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PART I

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

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This list includes only rules that were published in the FEDERAL REGISTER after October 1, 1972.

MAY 21

page no.
and date

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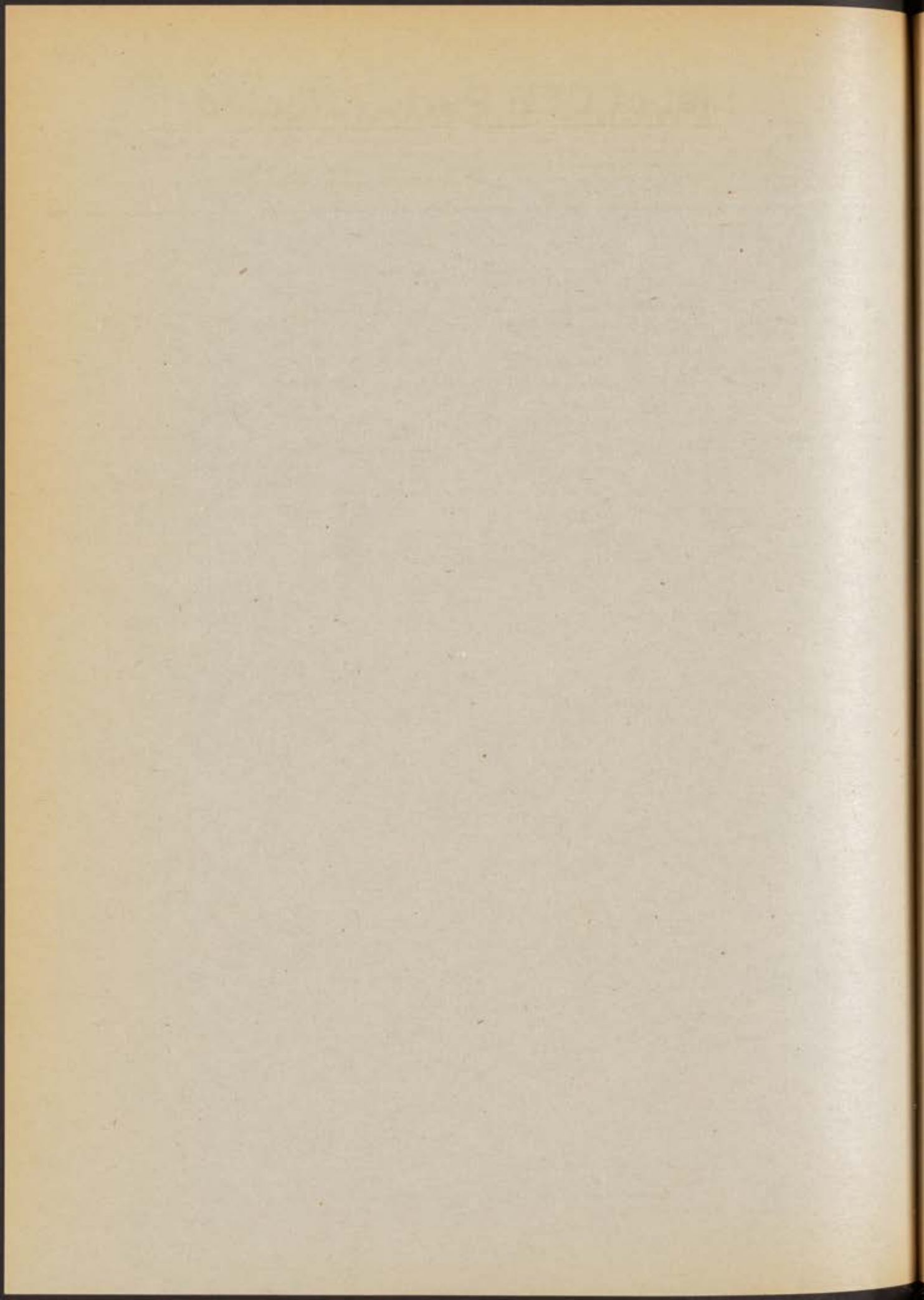
See Customs Bureau.

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, 1973, and specifies how they are affected.

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Title 3—The President

EXECUTIVE ORDER 11719

Inspection of Income, Estate, and Gift Tax Returns by the Committee on Public Works, House of Representatives

By virtue of the authority vested in me by section 6103(a) of the Internal Revenue Code of 1954, as amended (26 U.S.C. 6103(a)), it is hereby ordered that any income, estate, or gift tax return for the years 1960 to 1974, inclusive, shall, during the Ninety-third Congress, be open to inspection by the Committee on Public Works, House of Representatives, or any duly authorized subcommittee thereof, in connection with its investigation of the policies, procedures, and practices involved in the administration of programs affecting the Committee on Public Works, pursuant to House Resolution 228, 93d Congress, agreed to March 6, 1973. Such inspection shall be in accordance and upon compliance with the rules and regulations prescribed by the Secretary of the Treasury in Treasury Decision 6132, relating to the inspection of returns by committees of the Congress, approved by the President on May 3, 1955.



THE WHITE HOUSE,
May 17, 1973.

[FR Doc.73-10171 Filed 5-17-73;3:57 pm]

Presidential Documents

July 1 - 1960

July 1 - 1960

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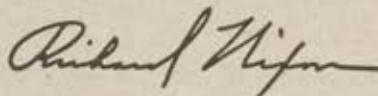
July 1 - 1960

July 1 - 1960

EXECUTIVE ORDER 11720

Inspection of Income, Excess-Profits, Estate, Gift, and Excise Tax
Returns by the Senate Committee on Commerce

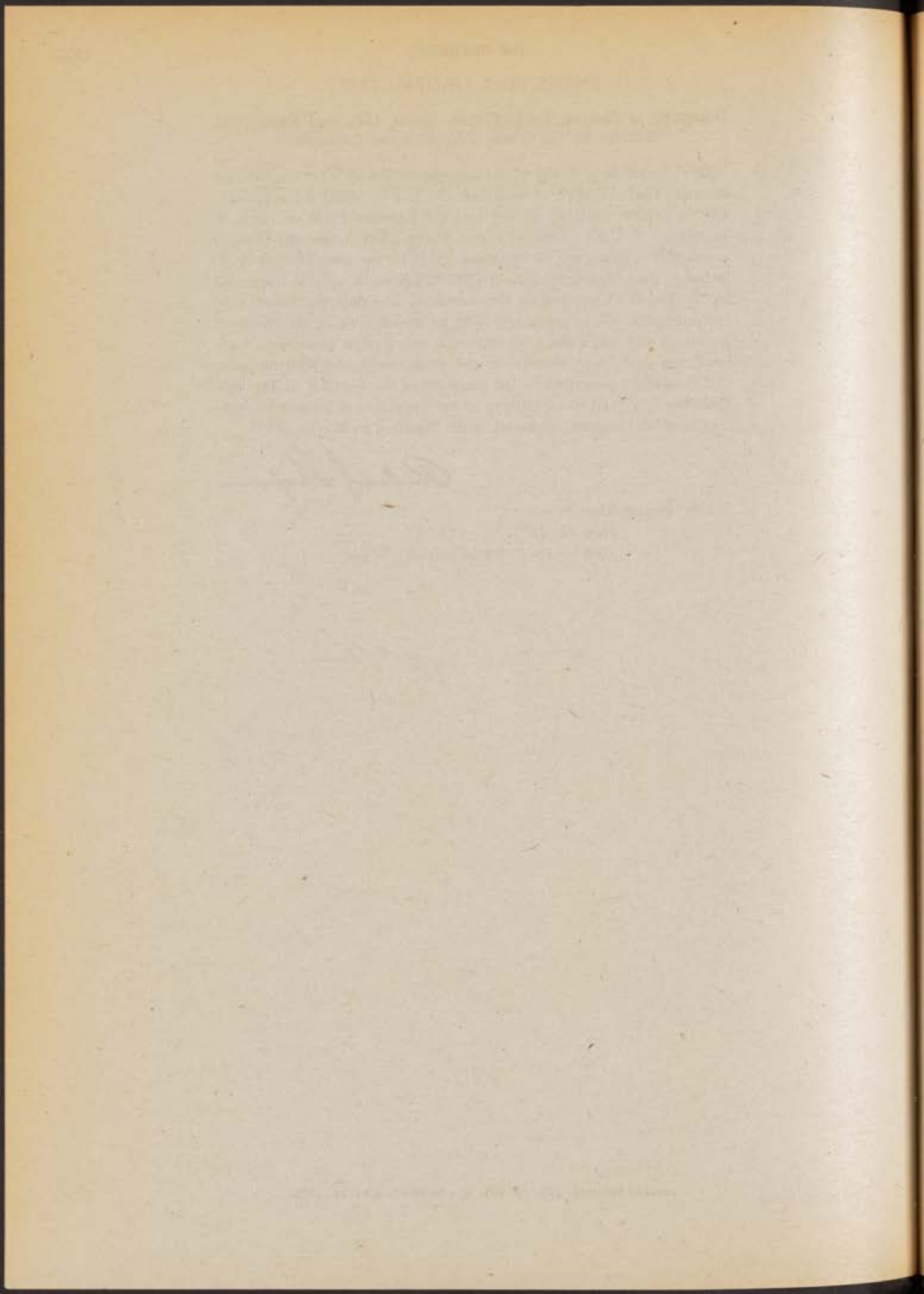
By virtue of the authority vested in me by section 55(a) of the Internal Revenue Code of 1939, as amended (26 U.S.C. (1952 Ed.) 55(a)), and by section 6103(a) of the Internal Revenue Code of 1954, as amended (26 U.S.C. 6103(a)), it is hereby ordered that any income, excess-profits, estate, gift, or excise tax return for the years 1939 to 1974, inclusive, shall, during the Ninety-third Congress, be open to inspection by the Senate Committee on Commerce, or any duly authorized subcommittee thereof, in connection with its investigation of the effects of organized criminal activity on interstate and foreign commerce. Such inspection shall be in accordance and upon compliance with the rules and regulations prescribed by the Secretary of the Treasury in Treasury Decisions 6132 and 6133, relating to the inspection of returns by committees of the Congress, approved by the President on May 3, 1955.



THE WHITE HOUSE,

May 17, 1973.

[FR Doc.73-10172 Filed 5-17-73;3:57 pm]



MEMORANDUM OF MAY 14, 1973

Delegation of Certain Functions

Memorandum for the Secretary of the Treasury and the Director
of the Office of Management and Budget

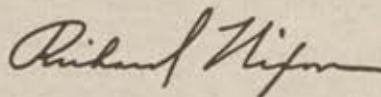
THE WHITE HOUSE,
Washington, May 14, 1973.

