, over regular routes, between Boston, Mass., and Woonsocket, R.I., between Boston, Mass., and Milford, Mass., between junction Interstate Highway 90 and Massachusetts Highway 128 and junction Massachusetts Highway 109 and Massachusetts Highway 128, between Framingham, Mass., and junction unnumbered highway and Massachusetts Highway 126, between Holliston, Mass., and Milford, Mass., between junction unnumbered highway and Massachusetts Highway 140 west of Franklin, Mass., and Franklin, Mass., between junction Massachusetts Highway 16 and unnum-

bered highway southwest of Holliston, Mass., and junction Massachusetts Highway 140 and unnumbered highway west of Franklin, Mass., and between junction Massachusetts Highways 16 and 126 and junction Massachusetts Highways 16 and 109 near Milford, Mass., serving all intermediate points along the routes. Vendee operates as a common carrier of passengers and their baggage in Rhode Island and Massachusetts. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL]

ROBERT L. OSWALD,  
Secretary.

[FR Doc. 72-20134 Filed 11-21-72; 8:51 am]

[Notice 164]

## MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-73902. By order of November 16, 1972, the Motor Carrier Board approved the transfer to Edmund Stefenson, doing business as Stefenson & Sons, New York, N.Y., of the operating rights in Certificate No. MC-102529 issued August 20, 1970, to Alfred Paolillo, doing business as Kiraly Moving & Storage Co., New York, N.Y., authorizing the transportation of household goods, as defined by the Commission, between New York, N.Y., on the one hand, and, on the other, points in Connecticut, New Jersey, New York, and Pennsylvania; and between New York, N.Y., on the one hand, and, on the other, points in Rhode Island, Massachusetts, Delaware, Maryland, and the District of Columbia. Stephen Fraidin, 120 Broadway, New York, NY 10005, attorney for applicants.

No. MC-FC-73968. By order entered November 10, 1972, the Motor Carrier Board approved the transfer to Kerdell Wittmier, doing business as Wittmier Trucking, Napoleon, N. Dak., of the operating rights set forth in Certificate No.



[Notice 154]

# MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

NOVEMBER 16, 1972.

The following are notices of filing of applications<sup>1</sup> for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the *FEDERAL REGISTER*, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the *FEDERAL REGISTER* publication, within 15 calendar days after the date of notice of the filing of the application is published in the *FEDERAL REGISTER*. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

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

## MOTOR CARRIERS OF PROPERTY

No. MC 49304 (Sub-No. 30 TA) (Correction), filed October 13, 1972, published in the *FEDERAL REGISTER* November 4, 1972, corrected and republished in part as corrected this issue. Applicant: BOWMAN TRUCKING COMPANY, INC., Post Office Box 6, Stephens City, VA 22655. Applicant's representative: James L. Bowman (same address as above). NOTE: The purpose of this partial republication is to show the correct docket number as MC 49304 (Sub-No. 30 TA), in lieu of MC 49304 TA. The rest of the application remains the same.

No. MC 59640 (Sub-No. 30 TA) (Correction), filed October 16, 1972, published in the *FEDERAL REGISTER* November 4, 1972, corrected and republished as corrected this issue. Applicant: PAULS TRUCKING CORPORATION, 3 Commerce Drive, Cranford, NJ. 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,

<sup>1</sup>Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

MC-108908, issued April 28, 1960, to Thomas Aberle, doing business as Aberle Truck Line, Napoleon, N. Dak., authorizing the transportation of: General commodities, except classes A and B explosives, household goods as defined by the Commission, and commodities requiring special equipment, from Moorehead, Minn., and Fargo, N. Dak., to Napoleon, Kintyre, Braddock, and Burnstad, N. Dak.; emigrant movables, and household goods, and used farm machinery, between points in Emmons, Logan, and McIntosh, Counties, N. Dak., on the one hand, and, on the other, points in Minnesota and South Dakota; agricultural implements and machinery and parts thereof, from Aberle, S. Dak. to Kintyre, Braddock, Napoleon, and Hazelton, N. Dak.; livestock, from Streeter, N. Dak., and points in Emmons, Logan, and McIntosh Counties, N. Dak., to South St. Paul and New Port, Minn.; and heavy farm machinery, from South St. Paul, New Port, St. Paul, and Minneapolis, Minn., to the immediately above-specified origin points. Kerdel Wittmier, Napoleon, N. Dak. 58561, representative for transferee, and Thomas Aberle, Napoleon, N. Dak. 58561, for transferor.

No. MC-FC-73969. By order of November 8, 1972, the Motor Carrier Board approved the transfer to Canyon Lines Transportation Co., Inc., Bozeman, Mont. of Certificate No. MC-57795 (Sub-No. 6), issued May 11, 1972, to Wm. C. Bardon, Jr., doing business as Canyon Transportation Co., Helena, Mont., authorizing the transportation of: Passengers and their baggage in the same vehicle with passengers, in round-trip charter operations, beginning and ending at points in Lewis and Clark County, Mont., and extending to points in Nevada, North Dakota, Oregon, Washington, and Wyoming. Don Lanphear, Chairman of the Board, Canyon Lines Transportation Co., Inc., 821 West Mendenhall, Bozeman, MT 59715, applicant's representative.

No. MC-FC-74028. By order of November 10, 1972, the Motor Carrier Board approved the transfer to Richard Payne Trucking Co., a Delaware corporation, Gary, Ind., of the operating rights in Certificate No. MC-83403 issued August 16, 1971, to Richard Payne Trucking Co., an Illinois corporation, Hinsdale, Ill., authorizing the transportation of general commodities, with certain exceptions, between Sorento, Ill., and St. Louis, Mo., serving specified intermediate and off-route points. Richard A. Kerwin, 127 North Dearborn Street, Chicago, IL 60602, attorney for applicants.

[SEAL]

ROBERT H. OSWALD,  
Secretary.

[FR Doc.72-20136 Filed 11-21-72;8:51 am]

and in connection therewith, equipment, materials and supplies used in the conduct of such business (except commodities in bulk), between the warehouse facilities of Supermarkets General Corp. at Mahwah, N.J., on the one hand, and, on the other, points in Hudson, Middlesex, Union, and Essex Counties, N.J., restricted to traffic which has a prior or subsequent movement by water or rail; New York, N.Y., and points in Nassau, Westchester, Rockland, and Suffolk Counties, N.Y.; Parkersburg and Philadelphia, Pa.; and points in Bucks, Delaware, Berks, Dauphin, Montgomery, Cumberland, York, Lehigh, and Northampton Counties, Pa.; New Milford, Conn., and points in Fairfield, New Haven, Hartford, and Middlesex Counties, Conn.; New Castle, Kent, and Sussex Counties, Del.; points in Wicomico County, Md., and the facilities of Supermarkets General Corp. at Baltimore, Md., and Hampden County, Mass. Restriction: The authority herein is limited to a transportation service to be performed under a continuing contract, or contracts, with Supermarkets General Corp. NOTE: The authority sought herein is only to permit applicant to serve the new warehouse facilities of Supermarkets General Corp. at Mahwah, N.J., in the area it is now authorized to serve. Supporting shipper: Supermarkets General Corp., 3 Commerce Drive, Cranford, NJ 07016. Send protests to: District Supervisor Robert E. Johnston, Interstate Commerce Commission, Bureau of Operations, 970 Broad Street, Newark, NJ 07102. NOTE: The purpose of this republication is to set forth the correct counties of Connecticut, in lieu of Delaware, and to add the correct docket number as 59640 (Sub-No. 30 TA), in lieu of MC 5964 TA, and to broaden the territorial scope.

No. MC 60186 (Sub-No. 46 TA) (Correction), filed October 16, 1972, published in the *FEDERAL REGISTER* November 4, 1972, corrected and republished in part as corrected this issue. Applicant: NELSON FREIGHTWAYS, INC., 47 East Street, Rockville, CT 06066. NOTE: The purpose of this partial republication is to show the correct docket number as MC 60186 (Sub-No. 46 TA), in lieu of MC 60186 TA. The rest of the application remains the same.

No. MC 61825 (Sub-No. 54 TA) (Correction), filed October 13, 1972, published in the *FEDERAL REGISTER* November 4, 1972, corrected and republished in part as corrected this issue. Applicant: ROY STONE TRANSFER CORPORATION, Post Office Box 385, V.C. Drive, Collinsville, VA 24078. NOTE: The purpose of this partial republication is to show the correct docket number as MC 61825 (Sub-No. 54 TA), in lieu of MC 61825 TA. The rest of the application remains the same.