SUBJECT: Delegation of certain functions relating to notices under
section 201 of the Intergovernmental Cooperation Act of 1968
(82 Stat. 1101; 42 U.S.C. 4211)

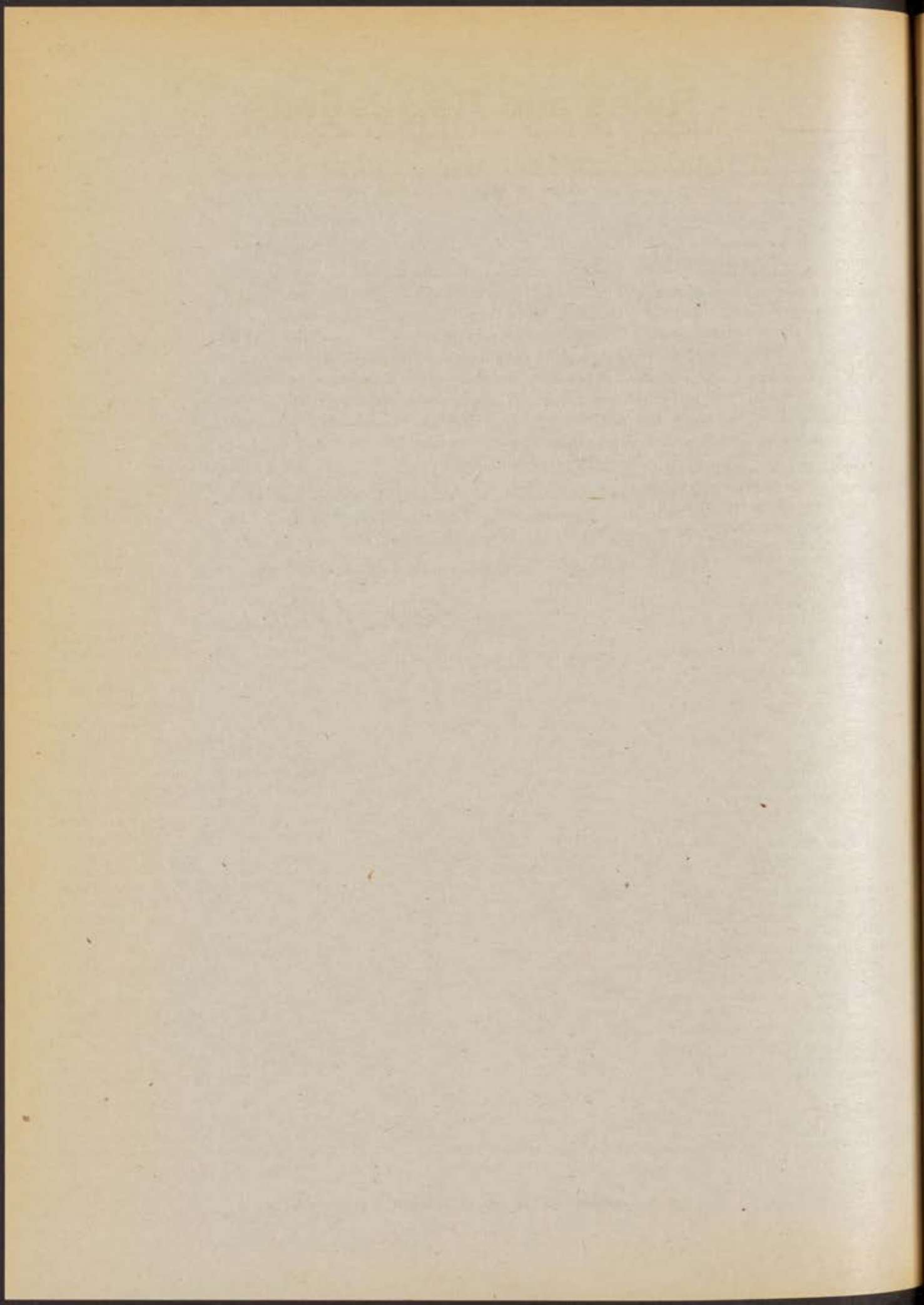
By virtue of the authority vested in me by section 301 of title 3 of the United States Code and by the Intergovernmental Cooperation Act of 1968, I hereby transfer to the Secretary of the Treasury those functions now performed in the Office of Management and Budget with respect to the notices to Governors, State legislatures, and other appropriate officials concerning grants-in-aid, as required by section 201 of the Intergovernmental Cooperation Act of 1968.

The Presidential memorandum of November 8, 1968, delegating authority under the Intergovernmental Cooperation Act of 1968 (3 CFR, 1966-70 Compilation, 1013), is amended accordingly.

This memorandum shall be published in the FEDERAL REGISTER.



[FR Doc.73-10262 Filed 5-18-73;11:53 am]



Rules and Regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 4—Accounts

CHAPTER III—COST ACCOUNTING STANDARDS BOARD

SUBCHAPTER E—DISCLOSURE STATEMENT PART 351—BASIC REQUIREMENTS

Correction

In FR Doc. 72-3001 appearing at page 4139 in the issue for Tuesday, February 29, 1972, the second paragraph presently under § 351.6 (page 4146), should appear as a paragraph under the heading set forth below:

§ 351.7 Submission.

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION PART 213—EXCEPTED SERVICE

Department of Commerce

Section 213.3314 is amended to show that one position of Deputy Under Secretary for Legislative Affairs is excepted under schedule C.

Effective on publication in the FEDERAL REGISTER, § 213.3314(a)(26) is added as set out below.

§ 213.3314 Commerce Department.

(a) Office of the Secretary.

(26) Deputy Under Secretary for Legislative Affairs.

(5 U.S.C. 3301, 3302, Executive Order 10577; 3 CFR 1954-58 Comp., p. 218.)

UNITED STATES CIVIL SERVICE COMMISSION,

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

[FR Doc. 73-10004 Filed 5-18-73; 8:45 am]

Title 7—Agriculture

CHAPTER I—AGRICULTURAL MARKETING SERVICE (STANDARDS, INSPECTION, MARKETING PRACTICES), DEPARTMENT OF AGRICULTURE

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

Subpart—U.S. Standards for Grades of Fresh Plums and Prunes¹

ITALIAN TYPE PRUNES

On page 8063 of the FEDERAL REGISTER on March 28, 1973, there was published a notice of proposed rulemaking to

¹ Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug and Cosmetic Act or with applicable State laws and regulations.

amend these grade standards by changing the method of measuring the diameter of Italian type prunes from caliper to ring sizing, and increasing the minimum diameter, unless otherwise specified, from 1½ to 1¾ inches in the U.S. Fancy and U.S. No. 1 grades.

These grade standards are issued under authority of the Agricultural Marketing Act of 1946 (60 Stat. 1087, as amended; 7 U.S.C. 1621-1627), which provides for the issuance of official U.S. grades to designate different levels of quality for the voluntary use of producers, buyers, and consumers. Official grading services are also provided under this act upon request of any financially interested party and upon payment of a fee to cover the cost of such services.

Statement of considerations leading to the amendment of the grade standards.—

Late in 1971 a grower-shipper organization in the State of Washington requested that the method of determining the diameter of Italian type prunes be changed from the present caliper sizing (shortest transverse diameter) to ring sizing (greatest transverse diameter) so that all fresh plums and prunes could be measured in the same manner.

Realizing that this requested change would necessitate a different minimum size requirement, a size comparison study was made during the 1971 season by Washington State University. This study indicated that, on the average, prunes caliper sized to 1½ in. the present minimum size, measured 1¾ in. when ring sized. Additional data collected in Idaho during the following season confirmed the results of the original study. Thus, changing to ring sizing and a 1¾ in. minimum diameter would not materially change the size of prunes marketed.

Comments received from prune industry representatives generally favored these changes. Further inquiries indicated that such changes would create few, if any, new sizing and marketing problems.

Interested persons were given until April 30, 1973, to submit written data, views, or arguments regarding the proposal. No objections have been received and the amended §§ 51.1520, 51.1521, and 51.1537 are hereby adopted without change and are set forth below.

This amendment is effective June 30, 1973.

Dated May 16, 1973.

E. L. PETERSON,
Administrator,
Agricultural Marketing Service.

§ 51.1520 U.S. Fancy.

(a) Italian type prunes shall be well colored and, unless otherwise specified, shall be not less than 1¾ inches in diameter. (See § 51.1525.)

§ 51.1521 U.S. No. 1.

(a) Italian type prunes shall be fairly well colored and, unless otherwise specified, shall be not less than 1¾ inches in diameter. (See § 51.1525.)

§ 51.1537 Diameter.

"Diameter" means the greatest dimension measured at right angles to a line from the stem to blossom end of the fruit.

(Secs. 203, 205, 60 Stat. 1087, as amended, 1090 as amended; 7 U.S.C. 1622, 1624)

[FR Doc. 73-10004 Filed 5-18-73; 8:45 am]

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

U.S. Standards for Grades of Various Canned Fruits and Vegetables

On August 31, 1972, a notice of proposed rulemaking was published in the FEDERAL REGISTER (37 FR 17750), regarding proposed amendments to the U.S. Standards for grades of various canned fruits and vegetables. Corrections were subsequently published in the FEDERAL REGISTER of September 20, 1972 (37 FR 19379).

These grade standards are issued under authority of the Agricultural Marketing Act of 1946 (sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624), which provides for the issuance of official U.S. grades to designate different levels of quality for the voluntary use by producers, buyers, and consumers. Official grading services are also provided under this Act upon request of the applicant and upon payment of a fee to cover the cost of such services.

NOTE.—Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

Statement of consideration leading to the amendments.—Interested persons

were given until December 31, 1972, to study the proposals and offer comments, views, or arguments. The amendments affect the U.S. Standards for grades of the following canned products:

Asparagus	Fruit Cocktail
Sweet Cherries	Fruits for Salad
Kadota Figs	Freestone Peaches
Clingstone Peaches	Pears
Grapes	

These amendments formalize a procedure for determining compliance with fill of container requirements with respect to the fruit or vegetable ingredient based on the ingoing weight (fill weight), of such ingredient. The fill weight values required for the implementation of the procedure have been added to the above mentioned standards. Official certification of compliance with requirements for fill of container based on fill weights may be done only when a USDA inspector is present during packing operations to observe the filling process and maintain appropriate records. Compliance with requirements for fill of container based on the drained weight of the finished product may also be done.

The fill weight procedure continues to be optional as it has been in use on an administrative basis since 1960.

Comments received from the Canners League of California brought attention to inadvertent errors in certain lower limit values for drained weights in table 2 in the proposed amendments to the U.S. Standards for Grades of Canned Asparagus. Suggested changes to correct these limits accompanied the comments. These values are corrected as suggested in the amendment.

Comments from the representative of a food processor offered several minor changes as follows:

(1) Production fill weight records for green tipped and white asparagus tips in the 211 x 400 can size indicate the proposed increase in the average drained weight from 6.8 to 7.1 ounces would cause serious problems. The value of 6.8 ounces should be left unchanged.

The previous average drained weight value of 6.8 ounces is left unchanged in the amendment as suggested.

(2) It is suggested that all U.S. Grade tables follow a uniform practice in citing can dimensions along with the nominal can size designation since the latter are sometimes misleading.

Can dimensions are included in the first drained weight table along with can designations in each of the amended standards as suggested.

(3) In the proposed amendment for Canned Kadota Figs, table 3, the fill weight value for 303's, other style, should be 9.4 rather than 9.1.

This value is corrected in the amendment as suggested.

(4) In the proposed amendment for canned pears, it is recommended that the average drained weight value in table 3, Diced, for the can size 211 x 202 be reduced from 3.4 to 3.2 ounces. An average drained weight of 3.4 ounces is unrealistically high for an average fill weight value of 3.6 ounces.

The percent retention as determined by the ratio of the drained weight to the fill weight for the 211 x 200, 300 x 200, and 211 x 212 container sizes ranges from approximately 90.5 percent to 93.9 percent. A 3.2 ounce average drained weight for a 3.6 ounce fill weight would give only approximately 88.9 percent retention. It is believed that the 3.2 ounce average drained weight would permit a slightly lower fill weight than necessary to fill the cans as full as practicable without impairment of quality. A drained weight value of 3.3 ounces (average) gives a retention of approximately 91.7 percent, which will keep the 211 x 202 container size in the same area of percentage retention of pear ingredient with the other previously mentioned container sizes.

Therefore, the average drained weight value and the lower limit value for the container size 211 x 202 in table 3 of the amendment to the grade standards for canned pears is changed to: $\bar{X}_L=3.3$, and $LL=3.0$.

Two other suggestions from the same representative were of an editorial nature, both of which are included in the amended standards.

Comments received from the Consumers Union suggested the fill weights turity in the canned sweet cherries and drained weights in the various standards be made a requirement instead of recommended. It was also suggested that the labels on canned fruits and vegetables be required to show either "fill weight" or "drained weight" and that net weight be prohibited from being shown on the label. It was further suggested that grading be made mandatory for canned fruits and vegetables.

The U.S. Standards for grades of processed fruits, vegetables, and related products are used for marketing purposes on a voluntary basis as provided for in the Marketing Act of 1946, as amended. Under this Act, the U.S. Department of Agriculture does not have the authority to make either the grade standards or the grading services mandatory.

The USDA grade standards for processed fruits and vegetables are standards of quality, which have nothing to do with labeling standards. Labeling requirements are under the jurisdiction of the Federal Food and Drug Administration.