No. MC 102982 (Sub-No. 27 TA) (Correction), filed August 24, 1972, published in the FEDERAL REGISTER issue of September 16, 1972, corrected and republished as corrected this issue. Applicant: GEORGE W. KUGLER, INC., 2800 East Waterloo Road, Post Office Box 6064, Ellet Station, Akron, OH 44312. Applicant's representative: George P. McMahon, 100 East Broad Street, Columbus, OH 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Clay and refractory products and fittings, attachments, materials and supplies* used in the installation thereof, from Somerville, N.J., to points in Pennsylvania, New York, Connecticut, Massachusetts, Rhode Island, Maine, Vermont, New Hampshire, Delaware, Maryland, Virginia, West Virginia, Ohio, North Carolina, Indiana, Michigan, Illinois, Kentucky, Wisconsin, Tennessee, and the District of Columbia; and (2) *materials and supplies* used in the manufacture, packaging and distribution of clay and refractory products and fittings, attachments, materials, and supplies used in the installation thereof, from points in the destination territory specified above to Somerville, N.J., for 180 days. Supporting shipper: Clow Corp., Robinson/Streator Division, Valley Road, Post Office Box 1073, Somerville, NJ 08876. Send protests to: Franklin D. Ball, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Building, 1240 East Ninth Street, Cleveland. NOTE: The purpose of this republication is to redescribe the authority sought.

No. MC 105159 (Sub-No. 26 TA) (Correction), filed October 12, 1972, published in the FEDERAL REGISTER November 4, 1972, corrected and republished in part as corrected this issue. Applicant: KNUDSEN TRUCKING, INC., 1320 West Main Street, Red Wing, MN 55066. Applicant's representative: Robert D. Givold, 1000 First National Bank Building, Minneapolis, Minn. 55402. NOTE: The purpose of this partial republication is to show the correct docket number as MC 105159 (Sub-No. 26 TA), in lieu of MC 105159 TA. The rest of the application remains the same.

No. MC 108449 (Sub-No. 345 TA) (Correction), filed October 11, 1972, published in the FEDERAL REGISTER November 4, 1972, corrected and republished in part as corrected this issue. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road "C", St. Paul, MN 55113. Applicant's representative: W. A. Myllenbeck (same address as above). NOTE: The purpose of this partial republication is to show the correct docket number as MC 108449 (Sub-No. 345 TA), in lieu of MC 108449 TA. The rest of the application remains the same.

No. MC 117153 (Sub-No. 7 TA), filed October 30, 1972. Applicant: H. G. SNYDER TRUCKING, INC., 1111 Pittfield Boulevard, St. Laurent, 384, PQ, Canada. Applicant's representative: Julius Braun,

Room 21, Albany Port Administration Building, Albany, N.Y. 12202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Spring water*, in plastic bottles, in cases or cartons in temperature controlled vehicles, from Champlain, N.Y., to Jacksonville, Miami, and Tampa, Fla., for 180 days. Supporting shipper: Twincraft, Ltd., 5860 Cote St. Francois, St. Laurent, Montreal 385, PQ, Canada. Send protests to: District Supervisor Martin P. Monaghan, Jr., Bureau of Operations, Interstate Commerce Commission, 52 State Street, Room 5, Montpelier, VT 05602.

No. MC 135561 TA (Correction), filed September 26, 1972, published in the FEDERAL REGISTER issue of October 17, 1972, corrected and republished in part as corrected this issue. Applicant: N. E. FINCH CO., 1120 West Camp Street, East Peoria, IL 61611. Applicant's representative: Robert T. Lawley, 300 Reisch Building, 4 West Old State Capitol Plaza, Springfield, IL. NOTE: The purpose of this partial republication is to show the correct spelling of the supporting shipper, as *Bowaters Southern Paper Corp.*, in lieu of *Novaters Southern Paper Corp.* The rest of the application remains the same.

No. MC 136703 (Sub-No. 2 TA), filed October 16, 1972. Applicant: S. A. NORWOOD, doing business as, NORWOOD TRUCK LINE, 701 South Main Street, Emporia, VA 23847. Applicant's representative: William L. Jeffries, Jr., 721 East Main Street, Richmond, VA 23219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Prefab houses and component parts*, from Emporia, Va., to points in North Carolina, for 180 days. Supporting shipper: Miller Manufacturing Co., Inc., Post Office Box 1356, Richmond, VA 23211. Send protests to: Robert W. Waldron, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 10-502 Federal Building, Richmond, Va. 23240.

No. MC 138022 TA (Amendment), filed September 8, 1972, published in the FEDERAL REGISTER September 23, 1972, amended and republished as amended this issue. Applicant: CARDINAL MOVING & STORAGE, INC., 1721 Del Monte Boulevard, Seaside, CA 93955. Applicant's representative: Alan F. Wohlstetter, 1700 K Street NW., Washington, DC 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, as defined by the Commission, between points in the Counties of Monterey, Santa Cruz, San Benito, San Luis Obispo, Santa Clara, San Mateo, San Francisco, and Alameda, Calif., restricted to traffic having a prior or subsequent movement beyond said points in containers, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating, or decontainerization of such

traffic, for 180 days. Supporting shippers: Door to Door International, Inc., 308 Northeast 72d Street, Seattle, WA 98115; Home-Pack Transport, Inc., 57-48 49th Street, Maspeth, NY 11378. Send protests to: Claud W. Reeves, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Avenue, Box 36004, San Francisco, CA 94102. NOTE: The purpose of this republication is to set forth the applicant's correct name, and to broaden the territorial scope.

No. MC 138130 TA, filed October 16, 1972. Applicant: AIRPORT COURTESY SERVICE, INC., 101 Naylor Avenue, St. Louis, MO 63121. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Delayed, misplaced, or re-routed baggage* originally intended to accompany the passenger, between St. Louis International Airport, St. Louis, Mo., on the one hand, and, on the other, points in Bond, Clinton, Fayette, Franklin, Green, Jefferson, Monroe, Montgomery, Perry, Randolph, St. Clair, and Washington Counties, Ill., and Scott Field and Pierre Marquette, Ill., for 180 days. Supporting shippers: Trans World Airlines, Inc., Box 10128, Lambert Field, St. Louis, Mo. 63145; Allegheny Airlines, Greater Pittsburgh Airport, Pittsburgh, Pa. 15231; Ozark Air Lines, Lambert Field, St. Louis, Mo. 63145; American Airlines, Box 10098, Lambert-St. Louis International Airport, St. Louis, Mo. 63145. Send protests to: District Supervisor J. P. Werthmann, Interstate Commerce Commission, Bureau of Operations, 210 North 12th Street, Room 1465, St. Louis, MO 63101.

No. MC 138136 TA, filed October 17, 1972. Applicant: MERLIN L. BLACK, doing business as TAB TRUCKING CO., North 9515 Wall, Spokane, WA 99208. Applicant's representative: Donald A. Ericson, Suite 708, Old National Bank Building, Spokane, Wash. 99201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Welded and woven wire fencing and steel fence posts*, from Georgetown, Conn., and Blue Island, Ill., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Wyoming, New Mexico, and Washington, for 180 days. Supporting shipper: The Gilbert & Bennett Manufacturing Co., Georgetown, Conn. 06829. Send protests to: District Supervisor John M. Hall, Bureau of Operations, Interstate Commerce Commission, 6049 Federal Office Building, Seattle, Wash. 98104.

No. MC 138149 TA, filed October 27, 1972. Applicant: ECK MILLER MOVING AND STORAGE, INC., 1101 Sweeney Street, Owensboro, KY 42301. Applicant's representative: Edward A. Clark (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, material and supplies, including tools* used in the construction and maintenance of



telephone systems and communication, between Owensboro, Ky., and points in the Counties of Breckinridge, Daviess, Grayson, Hancock, Henderson, Hopkins, McLean, Muhlenberg, Ohio, Union, and Webster, for 180 days. Supporting shipper: J. F. Ballard, Resident Transportation Manager, Southern Region, Western Electric, 6701 Roswell Road NE., Atlanta, GA 30328. Send protests to: R. W. Schneider, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 222 Bakhaus Building, 1500 West Main Street, Lexington, KY 40505.