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the U.S. Standards for Grades of the various canned fruits and vegetables are hereby amended as set forth below pursuant to the authority contained in the Agricultural Marketing Act of 1946 (sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624).

Subpart—United States Standards for Grades of Canned Sweet Cherries

IDENTITY, TYPES, STYLES, AND GRADES

Sec.	
52.821	Identity.
52.822	Types.
52.823	Styles.
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IDENTITY, TYPES, STYLES, AND GRADES

§ 52.821 Identity.

"Canned sweet cherries" means the canned product prepared from mature cherries and as defined in the standard of identity for canned cherries (21 CFR 27.30) issued pursuant to the Federal Food, Drug, and Cosmetic Act.

§ 52.822 Types.

(a) "Light" type are of the light sweet varietal group and includes, but is not limited to, such varieties known as Royal Anne.

(b) "Dark" type are of the dark sweet varietal group and includes, but is not limited to, such varieties known as Bing, Black Republican, Schmidt, and Lambert.

§ 52.823 Styles.

(a) "Unpitted" sweet cherries are stemmed cherries without the pits removed.

(b) "Pitted" sweet cherries are stemmed cherries with the pits removed.

§ 52.824 Grades.

(a) "U.S. Grade A" or "U.S. Fancy" is the quality of canned sweet cherries that are practically free from defects; that possess a good character; that possess a normal flavor and odor; and that are of such quality with respect to color and uniformity of size as to score not less than 90 points when scored in accordance with the scoring system outlined in this subpart.

(b) "U.S. Grade B" or "U.S. Choice" is the quality of canned sweet cherries that are reasonably free from defects; that possess a reasonably good character; that possess a normal flavor and odor; and that are of such quality with respect to color and uniformity of size as to score not less than 80 points when scored in accordance with the scoring system outlined in this subpart.

(c) "U.S. Grade C" or "U.S. Standard" is the quality of canned sweet cherries that possess a fairly good color; that are fairly uniform in size; that are fairly free from defects; that possess a fairly good character; that possess a normal flavor and odor; and that score not less than 70 points when scored in accordance with the scoring system outlined in this subpart.

ance with the scoring system outlined in this subpart.

"Substandard" is the quality of canned sweet cherries that fail to meet the requirements of U.S. Grade C or U.S. Standard and is the quality of canned sweet cherries that may or may not meet the minimum standard of quality for canned cherries issued pursuant to the Federal Food, Drug, and Cosmetic Act.

LIQUID MEDIA, FILL OF CONTAINER, DRAINED WEIGHTS, AND FILL WEIGHTS

§ 52.825 Liquid media and Brix measurements.

"Cut-out" requirements for liquid media in canned sweet cherries are not incorporated in the grades of the finished product since sirup or any other liquid medium, as such, is not a factor of quality for the purposes of these grades. The "cut-out" Brix measurement, as applicable, for the respective designations are as follows:

Designation	Brix measurement
"Extra heavy sirup" or "Extra heavy cherry juice sirup."	25° or more but not more than 35°.
"Heavy sirup" or "heavy cherry juice sirup."	20° or more but less than 25°.
"Light sirup" or "Light cherry juice sirup."	16° or more but less than 20°.
"Slightly sweetened water" or "Slightly sweetened cherry juice."	Less than 16°.
"In water"	Not applicable.
"In cherry juice"	Not applicable.
"Artificially sweetened"	Not applicable.

§ 52.826 Fill of container.

The standard fill of container for canned sweet cherries is the maximum quantity of cherries which can be sealed in the container and processed by heat to prevent spoilage, without crushing such ingredient. Canned sweet cherries that do not meet this requirement are "Below Standard in Fill."

§ 52.827 Recommended minimum drained weights.

(a) *General.*—The minimum drained weight recommendations in table I are not incorporated in the grades of the finished product since drained weight, as such, is not a factor of quality for the purpose of these grades.

(b) *Method for ascertaining drained weights.*—The drained weight of canned sweet cherries is determined by emptying the contents of the container upon a U.S. Standard No. 8 circular sieve of proper diameter containing 8 meshes to the inch (0.0937-inch \pm 3 percent, square openings) so as to distribute the product evenly, inclining the sieve slightly to fa-

cilitate drainage, and allowing to drain for 2 minutes. The drained weight is the weight of the sieve and sweet cherries less the weight of the dry sieve. A sieve 8 inches in diameter is used for the equivalent of No. 3 size cans (404 x 414) and smaller, and a sieve 12 inches in diameter is used for containers larger than the equivalent of the No. 3 size can.

(c) *Definition of symbols.*—(1) \bar{X}_d —the average drained weight of all the sample units in the sample.

(2) LL—lower limit for drained weights of individual sample units.

(d) *Compliance with recommended*

drained weights.—A lot of canned sweet cherries is considered as meeting the minimum drained weight recommendations if the following criteria are met:

(1) The average of the drained weights from all the sample units in the sample meets the recommended minimum average drained weight (designated as " \bar{X}_d " in Table I); and

(2) The number of sample units which fail to meet the recommended drained weight lower limit for individuals (designated as "LL" in table I) does not exceed the applicable acceptance number specified in table II.

TABLE I.—RECOMMENDED MINIMUM DRAINED WEIGHTS FOR PITTED AND UNPITTED CANNED SWEET CHERRIES

Container designations (metal unless otherwise stated)	Container size—overall dimensions		Over-flow capacity (fluid ounces)	In extra heavy sirups and in declared "dietetic packs" whether or not packed in water (ounces)		In heavy sirups (ounces)		In light sirup and in slightly sweetened water or juice (ounces)		In water (ounces)	
	Diameter (inches)	Height (inches)		LL	\bar{X}_d	LL	\bar{X}_d	LL	\bar{X}_d	LL	\bar{X}_d
8Z tall	211	304		4.3	4.7	4.6	5.0	4.8	5.2	4.8	5.2
No. 300	300	407		8.4	8.9	8.7	9.2	8.2	8.7	8.2	8.7
No. 1 tall	301	411		9.0	9.7	9.3	10.0	9.5	10.2	9.5	10.2
No. 303	303	406		9.0	9.7	9.3	10.0	9.5	10.2	9.5	10.2
No. 303 glass			17.0	9.0	9.7	9.3	10.0	9.5	10.2	9.5	10.2
No. 2	307	409		11.3	12.0	11.8	12.5	12.0	12.7	12.0	12.7
No. 234	401	411		16.6	17.5	17.1	18.0	17.0	18.5	17.6	18.5
No. 234 glass			28.35	16.3	17.2	16.8	17.7	17.3	18.2	17.3	18.2
No. 10	603	700		61.7	64.5	63.7	66.5	68.2	70.0	68.2	70.0

TABLE II.—SINGLE SAMPLING PLAN FOR DRAINED WEIGHTS

Sample size (number of sample units)	3	6	13	21	20	38	48	60	72
Acceptance No.	0	1	2	3	4	5	6	7	8

§ 52.828 Recommended minimum fill weights.

(a) *General.*—The minimum fill weight recommendations specified in tables III and I are not incorporated in the grades of the finished product since fill weight, as such, is not a factor of quality for the purposes of these grades.

(b) *Method for ascertaining fill weight.*—Fill weight is determined in accordance with the U.S. Standards for Inspection by Variables and the U.S. Standards for Determination of Fill Weights.

(c) *Definitions of terms and symbols.*—"Subgroup" means a group of sample units representing a portion of a sample.

\bar{X}_{min} means the minimum lot average fill weight.

LWLx means the lower warning limit for subgroup averages.

LRLx means the lower reject limit for subgroup averages.

LWL means the lower warning limit

for individual fill weight measurements.

LRL means the lower reject limit for individual fill weight measurements.

\bar{R} means a specified average range value.

R_{max} means a specified maximum range for a subgroup.

"Sampling allowance code" means a code letter on the sampling allowance chart of the U.S. Standards for Inspection by Variables. This letter identifies the appropriate line which gives the amount of sampling allowance to be applied to the specification average for fill weights in order to determine compliance with requirements for fill weight averages for a sample.

(d) *Compliance with recommended fill weights.*—Compliance with the recommended fill weights shall be in accordance with the acceptance criteria specified in the U.S. Standards for Inspection by Variables and the U.S. Standards for Determination of Fill Weights.

TABLE III.—RECOMMENDED FILL-WEIGHT VALUES, CANNED LIGHT SWEET CHERRIES

Container designation (metal, unless otherwise designated)	\bar{X}_{min}	LWL	LRL	LWL	LRL	\bar{R}	R_{max}	Sampling allowance code
Unpitted								
8 Z tall	5.4	5.2	5.0	4.9	4.6	0.6	1.3	D
No. 300	9.6	9.3	9.1	8.9	8.5	0.9	1.9	F
No. 1 tall	10.7	10.3	10.1	9.9	9.5	1.0	2.1	G
No. 303	10.7	10.3	10.1	9.9	9.5	1.0	2.1	G
No. 303 glass	10.7	10.3	10.1	9.9	9.5	1.0	2.1	G
No. 2	13.0	12.6	12.4	12.1	11.6	1.1	2.3	H
No. 2½ glass	18.8	18.3	18.0	17.7	17.1	1.3	2.7	J
No. 2½	19.0	18.5	18.2	17.9	17.3	1.3	2.7	J
No. 10	71.5	70.5	70.0	69.3	68.2	2.6	5.4	T
Pitted								
8 Z tall	5.5	5.3	5.1	4.9	4.7	0.6	1.3	D
No. 300	9.8	9.5	9.3	9.1	8.7	0.9	1.9	F
No. 1 tall	10.9	10.5	10.3	10.1	9.7	1.0	2.1	G
No. 303	10.9	10.5	10.3	10.1	9.7	1.0	2.1	G
No. 303 glass	10.9	10.5	10.3	10.1	9.7	1.0	2.1	G
No. 2	13.3	12.9	12.7	12.4	11.9	1.1	2.3	H
No. 2½ glass	19.2	18.7	18.4	18.1	17.5	1.3	2.7	J
No. 2½	19.4	18.9	18.6	18.3	17.7	1.3	2.7	J
No. 10	73.0	72.0	71.5	70.8	69.7	2.6	5.4	T

TABLE IV.—RECOMMENDED FILL-WEIGHT VALUES CANNED DARK SWEET CHERRIES

Container designation (metal, unless otherwise designated)	\bar{X}_{min}	LWL	LRL	LWL	LRL	\bar{R}	R_{max}	Sampling allowance code
Unpitted								
8 Z tall	5.4	5.2	5.0	4.9	4.6	0.6	1.2	D
No. 300	9.6	9.2	9.0	8.8	8.4	.9	2.0	G
No. 1 tall	10.7	10.3	10.1	9.8	9.3	1.1	2.2	H
No. 303	10.7	10.3	10.1	9.8	9.3	1.1	2.2	H
No. 303 glass	10.7	10.3	10.1	9.8	9.3	1.1	2.2	H
No. 2	13.0	12.5	12.3	12.0	11.5	1.2	2.5	I
No. 2½ glass	18.8	18.3	18.0	17.7	17.1	1.3	2.7	J
No. 2½	19.0	18.5	18.2	17.9	17.3	1.3	2.7	J
No. 10	71.5	70.4	69.9	69.1	67.9	2.8	5.9	U
Pitted								
8 Z tall	5.5	5.3	5.1	5.0	4.7	0.6	1.2	D
No. 300	9.8	9.4	9.2	9.0	8.6	.9	2.0	G
No. 1 tall	10.9	10.5	10.3	10.0	9.5	1.1	2.2	H
No. 303	10.9	10.5	10.3	10.0	9.5	1.1	2.2	H
No. 303 glass	10.9	10.5	10.3	10.0	9.5	1.1	2.2	H
No. 2	13.3	12.8	12.6	12.3	11.8	1.2	2.5	I
No. 2½ glass	19.2	18.7	18.4	18.1	17.5	1.3	2.7	J
No. 2½	19.4	18.9	18.6	18.3	17.7	1.3	2.7	J
No. 10	73.0	71.9	71.4	70.6	69.4	2.8	5.9	U

FACTORS OF QUALITY

§ 52.829 Ascertaining the grade.

(a) The grade of canned sweet cherries is ascertained by considering, in conjunction with the requirements of the respective grade, the respective ratings for the factors of color, uniformity of size, absence of defects, and character.

(b) The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

Factors:	Points
Color	30
Uniformity of size	20
Absence of defects	30
Character	20
Total score	100

(c) "Normal flavor and odor" means that the canned sweet cherries are free from objectionable flavors and objectionable odors of any kind.

§ 52.830 Ascertaining the rating for the factors which are scored.

The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "27 to 30 points" means 27, 28, 29, or 30 points).

§ 52.831 Color.

(a) General.—The factor of color refers to the color typical of the varietal group—either light sweet or dark sweet; and to the intensity and brightness of such characteristic color.

(b) (A) classification.—Canned sweet cherries that possess a good color may be given a score of 27 to 30 points. "Good color" means that the cherries are bright and possess a color typical of well-matured cherries of similar varieties which have been properly processed; that

in light sweet cherries, the basic background color, exclusive of blush, is a pinkish-yellow to pale amber color and that the blush appears as a surface color ranging from very light pinkish-tan to tannish-brown; and that in dark sweet cherries, the basic background color is a typical deep-red to purple-red or purple-black.

(c) (B) classification.—If the canned sweet cherries possess a reasonably good color, a score of 24 to 26 points may be given. "Reasonably good color" means that the cherries possess a color typical of reasonably well-matured cherries of similar varieties which have been properly processed; that in light sweet cherries, the basic background color, exclusive of blush, is a pinkish-yellow to amber color which may be no more than slightly dull and that the blush appears as a surface color ranging from tan to tannish-brown; and that in dark sweet cherries, the basic background color is a typical deep red to purple-red or purple-black which may be no more than slightly dull.

(d) (C) classification.—If the canned sweet cherries possess a fairly good color, a score of 21 to 23 points may be given. Canned sweet cherries that fall into this classification shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product (this is a limiting rule). "Fairly good color" means that the cherries possess a color typical of fairly well-matured cherries of similar varieties which have been properly processed; that in light sweet cherries, the basic background color and blush may be variable or may be slightly dull but is not off-color; and that in dark sweet cherries, the cherries may possess a slightly dull deep red to slightly dull purple-red color or slightly dull purple-black color that may be variable but is not off-color.

(e) (SSd) classification.—Canned sweet cherries that fail to meet the requirements of paragraph (d) of this section and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.832 Uniformity of size.

(a) General.—The factor of uniformity of size refers to the uniformity of diameters in pitted and unpitted cherries, and to the variation of weight and minimum weight in unpitted cherries.

(1) "Diameter" of a cherry is the diameter of a rigid round hole through which the cherry will just pass without using force. In pitted cherries, the diameter is that which approximates the apparent original size had the cherry not been pitted but does not apply to any pitter-torn cherries.

(b) (A) classification.—Canned sweet cherries that are practically uniform in size may be given a score of 18 to 20 points. "Practically uniform in size" means that:

(1) In unpitted cherries.—(i) The

weight of each cherry is not less than one-tenth oz (2.84 grams);

(ii) The weight of the largest cherry is not more than twice the weight of the smallest cherry; and

(iii) The diameter of the cherry with the greatest diameter may exceed the diameter of the cherry with the smallest diameter by not more than three-sixteenths in; and in 85 percent, by count, of all the cherries with the most uniform diameters the diameter of the cherries with the greatest diameters may exceed the diameter of the cherries with the smallest diameters by not more than one-sixteenth in.

(2) *In pitted cherries.*—(i) The diameter of the cherry with the greatest diameter may exceed the diameter of the cherry with the smallest diameter by not more than three-sixteenths in; and in 85 percent, by count, of all the cherries with the most uniform diameters the diameter of the cherries with the greatest diameters may exceed the diameter of the cherries with the smallest diameters by not more than one-sixteenth in.

(c) *(B) classification.*—If the canned sweet cherries are reasonably uniform in size, a score of 16 or 17 points may be given. "Reasonably uniform in size" means that:

(i) *In unpitted cherries.*—(i) The weight of each cherry is not less than one-tenth oz (2.84 grams);

(ii) The weight of the largest cherry is not more than twice the weight of the smallest cherry; and

(iii) The diameter of the cherry with the greatest diameter may exceed the diameter of the cherry with the smallest diameter by not more than three-sixteenths in; and in 85 percent, by count, of all the cherries with the most uniform diameters the diameter of the cherries with the greatest diameters may exceed the diameter of the cherries with the smallest diameters by not more than one-eighth in.

(2) *In pitted cherries.*—(i) The diameter of the cherry with the greatest diameter may exceed the diameter of the cherry with the smallest diameter by not more than three-sixteenths in; and in 85 percent, by count, of all the cherries with the most uniform diameters the diameter of the cherries with the greatest diameters may exceed the diameter of the cherries with the smallest diameters by not more than one-eighth in.

(d) *(C) classification.*—If the canned sweet cherries are fairly uniform in size, a score of 14 or 15 points may be given. Canned sweet cherries that fall into this classification shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product (this is a limiting rule). "Fairly uniform in size" means that:

(i) *In unpitted cherries.*—(i) The weight of each cherry is not less than one-tenth oz (2.84 grams);

(ii) The weight of the largest cherry is not more than twice the weight of the smallest cherry; and

(iii) The cherries may vary in diameter measurements.

(2) *In pitted cherries.*—(i) The cherries may vary in diameter measurements.

(e) *(SSd) classification.*—Canned "unpitted" sweet cherries which fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 13 points, shall not be graded above Substandard (this is a limiting rule), and are also "Below Standard in Quality" for the applicable reasons:

- (1) "Small"; and/or
- (2) "Mixed sizes".

§ 52.833 Absence of defects.

(a) *General.*—The factor of absence of defects refers to the degree of freedom from harmless extraneous material; from portions of stems; from pits or portions thereof in pitted style; from slightly damaged, damaged, seriously damaged, slightly misshapen, misshapen, blemished, and seriously blemished cherries; and from any other defects which detract from the appearance or edibility of the product. Processing cracks are not considered as defects but are considered under the factor of character (§ 52.834).

(1) "Cherry" means a whole cherry, whether or not pitted, or portions of such cherries which in the aggregate approximate the average size of a cherry.

(2) "Harmless extraneous material" means any vegetable substance (including, but not limited to, a leaf or portion thereof, a stem or portion thereof longer than one-half in) that is harmless.

(3) "Portions of cherry stems," whether loose or attached, means such portions that are one-half in or less and such portions are considered as a defect separate from "harmless extraneous material."

(4) A "pit" is considered as a defect only in the style of pitted cherries and means a whole pit or portions of pits computed as follows:

(i) A single piece of pit shell, whether or not within or attached to a whole cherry, that is larger than one-half pit shell is considered as one pit;

(ii) A single piece of pit shell, whether or not within or attached to a whole cherry, that is not larger than one-half pit shell is considered as one-half pit;

(iii) Pieces of pit shell, within or attached to a whole cherry, when their combined size is larger than one-half pit shell are considered as one pit; and

(iv) Pieces of pit shell, within or attached to a whole cherry, when their combined size is not larger than one-half pit shell are considered as one-half pit.

(5) "Slightly damaged" means any injury other than blemishes which affects the appearance of the cherry, and includes:

(i) Circular cracks with slight discoloration, such as "rain checks", confined entirely within the stem basin and more than one-fourth in but not more than one-half in, in length;

(ii) Cracks with slight discoloration, such as "rain checks" outside the stem basin and more than three-sixteenths in, but not more than three-eighths in in length;

(iii) Mutilated cherries in unpitted style whereby the cherry is seriously torn at the stem and that such torn area exceeds that of a circle one-fourth in in diameter; and mutilated cherries in pitted style whereby the cherry is so pitter-torn or so damaged by other similar means that the entire pit cavity is exposed and the appearance of the cherry is seriously affected.

(6) "Damaged" means any injury other than blemishes which materially affects the appearance of the cherry and includes:

(i) Circular cracks with discoloration, such as "rain checks", confined entirely within the stem basin and more than one-half in in length; and

(ii) Cracks with discoloration, such as "rain checks", outside the stem basin and more than three-eighths in in length.

(7) "Seriously damaged" means damaged to the extent that the appearance or edibility of the cherry is seriously affected.

(8) "Slightly misshapen" cherries include, but is not limited to, cherries which are slightly deformed or in which there is a cleavage (or deep furrow) with the skin unbroken at the suture extending more than three-sixteenths in but no more than one-half the length from the stem cavity to the apex.

(9) "Misshapen" cherries means cherries which are deformed to the extent that the appearance is materially affected and includes, but is not limited to "double" cherries in unpitted style and cherries in which there is a cleavage (or deep furrow) with the skin unbroken at the suture extending more than one-half the length from the stem cavity to the apex.

(10) "Blemished" means any blemished areas on the skin, which singly or in the aggregate, materially affect the appearance of the cherry; and includes:

(i) Such surface blemishes having an aggregate area exceeding that of a circle three-sixteenths in in diameter, not extending into the fruit tissue but which materially affect the appearance of the cherry; or

(ii) Such blemishes having an aggregate area equivalent of, or less than, that of a circle three-sixteenths in in diameter and extending into the fruit tissue so that the flesh is materially discolored.

(11) "Seriously blemished" means blemished to the extent that the appearance or edibility of the cherry is seriously affected.

(b) *(A) classification.*—Canned sweet cherries that are practically free from defects may be given a score of 27 to 30 points. "Practically free from defects" means that the canned sweet cherries are practically free from any defects not specifically mentioned that affect the appearance or edibility of the product and that for the applicable style not more than the following defects or defective units may be present:

(1) One piece of harmless extraneous material for each 60 oz of net contents;

(2) One portion of cherry stem for each 20 oz of net contents;

(3) In pitted style, 1 pit for each 20 oz of net contents; and

(4) A total of 10 percent, by count, of the cherries may be slightly damaged, damaged, seriously damaged, slightly misshapen, misshapen, blemished, seriously blemished, or any combination thereof but not more than 5 percent, by count, of the cherries may be damaged, seriously damaged, misshapen, blemished, seriously blemished, or any combination thereof: *Provided*, That not more than 2 percent, by count, of the cherries may be seriously blemished and seriously damaged.

(c) (B) *classification*.—If the canned sweet cherries are reasonably free from defects, a score of 24 to 26 points may be given. Canned sweet cherries that fall into this classification shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that the canned sweet cherries are reasonably free from any defects not specifically mentioned that affect the appearance or edibility of the product and that for the applicable style not more than the following defects or defective units may be present:

(1) One piece of harmless extraneous material for each 40 oz of net contents;

(2) A total of 5 portions of cherry stems but not more than 1 portion of cherry stem may be longer than one-fourth in but not longer than one-half in for each 20 oz of net contents;

(3) In pitted style, 1 pit for each 20 oz. of net contents; and

(4) A total of 20 percent, by count, of the cherries may be slightly damaged, damaged, seriously damaged, slightly misshapen, misshapen, blemished, seriously blemished, or any combination thereof but not more than 10 percent, by count, of the cherries may be damaged, seriously damaged, misshapen, blemished, seriously blemished, or any combination thereof: *Provided*, That not more than 4 percent, by count, of the cherries may be seriously blemished and seriously damaged.

(d) (C) *classification*.—If the canned sweet cherries are fairly free from defects, a score of 21 to 23 points may be given. Canned sweet cherries that fall into this classification shall not be graded above U.S. Grade C or U.S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that the canned sweet cherries are fairly free from any defects not specifically mentioned that affect the appearance or edibility of the product and that for the applicable style not more than the following defects or defective units may be present:

(1) One piece of harmless extraneous material for each 20 oz of net contents;

(2) A total of 10 portions of cherry stems but not more than 3 portions of cherry stems, each of which may be longer than one-fourth in but not longer than one-half in for each 20 oz of net contents;

(3) In pitted style, 1 pit for each 20 oz of net contents; and

(4) A total of 30 percent, by count, of the cherries may be slightly damaged, damaged, seriously damaged, misshapen, blemished, seriously blemished, or any combination thereof but not more than 15 percent, by count, of the cherries may be blemished, seriously blemished, and seriously damaged.