No. MC 138150 TA, filed October 26, 1972. Applicant: RONALD FITZGERALD, doing business as G. & M. CARRIERS, Sabin, Minn. 56580. Applicant's representative: J. W. Hendrickson, 403 Black Building, Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages and related advertising material*, from Milwaukee, Wis., to Grand Forks, N. Dak., and empty malt beverage containers on return, for 180 days. Supporting shipper: Nodak Sales Co., 715 Lewis Boulevard, Grand Forks, ND 58201. Send protests to: Joseph H. Ambs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Post Office Box 2340, Fargo, ND 58102.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.72-20135 Filed 11-21-72;8:51 am]

## NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

NOVEMBER 17, 1972.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by § 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that

protests and requests for information concerning the time and place of State commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

Kansas Docket No. M, Route No. 80, filed October 18, 1972. Applicant: WINTERS TRUCK LINE, INC., 2620 McCormick, Wichita, Kans. 672213. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, KS 66603. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment. (1) Serving Pretty Prairie, Kans., as an off-route point to carrier's authorized service. (2) Between Wichita, Kans., and Arkansas City, Kans. From Wichita, Kans., via Kansas Highway 15 to Udall, Kans., thence south via county highway to its intersection with U.S. Highway 160 (approximately 5 miles west of Winfield, Kans.), thence via U.S. Highway 160 to its intersection with U.S. Highway 77 at Winfield, Kans., thence south via U.S. Highway 77 to Arkansas City, Kans., and return over the same route, as an alternate route for operating convenience only, with no service to intermediate points. (3) Between Wichita, Kans., and Arkansas City, Kans. From Wichita, Kans., via Kansas Highway 15 to Udall, Kans., thence east via Kansas Highway 55 to its intersection with U.S. Highway 77 (approximately 6 miles east of Udall, Kans.), thence south via U.S. Highway 77 to Arkansas City, Kans., and return over the same route, as an alternate route for operating convenience only, with no service to intermediate points. Both intrastate and interstate authority sought.

Hearing: Tuesday January 9, 1973, at 10 a.m., State Office Building, fourth floor, Topeka, Kans. Requests for procedural information including the time

for filing protests concerning this application should be addressed to the State Corporation Commission, Transportation, Division, Topeka, Kans. 66612 and should not be directed to the Interstate Commerce Commission.

Florida Docket No. 72562-CCT, filed October 9, 1972. Applicant: A.B.C. BAG & CRATE COMPANY OF BELLE GLADE, INC., doing business as A.B.C. TRANSFER, 1040 12th Street, Belle Glade, FL. Applicant's representative: John P. Bond, 30 Giralda Avenue, Coral Gables, FL 33134. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *General commodities*, except articles of unusual value, class A and B explosives, commodities requiring refrigeration, commodities which because of size or weight require special handling and special equipment, household goods and commodities in bulk between points in Dade, Broward, Palm Beach, and Martin Counties on the one hand, and, on the other, points in Palm Beach, Okeechobee, Glades, and Hendry Counties and in addition thereto, to, from and between points and places in Glades, Hendry, Palm Beach, and Okeechobee Counties, over regular routes and irregular schedules. The carrier shall operate over the following routes and all other roads in said counties as alternate routes serving all off-route points: (1) U.S. Highway 1; (2) U.S. 27; (3) U.S. 441; (4) U.S. 98; (5) State Road 80; (6) State Road 84; and (7) State Road 76. *Provided, however*, that all shipments to be delivered in Palm Beach County will be restricted to points west of the Florida State Turnpike. Both intrastate and interstate authority sought.

HEARING: Date, time, and place unknown. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Florida Public Service Commission, 700 South Adams Street, Tallahassee, FL 32304 and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.72-20132 Filed 11-21-72;8:51 am]



The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during November.