(e) (SStd) *classification*.—Canned sweet cherries which fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 20 points; shall not be graded above substandard, regardless of the total score for the product (this is a limiting rule); and may be "Below standard in quality" for the applicable reasons:

- (1) "Partially pitted"; and/or
- (2) "Blemished".

§ 52.834 Character.

(a) *General*.—The factor of character refers to the fleshiness and to the tenderness and texture in relation to maturity in the canned sweet cherries and to the presence of serious processing cracks in unpitted style.

(1) "Serious processing cracks" means cracks without any discoloration that are so deep as to expose the pit; processing cracks that are not serious are not scoreable.

(b) (A) *classification*.—Canned sweet cherries that possess a good character may be given a score of 18 to 20 points. "Good character" means that the cherries are thick-fleshed, are tender but not soft or noticeably flabby, and otherwise possess a good texture characteristic of canned sweet cherries that have been properly processed from well-matured cherries; that not more than 10 percent, by count, of the cherries may possess a reasonably good character; and that, in unpitted style, not more than 5 percent, by count, of the cherries may possess serious processing cracks.

(c) (B) *classification*.—If the canned sweet cherries possess a reasonably good character, a score of 16 or 17 points may be given. Canned sweet cherries that fall into this classification shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably good character" means that the cherries are reasonably thick-fleshed, are reasonably tender but not more than slightly soft nor markedly flabby, and otherwise possess a texture characteristic of canned sweet cherries that have been properly processed from reasonably well-matured cherries; that not more than 10 percent by count of the cherries may possess a fairly good character provided, in unpitted cherries, none are thin-fleshed; and that, in unpitted style, not more than 10 percent, by count, of the cherries may possess serious processing cracks.

(d) (C) *classification*.—If the canned sweet cherries possess a fairly good character, a score of 14 or 15 points may be given. Canned sweet cherries that fall into this classification shall not be graded above U.S. Grade C or U.S. Standard, regardless of the total score for the product

(this is a limiting rule). "Fairly good character" means that the cherries may be lacking in thickness of flesh but, in unpitted cherries, the total weight of pits is not more than 12 percent of the weight of drained cherries; may be variable in tenderness and texture, ranging from firm to soft, but characteristic of canned sweet cherries that may have been processed from slightly immature to slightly over-mature cherries; that not more than 10 percent, by count, of the cherries may be markedly flabby; and that, in unpitted style, serious processing cracks may be present.

(e) (SStd) *classification*.—Canned sweet cherries that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 13 points and shall not be graded above substandard, regardless of the total score for the product (this is a limiting rule). Canned unpitted sweet cherries in which the total weight of the pits is more than 12 percent of the weight of drained cherries are also "Below standard in quality—thin fleshed".

LOT INSPECTION AND CERTIFICATION

§ 52.835 Ascertaining the grade of a lot.

The grade of a lot canned sweet cherries covered by these standards is determined by the procedures set forth in the regulations governing inspection and certification of processed fruits and vegetables, processed products thereof, and certain other processed food products (7 CFR 52.1 through 52.87).

SCORE SHEET

§ 52.836. Score sheet.

Size and kind of container		Score points	
Container mark or identification	Label		
Net weight (ounces)	Vacuum (inches)		
Drained weight (ounces)	Count per container		
Brix measurement	Sirup designation (extra heavy, heavy, etc.)		
Type: () Light, () dark	Style: () Unpitted, () pitted		
Factors		Score points	
Color	30	(A)	27-30
		(B)	24-26
		(C)	21-23
		(SStd)	10-20
Uniformity of size	20	(A)	18-20
		(B)	16-17
		(C)	14-15
		(SStd)	10-13
Absence of defects	30	(A)	27-30
		(B)	24-26
		(C)	21-23
		(SStd)	10-20
Character	20	(A)	18-20
		(B)	16-17
		(C)	14-15
		(SStd)	10-13
Total score		100	
Normal flavor and odor			
Grade			

¹ Indicates limiting rule.

The U.S. Standards for Grades of Canned Sweet Cherries as herein amended, shall become effective June 20, 1973, and thereupon will supersede the U.S. Standards for Grades of Canned Sweet Cherries which have been in effect since July 15, 1960 (7 CFR 52.821-52-836).

Subpart—United States Standards for Grades of Canned Fruit Cocktail

IDENTITY AND GRADES

- Sec.
§2.1051 Identity.
§2.1052 Grades.

PROPORTIONS

- §2.1053 Proportion of fruit ingredients.

LIQUID MEDIA, FILL OF CONTAINER, AND FILL WEIGHTS

- §2.1054 Liquid media and Brix measurements.
§2.1055 Fill of container.
§2.1056 Recommended minimum fill weights.

FACTORS OF QUALITY

- §2.1057 Ascertaining the grade.
§2.1058 Ascertaining the rating for the factors which are scored.
§2.1059 Clearness of liquid media.
§2.1060 Color.
§2.1061 Uniformity of size.
§2.1062 Absence of defects.
§2.1063 Character.

LOT INSPECTION AND CERTIFICATION

- §2.1064 Ascertaining the grade of a lot.

SCORE SHEET

- §2.1065 Score sheet.

IDENTITY AND GRADES

§2.1051 Identity.

"Canned fruit cocktail" means the food prepared from the mixture of fruit ingredients of peaches, pears, grapes, pineapple, and cherries as defined in the standard of identity for canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail (21 CFR, 27.40) issued

pursuant to the Federal Food, Drug, and Cosmetic Act.

§2.1052 Grades.

(a) "U.S. Grade A" or "U.S. Fancy" is the quality of canned fruit cocktail that is practically free from defects; that possesses a good character; that possesses a normal flavor and odor; and that is of such quality with respect to clearness of liquid media, color, and uniformity of size as to score not less than 85 points when scored in accordance with the scoring system outlined in this subpart.

(b) "U.S. Grade B" or "U.S. Choice" is the quality of canned fruit cocktail that possesses a fairly clear liquid media; that is reasonably uniform in size; that is reasonably free from defects; that possesses a reasonably good character; that possesses a normal flavor and odor; and that is of such quality with respect to color as to score not less than 70 points when scored in accordance with the scoring system outlined in this subpart.

(c) "Substandard" is the quality of canned fruit cocktail that fails to meet the requirements of U.S. Grade B or U.S. Choice and is the quality of canned fruit cocktail that may or may not meet the minimum standard of quality for canned fruit cocktail issued pursuant to the Federal Food, Drug, and Cosmetic Act.

PROPORTIONS

§2.1053 Proportion of fruit ingredients.

Canned fruit cocktail shall contain the fruit ingredients in the proportions indicated in table I.

TABLE I

Fruit ingredient	Style	Proportion	
		Not less than	Not more than
Peaches (any yellow variety)...	Diced.....	30 percent by weight of drained fruit.	50 percent by weight of drained fruit.
Pears (any variety).....	Diced.....	25 percent by weight of drained fruit.	45 percent by weight of drained fruit.
Grapes (any seedless variety)...	Whole.....	6 percent by weight of drained fruit.	20 percent by weight of drained fruit.
Pineapple (any variety).....	Diced or sectors.....	6 percent by weight of drained fruit; but not less than 2 sectors or 3 dice for each 4½ oz avdp of product and each fraction thereof greater than 2 oz.	16 percent by weight of drained fruit.
Cherries (any light, sweet variety) or (artificially colored red) or (artificially colored red and artificially flavored).	Approximate halves.	2 percent by weight of drained fruit; but not less than 1 approximate half for each 4½ oz avdp of product and each fraction thereof greater than 2 oz.	6 percent by weight of drained fruit.

LIQUID MEDIA, FILL OF CONTAINER, AND FILL WEIGHTS

§2.1054 Liquid media and Brix measurements.

"Cut-out" requirements for liquid media in canned fruit cocktail are not incorporated in the grades of the finished product since sirup or any other liquid medium, as such, is not a factor of quality for the purposes of these grades. The "cut-out" Brix measurement, as applicable, for the respective designations are as follows:

Designations	Brix measurement
"Extra heavy sirup" or "Extra heavy fruit juice sirup(s)."	22° or more but not more than 35°.
"Heavy sirup" or "Heavy fruit juice sirup(s)."	18° or more but less than 22°.
"Light sirup" or "Light fruit juice sirup(s)."	14° or more but less than 18°.
"In slightly sweetened fruit juices."	10° or more but less than 14°.
"Slightly sweetened water."	Less than 14°.
"In water"	Not applicable.
"In fruit juice(s)"	Not applicable.

§2.1055 Fill of container.

(a) General.—The standard of fill of container for canned fruit cocktail is a fill such that the total weight of drained fruit is not less than 85 percent of the water capacity of the container. Canned fruit cocktail that does not meet this requirement is "Below Standard in Fill".

(b) Method for ascertaining drained weight.—The drained weight of canned fruit cocktail is determined by emptying the contents of the container upon a U.S. Standard No. 8 circular sieve of proper diameter containing 8 meshes to the inch (0.0937-inch \pm 3 percent, square openings) so as to distribute the product evenly, inclining the sieve slightly to facilitate drainage, and allowing to drain for 2 minutes. The drained weight is the weight of the sieve and fruit cocktail less the weight of the dry sieve. The diameter of the sieve is 8 inches if the quantity of the contents of the container is less than 3 pounds, and 12 inches if such quantity is 3 pounds or more.

(c) Definitions of symbols.—(1) X_d —the average drained weight of all the sample units in the sample.

(2) LL—lower limit for drained weights of individual sample units.

(d) Compliance with drained weights.—A lot of canned fruit cocktail is considered as meeting the minimum drained weight requirements if the following criteria are met:

(1) The average of the drained weights from all the sample units in the sample meet the minimum average drained weight (designated as " X_d " in table II); and

(2) The number of sample units which fail to meet the drained weight lower limit for individuals (designated as "LL" in table II) does not exceed the applicable acceptance number specified in the single sampling plan of table III.

TABLE II

(Minimum drained weight for canned fruit cocktail)

Container designation (metal, unless otherwise stated)	Container size Overall dimensions	Capacity weight, H ₂ O at 68°F (avoirdupois ounces)	Minimum drained weight (65 percent capacity) (ounces)	
			LL	X_d
5 oz.....	211x600	4.90	2.8	3.18
5 oz.....	211x202	5.25	3.0	3.41
6 oz.....	300x209	6.75	3.6	3.97
7 oz.....	211x212	7.15	4.2	4.64
8 oz tall.....	211x304	8.65	5.1	5.63
8 oz glass.....		8.2	5.00	5.63
No. 300.....	300x407	15.20	9.3	9.88
No. 1 tall.....	301x411	16.60	10.1	10.79
No. 303.....	303x406	16.85	10.3	10.96
303 glass.....		17.0	10.70	11.51
No. 2.....	307x409	20.50	12.5	13.33
No. 2½.....	401x411	29.75	18.3	19.34
No. 2½ glass.....		28.35	18.2	19.18
No. 3 cylinder.....	404x700		32.3	33.67
No. 10.....	603x700	109.45	69.4	71.15

TABLE III.—SINGLE SAMPLING PLAN FOR DRAINED WEIGHTS

Sample size (number of sample units)										
	3	6	13	21	29	38	48	60	72	
Acceptance No.....	0	1	2	3	4	5	6	7	8	

§ 52.1056 Recommended minimum fill weights.

(a) *General*.—The minimum fill weight recommendations specified in table IV are not incorporated in the grades of the finished product since fill weight, as such, is not a factor of quality for the purposes of these grades.

(b) *Method for ascertaining fill weight*.—Fill weight is determined in accordance with the U.S. Standards for Inspection by Variables and the U.S. Standards for Determination of Fill Weights.

(c) *Definitions of terms and symbols*.—"Subgroup" means a group of sample units representing a portion of a sample.

X_{min} means the minimum lot average fill weight.

LWL means the lower warning limit for subgroup averages.

LRL means the lower reject limit for subgroup averages.

LWL means the lower warning limit for individual fill weight measurements.

LRL means the lower reject limit for individual fill weight measurements.

\bar{R} means a specified average range value.

R_{max} means a specified maximum range for a subgroup.

"Sampling allowance code" means a code letter on the sampling allowance chart of the U.S. Standards for Inspection by Variables. This letter identifies the appropriate line which gives the amount of sampling allowance to be applied to the specification average for fill weights in order to determine compliance with requirements for fill weight averages for a sample.

(d) *Compliance with recommended fill weights*.—Compliance with the recommended fill weights shall be in accordance with the acceptance criteria specified in the U.S. Standards for Inspection by Variables and the U.S. Standards for Determination of Fill Weights.

§ 52.1060 Color.

(a) *General*.—The factor of color refers to the general brightness and uniformity of color typical of each of the fruit ingredients; the degree of freedom from staining from artificially colored cherries, if present; and the dullness or off color in any single fruit ingredient.

(b) (A) *classification*.—Canned fruit cocktail that possesses a good color may be given a score of 17 to 20 points. "Good color" means that each fruit ingredient possesses a practically uniform typical color that is bright and characteristic of at least reasonably well-matured fruit that has been properly prepared and processed; that any of the fruit ingredients may be no more than slightly affected by pink staining; and that none of the fruit ingredients are dull or off color for reasons other than being slightly affected by pink staining.

(c) (B) *classification*.—If the canned fruit cocktail possesses a reasonably good color, a score of 14 to 16 points may be given. Canned fruit cocktail that falls into this classification because of staining or dullness of color shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product (this is a partial limiting rule). "Reasonably good color" means that each fruit ingredient possesses a reasonably uniform typical color that is reasonably bright and characteristic of at least fairly well-matured fruit that has been properly prepared and processed; and that any of the fruit ingredients may be more than slightly affected by pink staining but not to the extent that the appearance is materially affected by this cause or may be slightly dull in color but none of the fruit ingredients are off color for reasons other than staining or dullness within these limits.

(d) (SStd) *classification*.—Canned fruit cocktail that fails to meet the requirements of paragraph (c) of this section may be given a score of 0 to 13 points and shall not be graded above substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.1061 Uniformity of size.

(a) *General*.—The factor of uniformity of size refers to the uniformity of size of intact halves of cherries and whole grapes and to the degree of deviation from the dimensions for diced units of peaches, pears, and pineapple or for sectors of pineapple, which dimensions approximate the following:

(1) Diced units are not more than three-fourths in in greatest edge dimension and will not pass through the meshes of a sieve designated as five-sixteenths in in table I of "Standard Specifications for Sieves," published March 1, 1940, in L.C. 584 of the National Bureau of Standards, U.S. Department of Commerce.

(2) Sectors of pineapple: The length of the outside arc is not more than three-fourths in but is more than three-eighths in; the thickness is not more than one-half in but is more than five-sixteenths in; the length (measured along the radius from the inside arc to outside arc)

TABLE IV.—RECOMMENDED FILL WEIGHT VALUES CANNED FRUIT COCKTAIL

Container designation (metal, unless otherwise designated)	\bar{X}_{min}	LWL	LRL	LWL	LRL	\bar{R}	R_{max}	Sampling allowance code
5 oz—211 x 200	3.4	3.2	3.0	2.9	2.6	0.60	1.20	D
5 oz—211 x 202	3.7	3.5	3.3	3.2	2.9	.60	1.20	D
6 oz—300 x 200	4.3	4.1	3.9	3.8	3.5	.60	1.20	D
7 oz—211 x 212	5.0	4.8	4.6	4.5	4.2	.60	1.20	D
82 tall—211 x 204	6.1	5.9	5.7	5.6	5.3	.60	1.20	D
82 glass—8.5 oz avoirdupois	6.0	5.8	5.7	5.5	5.2	.60	1.20	D
No. 300—300 x 407	10.6	10.2	10.0	9.8	9.4	0.9	2.0	G
No. 1 tall—301 x 411	11.5	11.1	10.9	10.6	10.1	1.1	2.2	H
No. 303—303 x 406	11.7	11.3	11.1	10.8	10.3	1.1	2.2	H
303 glass—17.7 oz avoirdupois	12.3	11.9	11.7	11.4	10.9	1.1	2.2	H
No. 2—307 x 409	14.3	13.8	13.6	13.3	12.8	1.2	2.5	I
No. 2½—401 x 411	20.7	20.2	20.0	19.6	19.0	1.3	2.7	J
No. 2½ glass—29.5 oz avoirdupois	20.5	20.0	19.8	19.4	18.8	1.3	2.7	J
No. 10—603 x 700	77.9	75.9	75.4	74.6	73.4	2.8	5.9	U

FACTORS OF QUALITY

§ 52.1057 Ascertaining the grade.

(a) The grade of canned fruit cocktail is ascertained by considering, in conjunction with the requirements of the respective grade, the respective ratings for the factors of clearness of liquid media, color, uniformity of size, absence of defects, and character.

(b) The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

Factors:	Points
Clearness of liquid media	20
Color	20
Uniformity of size	20
Absence of defects	20
Character	20
Total score	100

(c) "Normal flavor and odor" means that the canned fruit cocktail is free from objectionable flavors and objectionable odors of any kind.

§ 52.1058 Ascertaining the rating for the factors which are scored.

The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor

which is scored is inclusive (for example, "17 to 20 points" means 17, 18, 19, or 20 points).

§ 52.1059 Clearness of liquid media.

(a) (A) *classification*.—Canned fruit cocktail that possesses a reasonably clear liquid media may be given a score of 17 to 20 points. "Reasonably clear liquid media" means that the liquid drained from the fruit cocktail is reasonably bright in color without any tinge of pink color or dullness of color and may contain fine fruit particles which do not materially affect the appearance of the product.

(b) (B) *classification*.—If the canned fruit cocktail possesses a fairly clear liquid media, a score of 14 to 16 points may be given. "Fairly clear liquid media" means that the liquid drained from the fruit cocktail may be slightly pink or slightly dull in color but is not off color for any reason and may contain fruit particles which materially affect, but do not seriously affect, the appearance of the product.

(c) (SStd) *classification*.—Canned fruit cocktail that fails to meet the requirements of paragraph (b) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

is not more than 1 1/4 in but is more than three-fourths in.

(b) (A) *classification*.—Canned fruit cocktail in which each of the fruit ingredients are practically uniform in size may be given a score of 17 to 20 points. "Practically uniform in size" means that not more than 10 percent by weight of the peach units, of the pear units, or of the pineapple units if diced may fail to conform to the dimensions for diced units; that not more than 10 percent by weight of the pineapple units if in sectors may fail to conform to the dimensions for sectors of pineapple; that the largest whole grape does not weigh more than three times the weight of the smallest whole grape; and that the longest dimension on the cut surface of the largest intact cherry half does not exceed the longest dimension on the cut surface of the smallest intact cherry half by more than 33 1/2 percent.

(c) (B) *classification*.—If the canned fruit cocktail possesses fruit ingredients that are reasonably uniform in size, a score of 14 to 16 points may be given. Canned fruit cocktail in which more than 15 percent by weight of the peach units, of the pear units, or of the pineapple units if diced fail to conform to the dimensions for diced units and in which more than 15 percent by weight of the pineapple units if in sectors fail to conform to the dimensions for sectors of pineapple shall not be graded above U.S. Grade B (or U.S. Choice), regardless of the total score for the product (this is a partial limiting rule). "Reasonably uniform in size" means that not more than 20 percent by weight of the peach units, of the pear units, or of the pineapple units if diced may fail to conform to the dimensions for diced units; that not more than 20 percent by weight of the pineapple units if in sectors may fail to conform to the dimensions for sectors of pineapple; that the largest whole grape does not weigh more than four times the weight of the smallest whole grape; and that the longest dimension on the cut surface of the largest intact cherry half does not exceed the longest dimension on the cut surface of the smallest intact cherry half by more than 50 percent.

(d) (SSd) *classification*.—Canned fruit cocktail which fails to meet the requirements of paragraph (c) of this section shall be given a score of 0 to 13 points and shall not be graded above substandard, regardless of the total score for the product (this is a limiting rule); and if the canned fruit cocktail fails to meet the requirements of paragraph (c) of this section only because of the deviations from the dimensions of diced units of peaches, pears, or pineapple, or of sectors of pineapple, the canned fruit cocktail is also:

Below Standard in Quality
Good Food—Not High Grade

§ 52.1062 Absence of defects.

(a) *General*.—The factor of absence of defects refers to the degree of freedom from harmless extraneous material; from peach and pear peel; from pits or portions thereof; from capstems; from

crushed or broken grapes; from broken cherry halves; from unevenly colored cherry halves; from blemished units; and from any other defects which detract from the appearance or edibility of the product.

(1) "Harmless extraneous material" means any vegetable substance not specifically mentioned herein as a defect that is harmless.

(2) A "pit or portion thereof" means any whole pit or piece of pit material, regardless of size.

(3) A "capstem" means a small woody stem which attaches a grape to the branch of a bunch of grapes. Capstems are considered as defects whether or not attached to a grape.

(4) A "crushed or broken grape" means a grape that is severely crushed so as to destroy its shape or that is severed into two separate parts. Portions or fragments of grapes that are the equivalent of one grape are considered as a grape in ascertaining compliance with percentages by count of grapes.

(5) A "broken cherry half" means any portion of a cherry that is definitely less than an apparent half or a definitely mutilated cherry half.

(6) An "unevenly colored cherry half" means, if the cherry halves are artificially colored, that the color in the cherry half is other than evenly distributed in the unit or other than uniform with the color of the other cherry halves.

(7) "Blemished" in the case of the peach, pear, grape, or cherry ingredients means blemished with scab, hail injury, scar tissue, objectionable pear seed cell material, objectionable portions of interior pear stems, or other abnormality which materially affects the appearance of the unit; and in the case of the pineapple ingredient means any blemish or combination of blemishes on a unit which materially affects the appearance or edibility of the unit and includes, but is not limited to, any fruit eye or portion thereof which on the exposed portion exceeds the area of a circle one-sixteenth in diameter, brown spots, pieces of shell, bruised portions, or other similar blemishes.

(b) (A) *classification*.—Canned fruit cocktail that is practically free from defects may be given a score of 17 to 20 points. "Practically free from defects" means that the product is practically free from harmless extraneous material, from pits or portions thereof, from the presence of peel, from loose capstems, and from any other defects not specifically mentioned that more than slightly affect the appearance or edibility of the product; and that, in addition, not more than the following defective units, as applicable for the ingredient, may be present:

(1) *Peach*.—5 percent, by weight, of the peach units may be blemished;

(2) *Pear*.—5 percent, by weight, of the pear units may be blemished;

(3) *Pineapple*.—5 percent, by weight, of the pineapple units may be blemished;

(4) *Grape*.—10 percent, by count, of the grapes in a container containing 10 grapes or more, and 1 grape in a container containing less than 10 grapes

may be blemished; 5 percent, by count, of the grapes in a container containing 20 grapes or more, and 1 grape in a container containing less than 20 grapes may be crushed or broken; and 10 percent, by count, of the grapes in a container containing 10 grapes or more, and 1 grape in a container containing less than 10 grapes may have the capstem attached; and

(5) *Cherry*.—5 percent, by count, of the cherry halves in a container containing 20 cherry halves or more, and 1 cherry half in a container containing less than 20 cherry halves may be blemished; 5 percent, by count, of the cherry halves in a container containing 20 cherry halves or more and 1 cherry half in a container containing less than 20 cherry halves may be unevenly colored; *Provided*, That in all containers comprising the sample such blemished cherry halves do not exceed an average of 5 percent, by count, of the total number of cherry halves; such broken cherry halves do not exceed an average of 5 percent, by count, of the total number of cherry halves; and such unevenly colored cherry halves do not exceed an average of 5 percent, by count, of the total number of cherry halves.