[illegible]



13 CFR	Page	18 CFR	Page	21 CFR—Continued	Page
115.....	23418	101.....	24659	PROPOSED RULES—Continued	
PROPOSED RULES:		104.....	24660	174.....	23344
120.....	23733	141.....	24660	191.....	23924
122.....	23733	201.....	24660	301.....	23842
123.....	23733	204.....	24661	308.....	23436, 23551
		250.....	24342		
		260.....	24661		
14 CFR		PROPOSED RULES:		22 CFR	
39.....	23418,	2.....	23360, 24048, 24123, 24370, 24447	2.....	24817
23535, 23536, 23630, 23710, 23711,		3.....	23849	211.....	24032
23903, 24029, 24105, 24164, 24419		4.....	23360, 24048	605.....	23256
71.....	23249,	101.....	23363, 23733, 24198		
23250, 23329, 23420, 23536, 23631,		104.....	23363, 23733, 24198	23 CFR	
23823, 23904, 23905, 24030, 24106,		141.....	23733, 23850, 24198, 24769	PROPOSED RULES:	
24340, 24657, 24736, 24737, 24815		154.....	23363	230.....	24122
73.....	23250, 23330, 23904	201.....	23363, 23733, 24198		
75.....	23330,	204.....	23363, 23733, 24198	24 CFR	
23420, 23631, 23905, 24107, 24419		260.....	23363,	0.....	23260
95.....	23823	23550, 23551, 23733, 23849, 23850,		35.....	24112
97.....	23331, 23825, 24340	24048, 24198, 24769		106.....	24420
207.....	24164			235.....	24662
208.....	24166	19 CFR		540.....	23716
212.....	24166	8.....	24742	600.....	24345, 24663
214.....	24167	16.....	24107	1914.....	23539, 23638, 23912, 24664
221.....	24657	22.....	23712, 24174	1915.....	23539, 23639, 23913, 24665
249.....	24168	153.....	23715, 24826	PROPOSED RULES:	
302.....	23332	PROPOSED RULES:		1270.....	23553, 24765
372a.....	23250, 23711	1.....	24116	25 CFR	
399.....	23333	12.....	24750	5.....	23262
1201.....	24340	20 CFR		221.....	23319
PROPOSED RULES:		401.....	23252	PROPOSED RULES:	
25.....	23574	615.....	23835	47.....	23274
39.....	23578, 24120	21 CFR		26 CFR	
71.....	23278,	1.....	23253, 24815	1.....	23423, 23916, 24744, 24746, 24747
23279, 23348, 23458, 23578, 23648,		2.....	24743	3.....	23917
23731, 23924, 23925, 24047, 24120—		3.....	23537, 23644, 23715	53.....	23918, 24748
24122, 24191, 24367, 24443, 24765—		27.....	24031	301.....	24748
24768		121.....	23538, 24031, 24174, 24816	PROPOSED RULES:	
73.....	24768	135.....	24343, 24419, 24816	1.....	23921, 23922, 24753, 24757
75.....	24191	135a.....	24419	13.....	23921
91.....	23458	135b.....	23905	148.....	23922
105.....	23458	135c.....	23420, 23905, 24031, 24174, 24816	240.....	23339
207.....	24193, 24769	135e.....	23538, 23906, 24743	301.....	23922
208.....	24193, 24769	135g.....	23906	28 CFR	
212.....	24193, 24769	141.....	23716, 23906, 24175	0.....	24345
214.....	24193, 24769	141a.....	23254	29 CFR	
239.....	23551	146.....	23254	20.....	23421
242.....	23732	146a.....	23254	Ch. II.....	23637
252.....	23845	148e.....	23836	782.....	23637
298.....	23339	148w.....	24816	1910.....	23718, 24749
15 CFR		149b.....	24344	1923.....	23263
30.....	23250	149c.....	24175	1926.....	24345
16 CFR		149e.....	23254	1951.....	23263
2.....	23825	149u.....	23906	PROPOSED RULES:	
13.....	23631,	150g.....	24817	1910.....	23646
24168—24172, 24651—24653, 24737,		308.....	23420	30 CFR	
24739—24742		400.....	24636	58.....	24150
423.....	24815	401.....	24636	505.....	24175
PROPOSED RULES:		PROPOSED RULES:		PROPOSED RULES:	
434.....	23363	18.....	23363	71.....	23645
17 CFR		27.....	23730	100.....	24828
200.....	23826	50.....	23344	31 CFR	
201.....	23827	51.....	24191	344.....	24107
202.....	23829	121.....	23456	PROPOSED RULES:	
230.....	23636, 23829	128b.....	24117	205.....	24752
239.....	23637, 23829	135c.....	24830		
240.....	23637, 24172	141.....	24830		
PROPOSED RULES:		141a.....	24830		
1.....	23344, 24117	146a.....	24830		
Ch. II.....	23850, 24449	148m.....	23845		
270.....	24770	148v.....	23278		
		149b.....	24830		
		150d.....	23730		



## 32 CFR

	Page
288	23719
516	23720
803	24818
860	24176
930	24823
1001	23909
1009	23909
1281	23267
1461	24108
1471	24108, 24825
1472	24108, 24825
1473	24110
1474	24111
1475	24111
1477	24111
1480	24111
1498	24111, 24825
1611	24421
1622	23320
1624	24421
1626	24421
1627	24421
1631	23421
1632	23320
1706	24032

## PROPOSED RULES:

1626	23926
1628	23926
1631	23926
1660	23926

## 33 CFR

92	23540
117	23421, 23541, 24421
121	23422
125	23422
174	24422
207	24422

## PROPOSED RULES:

26	24043
117	23731, 24044, 24434

## 36 CFR

7	23334, 24033
---	--------------

## PROPOSED RULES:

311	23339
326	23339
327	23339

## 38 CFR

3	24662
36	24034

## PROPOSED RULES:

3	24049, 24680
13	24198

## 39 CFR

123	24825
155	24182, 24346
171	24182
232	24346
243	24346
262	24346

## 39 CFR—Continued

	Page
946	24346
951	23422
952	23422
953	23422
954	23422
955	23422
957	23422
958	23422

## 40 CFR

11	23541
52	23836, 23837
85	24250
180	23334, 23335, 23837, 23838, 24112, 24183, 24184

## PROPOSED RULES:

85	23778
124	24088
180	23349, 23846

## 41 CFR

1-1	23337
1-3	23544
3-1	23272
3-3	23723
5A-60	23544
5A-73	23544
7-3	24184
7-30	24184
101-26	24113
101-33	24113
101-35	24665
101-45	24665
105-735	23338
114-26	23422
114-38	23422

## PROPOSED RULES:

3-18	24118
------	-------

## 42 CFR

51	24667
71	24670
72	24670
85	23639

## PROPOSED RULES:

86	24760
----	-------

## 43 CFR

## PUBLIC LAND ORDERS:

1161 (revoked in part by PLO 5297)	23643
1985 (see PLO 5263)	24337
5263	24337
5265	23838
5269	23911
5295	23643
5296	23643
5297	23643
5298	23643

## 45 CFR

73a	24347
118	24074
143	24074
801	23644

## 45 CFR—Continued

	Page
1202	23919
PROPOSED RULES:	
16	24675

## 46 CFR

110	23838
146	24034
294	24349

## PROPOSED RULES:

10	23845, 24366
12	23457
50	24435
54	24435
55	24435
56	24435, 24439
57	24435
105	24435
146	24044
151	24120
162	24435
182	24435
Ch. IV	24769

## 47 CFR

0	23336
1	23723
73	23723, 24353
76	24423
81	23838
83	24354
87	24113
97	23840

## PROPOSED RULES:

2	24195
73	23349, 24368, 24369
76	24446
78	23846

## 49 CFR

1	24354, 24674
7	24114
571	23272, 24826
	23536, 23727, 24035, 24355, 24826
574	23727
1003	24355
1005	23908
1033	23273, 23336, 23728, 23840, 23841, 24186
1053	24036

## PROPOSED RULES:

71	24048
171	24678
174	24678
175	24678
215	24444, 24445, 24768
393	23550, 23925
Ch. IV	24440
571	24360, 23731, 24836
573	23649
575	23732

## 50 CFR

28	23423, 24355, 24423, 24826
32	23336, 23841, 24186, 24356
33	23841, 24186, 24356, 24423, 24424, 24826

## FEDERAL REGISTER PAGES AND DATES—NOVEMBER

Pages	Date	Pages	Date	Pages	Date
23235-23308	Nov. 1	23677-23799	Nov. 8	24155-24320	Nov. 15
23309-23406	2	23801-23893	9	24321-24410	16
23407-23525	3	23895-24017	10	24411-24639	17
23527-23615	4	24018-24097	11	24641-24723	18
23617-23676	7	24099-24153	14	24725-24806	21
				24807-24870	22