(c) (B) *classification*.—If the canned fruit cocktail is reasonably free from defects, a score of 14 to 16 points may be given. Canned fruit cocktail that falls into this classification shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that the product is practically free from harmless extraneous material and from pits or portions thereof; that the product is reasonably free from loose capstems and from any other defects not specifically mentioned that materially affect the appearance or edibility of the product; that not more than one-quarter in ² of peach peel or of pear peel for each pound of net contents may be present; and that, in addition, not more than the following defective units as applicable for the ingredient, may be present:

(1) *Peach*.—10 percent, by weight, of the peach units may be blemished;

(2) *Pear*.—10 percent, by weight, of the pear units may be blemished;

(3) *Pineapple*.—12 1/2 percent, by count, of the pineapple units may be blemished;

(4) *Grape*.—20 percent, by count, of the grapes may be blemished; 10 percent, by count, of the grapes in a container containing 10 grapes or more, and 1 grape in a container containing less than 10 grapes may be crushed or broken; and 10 percent, by count, of the grapes in a container containing 10 grapes or more, and 1 grape in a container containing less than 10 grapes may have the capstem attached; and

(5) *Cherry*.—15 percent, by count, of the cherry halves may be blemished; 15

percent, by count, of the cherry halves in a container containing more than 6 cherry halves, and 1 cherry half in a container containing 6 cherry halves or less may be a broken cherry half; and 15 percent, by count, of the cherry halves in a container containing more than 6 cherry halves, and 1 cherry half in a container containing 6 cherry halves or less may be unevenly colored.

(d) *(SStd) classification*.—Canned fruit cocktail that fails to meet any of the requirements of paragraph (c) of this section shall be given a score of 0 to 13 points; shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule); and may or may not be:

Below Standard in Quality
Good Food—Not High Grade.

§ 52.1063 Character.

(a) *General*.—The factor of character refers to the texture and tenderness for the fruit ingredients as prepared and processed for canned fruit cocktail.

(b) *(A) classification*.—Canned fruit cocktail that possesses a good character may be given a score of 17 to 20 points. "Good character" means that each fruit ingredient is reasonably uniform in texture and tenderness with no more than slight disintegration and that the individual fruit ingredients meet the following requirements:

(1) *Peach*.—The texture is typical of diced peaches prepared and processed from at least reasonably well-matured fruit and the units may range in tenderness from slightly firm to slightly soft but possess fairly well-defined edges;

(2) *Pear*.—The texture is typical of diced pears prepared and processed from properly ripened pears or from pears of moderate graininess and the units may range in tenderness from slightly firm to slightly soft and may have slightly rounded edges;

(3) *Pineapple*.—The units are practically uniform in ripeness with fruitlets of compact structure, are reasonably free from porosity, and are practically free from hard core material;

(4) *Grape*.—The units are reasonably plump and reasonably firm; and

(5) *Cherry*.—The units are reasonably firm.

(c) *(B) classification*.—If the canned fruit cocktail possesses a reasonably good character, a score of 14 to 16 points may be given. Canned fruit cocktail that falls into this classification shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably good character" means that each fruit ingredient may range from a firm to soft texture without serious disintegration and that the individual fruit ingredients meet the following requirements:

(1) *Peach*.—The texture is typical of diced peaches prepared and processed from at least fairly well-matured fruit and the units may range in tenderness from firm to soft and may possess frayed edges.

(2) *Pear*.—The texture is typical of diced pears prepared and processed from properly ripened pears or from pears of marked graininess and the units may be lacking in uniformity of tenderness ranging from markedly firm to soft with rounded edges;

(3) *Pineapple*.—The units are reasonably uniform in ripeness with fruitlets of reasonably compact structure, are fairly free from porosity, and are reasonably free from hard core material;

(4) *Grape*.—The units may be variable in texture from firm to soft but not mushy or excessively flabby; and

(5) *Cherry*.—The units may be fairly firm to soft but not excessively flabby.

(d) *(SStd) classification*.—If the canned fruit cocktail fails to meet the requirements of paragraph (c) of this section, a score of 0 to 13 points may be given. Canned fruit cocktail that falls into this classification shall not be graded above substandard, regardless of the total score for the product (this is a limiting rule).

LOT INSPECTION AND CERTIFICATION

§ 52.1064 Ascertaining the grade of a lot.

The grade of a lot of canned fruit cocktail covered by these standards is determined by the procedures set forth in the regulations governing inspection and certification of processed fruits and vegetables, processed products thereof, and certain other processed food products (7 CFR 52.1 through 52.87).

SCORE SHEET

§ 52.1065 Score sheet.

Size and kind of container.....	
Container mark or identification.....	
Label.....	
Net weight (ounces).....	
Vacuum (inches).....	
Drained weight (ounces):	
() Meets fill of container.....	
() Falls fill of container.....	
Brix measurement.....	
Sirup designation (extra heavy, heavy, etc.).....	
Proportions of fruit ingredients:	
Peach:	() meets () fails
Pear:	() meets () fails
Pineapple:	() meets () fails
Grape:	() meets () fails
Cherry:	() meets () fails
Total.....oz. 100%	
Count:	
Pineapple () sections () diced.....	
Cherry halves.....	

Factors	Score points
Clearness of liquid media.....	20 (A)..... 17-20..... (B)..... 14-16..... (SStd)..... 10-13.....
Color.....	20 (A)..... 17-20..... (B)..... 14-16..... (SStd)..... 10-13.....
Uniformity of size.....	20 (A)..... 17-20..... (B)..... 14-16..... (SStd)..... 10-13.....
Absence of defects.....	20 (A)..... 17-20..... (B)..... 14-16..... (SStd)..... 10-13.....
Character.....	20 (A)..... 17-20..... (B)..... 14-16..... (SStd)..... 10-13.....
Total score.....	100
Normal flavor and odor.....	
Grade.....	

1 Indicates limiting rule.

2 Indicates partial limiting rule.

The U.S. Standards for Grades of Canned Fruit Cocktail as herein amended, shall become effective June 20, 1973, and thereupon will supersede the U.S. Standards for Grades of Canned Fruit Cocktail which have been in effect since August 5, 1971.

Subpart—United States Standards for Grades of Canned Pears

PRODUCT DESCRIPTION, STYLES, GRADES

Sec.	
52.1611	Product description.
52.1612	Styles.
52.1613	Grades.

LIQUID MEDIA, FILL OF CONTAINER, DRAINED WEIGHTS, AND FILL WEIGHTS

52.1614	Liquid media and Brix measurements.
52.1615	Fill of container.
52.1616	Recommended drained weights.
52.1617	Recommended fill weights.

FACTORS OF QUALITY

52.1618	Ascertaining the grade.
52.1619	Ascertaining the rating for the factors which are scored.
52.1620	Color.
52.1621	Uniformity of size and symmetry.
52.1622	Absence of defects.
52.1623	Character.

LOT COMPLIANCE

52.1624	Ascertaining the grade of a lot.
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SCORE SHEET

52.1625	Score sheet.
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PRODUCT DESCRIPTION, STYLES, GRADES

§ 52.1611 Product description.

(a) "Canned pears" means the canned product prepared from properly prepared, mature pears, as such product is purported to be in the standards of identity for canned pears (21 CFR 37.20; 27.24) issued pursuant to the Federal Food, Drug, and Cosmetic Act.

(b) For the purposes of the standards in this subpart, the canned pears are peeled and the term "canned pears" includes "canned pears", "canned spiced pears", and "canned artificially sweetened pears" as defined in the aforesaid standards of identity.

§ 52.1612 Styles.

(a) "Halves" or "halved" canned pears are peeled pears, with cores and stems removed, cut longitudinally from stem to calyx into approximate halves.

(b) "Quarters" or "quartered" canned pears are peeled pears, with cores and stems removed, cut longitudinally from stem to calyx into approximate quarters.

(c) "Slices" or "sliced" canned pears are peeled pears, with cores and stems removed, cut longitudinally from stem to calyx into approximately equal segments smaller than quarters.

(d) "Dice" or "diced" canned pears are peeled pears, with cores and stems removed, cut into approximate cubes.

(e) "Whole" canned pears are peeled, cored or uncored, whole pears with or without stems removed.

(f) "Mixed pieces of irregular sizes and shapes" are peeled and cored cut units of canned pears that are predomi-

nantly irregular in size and shape which do not conform to a single style of halves, quarters, slices, or dice and which may consist of:

(1) Units (commonly called "salad cuts" or "salad pieces" or "chunk style"), which may have been prepared originally as pear halves but which are irregular in size and shape in that more than one-fourth of the unit appears to have been removed at the outer curved surface and which have been cut further into pieces; or

(2) Mixtures of two or more of the following styles which may or may not be of normal shape: Halves, quarters, slices, dice, or whole.

§ 52.1613 Grades.

(a) "U.S. Grade A" (or "U.S. Fancy"), is the quality of halves, quarters, slices, diced, or whole canned pears that:

(1) Possess similar varietal characteristics;

(2) Possess a normal flavor and odor;

(3) Possess a good color;

(4) Are practically uniform in size and symmetry;

(5) Are practically free from defects;

(6) Possess a good character; and

(7) For those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 90 points;

(8) *Provided*, That halves, quarters, slices, diced, or whole pears may possess a reasonably good color and may be fairly uniform or reasonably uniform in size and symmetry, if the total score is not less than 90 points.

(b) "U.S. Grade B" (or "U.S. Choice"), is the quality of halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned pears that:

(1) Possess similar varietal characteristics;

(2) Possess a normal flavor and odor;

(3) Possess a reasonably good color;

(4) Are reasonably uniform in size and symmetry for the applicable style;

(5) Are reasonably free from defects;

(6) Possess a reasonably good character; and

(7) For those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 80 points;

(8) *Provided*, That halves, quarters, slices, diced, or whole canned pears may be fairly uniform in size and symmetry, if the total score is not less than 80 points.

(c) "U.S. Grade C" (or "U.S. Standard"), is the quality of halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned pears that:

(1) Possess a normal flavor and odor;

(2) Possess a fairly good color;

(3) Are fairly uniform in size and symmetry for the applicable style;

(4) Are fairly free from defects;

(5) Possess a fairly good character; and

(6) For those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 70 points.

(d) "Substandard" is the quality of canned pears that fail to meet the applicable requirements of U.S. Grade C and is the quality of canned pears that may or may not meet the minimum standard of quality for canned pears is-

Designations	Brix measurement
"Extra heavy sirup" or "Extra heavy fruit juice sirup"	22° or more but not more than 35°.
"Heavy sirup" or "Heavy fruit juice sirup"	18° or more but less than 22°.
"Light sirup" or "Light fruit juice sirup"	14° or more but less than 18°.
"Slightly sweetened water"	Less than 14°.
"Slightly sweetened fruit juice"	10° or more but less than 14°.

Designations	Brix measurement
"In water"	Not applicable.
"In fruit juice"	Not applicable.
"In clarified juice"	Not applicable.
"Artificially sweetened"	Not applicable.

§ 52.1615 Fill of container.

The standard of fill of container for canned pears is the maximum quantity of the pear units which can be sealed in the container and processed by heat to prevent spoilage, without crushing or breaking such ingredient. Canned pears that do not meet this requirement are "Below Standard in Fill."

§ 52.1616 Recommended drained weights.

(a) *General*.—(1) The minimum drained weight recommendations for the various applicable styles in table I of this subpart are not incorporated in the grades of the finished product since drained weight, as such, is not a factor of quality for the purposes of these grades.

(2) The recommended minimum drained weights are based on equilization of the product 30 days or more after the product has been canned.

(b) *Method for ascertaining drained weight*.—The drained weight of canned pears is determined by emptying the contents of the container, turning the seed cavities down in halves, upon a U.S. Standard No. 8 circular sieve, of proper diameter, containing 8 meshes to the inch (0.0937-inch \pm 3 percent, square openings) so as to distribute the product evenly, inclining the sieve slightly to facilitate drainage, and allowing to drain for 2 minutes. The drained weight is the weight of the sieve and pears less the weight of the dry sieve. A sieve 8 inches in diameter is used for the equivalent of No. 3 size cans (404 x 414) and smaller, and a sieve 12 inches in diameter is used

sued pursuant to the Federal Food, Drug, and Cosmetic Act.

LIQUID MEDIA, FILL OF CONTAINER, DRAINED WEIGHTS, AND FILL WEIGHTS

§ 52.1614 Liquid media and Brix measurements.

"Cutout" requirements for liquid media in canned pears are not incorporated in the grades of the finished product since sirup or any other liquid medium, as such, is not a factor of quality for the purposes of these grades. The designations of liquid packing media and the Brix measurements, where applicable, are as follows:

for containers larger than the equivalent of the No. 3 size can.

(c) *Definitions of symbols*.—(1) \bar{X}_2 —The average drained weight of all the sample units in the sample.

(2) LL —Lower limit for drained weights of individual sample units.

(d) *Compliance with recommended drained weights*.—A lot of canned pears is considered as meeting the minimum drained weight recommendations if the following criteria are met:

(1) The average of the drained weights from all the sample units in the sample meets the recommended average drained weight (designated as \bar{X}_2), in tables I, II, and III; and

(2) The number of sample units which fail to meet the recommended minimum drained weight for individuals (designated as LL) in tables I, II, and III does not exceed the applicable acceptance number specified in the single sampling plan of table IV.

TABLE I.—RECOMMENDED MINIMUM DRAINED WEIGHTS FOR CANNED PEARS

Styles of quarters; slices, mixed pieces of irregular sizes and shapes]

Container designation (metal, unless otherwise stated)	Container size (overall dimensions)		Over-flow capacity (fluid ounces)	In any sirup or other liquid medium (ounces)	
	Diameter (inches)	Height (inches)		LL	\bar{X}_2
8Z	211	200	2.6	8.0	
8Z	211	202	2.9	8.3	
6Z	300	200	3.8	8.7	
7Z	211	212	3.8	4.2	
8Z glass			8.2	4.4	4.8
8Z tall	211	304	4.5	4.9	
No. 300	300	407	8.3	8.9	
No. 303 glass			17.0	8.8	9.4
No. 303	303	406	9.0	9.6	
No. 2	307	409	11.1	11.8	
No. 2½ glass			28.35	16.1	16.9
No. 2½	401	411	16.4	17.2	
No. 10	603	700	61.0	65.5	

TABLE II.—RECOMMENDED MINIMUM DRAINED WEIGHTS FOR CANNED PEARS

(Halves Style)

Container designation (metal, unless otherwise stated)	In any sirup or other liquid medium (ounces)	
	LL	\bar{X}_s
8Z glass	4.1	4.7
8Z tall	4.2	4.8
No. 300:		
7 count or less	7.7	8.4
8 count or more	8.0	8.7
No. 303 glass:		
7 count or less	8.2	9.0
8 count or more	8.5	9.3
No. 306:		
7 count or less	8.5	9.3
8 count or more	8.8	9.6
No. 2:		
7 count or less	10.5	11.4
8 count or more	10.8	11.7
No. 2½ glass:		
8 count or less	14.9	16.0
9 count or more	15.4	16.6
No. 2½:		
8 count or less	15.3	16.4
9 count or more	15.8	16.9
No. 10:		
25 count or less	60.8	62.7
26 count or more	62.2	64.1

TABLE III.—RECOMMENDED MINIMUM DRAINED WEIGHTS FOR CANNED PEARS
(Diced style)

Container designation (metal, unless otherwise stated)	In any sirup or other liquid medium (ounces)	
	LL	\bar{X}_s
8Z	2.8	3.1
8Z tall	3.0	3.3
6Z	3.5	3.8
7Z	4.3	4.6
8Z glass	5.3	5.6
8Z tall	5.3	5.6
No. 300:		
No. 303 glass	10.1	10.6
No. 303	10.2	10.7
No. 2:	12.4	13.0
No. 2½ glass	18.2	18.8
No. 2½	18.4	19.0
No. 10:	65.7	67.0

TABLE IV.—SINGLE SAMPLING PLAN FOR DRAINED WEIGHTS

Sample size (number of sample units)	3	6	13	21	29	38	48	60	72
Acceptance No.	0	1	2	3	4	5	6	7	8

§ 52.1617 Recommended fill weights.

(a) *General*.—The minimum fill weight recommendations for the various applicable styles in tables V, VI, and VII of this subpart are not incorporated in the grades of the finished product since fill weight, as such, is not a factor of quality for the purpose of these grades.

(b) *Method for ascertaining fill weight*.—The fill weight of canned pears for the applicable styles is determined in accordance with the U.S. Standards for Inspection by Variables and the U.S. Standards for Determination of Fill Weights.

(c) *Definitions of terms and symbols*.—"Subgroup" means a group of sample units representing a portion of a sample.

\bar{X}_{min} —means the minimum lot average fill weight.

LWL_x —means the lower warning limit for subgroup averages.

LRL_x —means the lower reject limit for subgroup averages.

LWL —means the lower warning limit for individual fill weight measurements.

LRL —means the lower reject limit for individual fill weight measurements.

\bar{R} —means a specified average range value.

R_{max} —means a specified maximum range for a subgroup.

"Sampling allowance code" means a letter on the sampling allowance chart of the U.S. Standards for Inspection by Variables. This letter identifies the appropriate line which gives the amount of sampling allowance to be applied to the specification average for fill weights in

order to determine compliance with requirements for fill weight averages for a sample.

(d) *Subgroup size*.—The subgroup size for the determination of fill weights shall be 5 sample units.

(e) *Compliance with recommended fill weights*.—Compliance with the recommended fill weights for canned pears shall be in accordance with the acceptance criteria specified in the U.S. Standards for Inspection by Variables and the U.S. Standards for Determination of Fill Weights.

TABLE V.—RECOMMENDED FILL WEIGHTS FOR CANNED PEARS

(Halves style (ounces))

Container designation (metal, unless otherwise designated)	\bar{X}_{min}	LWL_x	LRL_x	LWL	LRL	\bar{R}	R_{max}	Sam- pling allow- ance code
8Z tall	5.1	4.6	4.4	4.1	3.6	1.2	2.5	I
No. 300:								
7 count or less	8.8	8.2	7.9	7.5	6.8	1.5	3.2	L
8 count or more	9.1	8.5	8.2	7.8	7.1	1.5	3.2	L
No. 303 glass:								
7 count or less	9.5	8.9	8.5	8.1	7.4	1.6	3.4	M
8 count or more	9.8	9.2	8.8	8.4	7.7	1.6	3.4	M
No. 306:								
7 count or less	9.8	9.2	8.8	8.4	7.7	1.6	3.4	M
8 count or more	10.1	9.5	9.1	8.7	8.0	1.6	3.4	M
No. 2:								
7 count or less	11.8	11.1	10.7	10.2	9.4	1.9	3.9	O
8 count or more	12.3	11.6	11.2	10.7	9.9	1.9	3.9	O
No. 2½ glass:								
8 count or less	16.8	15.9	15.4	14.8	13.8	2.3	4.9	S
9 count or more	17.3	16.4	15.9	15.3	14.3	2.3	4.9	S
No. 2½:								
8 count or less	17.2	16.3	15.8	15.2	14.2	2.3	4.9	S
9 count or more	17.7	16.8	16.3	15.7	14.7	2.3	4.9	S
No. 10:								
25 count or less	66.0	64.5	63.7	62.6	60.9	4.0	8.4	Z
26 count or more	67.5	66.0	65.2	64.1	62.4	4.0	8.4	Z

TABLE VI.—RECOMMENDED FILL WEIGHTS FOR CANNED PEARS

(Styles of quarters; slices; mixed pieces of irregular sizes and shapes (ounces))

Container designation (metal, unless otherwise stated)	\bar{X}_{min}	LWL_x	LRL_x	LWL	LRL	\bar{R}	R_{max}	Sam- pling allow- ance code
8Z	3.2	2.8	2.6	2.4	2.0	0.90	2.0	G
8Z tall	3.5	3.1	2.9	2.7	2.3	.90	2.0	G
6Z	4.0	3.6	3.4	3.2	2.8	.90	2.0	G
7Z	4.6	4.2	4.0	3.8	3.4	.90	2.0	G
8Z glass	5.1	4.7	4.5	4.3	3.9	.90	2.0	G
8Z tall	5.2	4.8	4.6	4.4	4.0	.90	2.0	G
No. 300:								
No. 303 glass	10.0	9.5	9.2	8.9	8.3	1.3	2.7	J
No. 303	10.2	9.7	9.4	9.1	8.5	1.3	2.7	J
No. 2:	12.6	12.0	11.7	11.3	10.6	1.5	3.2	L
No. 2½ glass	18.0	17.3	17.0	16.5	15.7	1.7	3.7	N
No. 2½	18.3	17.6	17.3	16.8	16.0	1.7	3.7	N
No. 10:	70.0	68.7	68.1	67.2	65.8	3.3	6.9	W

TABLE VII.—RECOMMENDED FILL WEIGHT VALUES FOR CANNED PEARS

(Diced style (ounces))

Container designation (metal, unless otherwise stated)	\bar{X}_{min}	LWL_x	LRL_x	LWL	LRL	\bar{R}	R_{max}	Sam- pling allow- ance code
8Z	3.3	3.1	2.9	2.8	2.5	0.60	1.20	D
8Z tall	3.6	3.4	3.2	3.1	2.8	.60	1.20	D
6Z	4.2	4.0	3.8	3.7	3.4	.60	1.20	D
7Z	4.9	4.7	4.5	4.4	4.1	.60	1.20	D
8Z glass	6.0	5.8	5.6	5.5	5.2	.60	1.20	D
8Z tall	6.0	5.8	5.6	5.5	5.2	.60	1.20	D
No. 300:								
No. 303 glass	10.4	10.0	9.8	9.6	9.2	.90	2.0	G
No. 303	11.4	11.0	10.8	10.5	10.0	1.1	2.20	H
No. 2:	14.0	13.5	13.3	13.0	12.5	1.2	2.50	I
No. 2½ glass	20.1	19.6	19.3	19.0	18.4	1.3	2.70	J
No. 2½	20.3	19.8	19.5	19.2	18.6	1.3	2.70	J
No. 10:	74.5	73.4	72.9	72.1	70.9	2.8	5.90	U

FACTORS OF QUALITY

§ 52.1618 Ascertaining the grade.

(a) *General*.—In addition to considering other requirements outlined in the standards the following quality factors are evaluated:

- (1) Factors not rated by score points.
- (i) Varietal characteristics.
- (ii) Flavor and odor.
- (2) Factors rated by score points.

The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

Factors	Points
Color	20
Uniformity of size and symmetry	20
Absence of defects	30
Character	30
Total score	100

(b) *Definition of flavor and odor*.—"Normal flavor and odor" means that the canned pears are free from objectionable flavors and objectionable odors of any kind.

§ 52.1619 Ascertaining the rating for the factors which are scored.

The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "18 to 20 points" means "18, 19, or 20 points").

§ 52.1620 Color.

(a) *General*.—The factor of color refers to the color typical of the variety and its uniformity in each unit and among the units. The factor of color for canned pears that are spiced is not based on any detailed requirements and is not scored but the color shall be normal for peeled spiced canned pears; the other three factors (uniformity of size and symmetry, absence of defects, and character as applicable), are scored and the total is multiplied by 100 and divided by 80, dropping any fractions to determine the total score.

(b) (A) *classification*.—Halves, quarters, slices, diced, or whole styles of canned pears that possess a good color may be given a score of 18 to 20 points. "Good color" means that:

- (1) The units of pears individually and collectively possess a characteristic, practically uniform color that is a typical light yellow-white or light greenish-white or light beige-white color for properly prepared and properly processed canned pears;
- (2) Any skin pigment on the units may affect no more than slightly the overall color of the units or the product;
- (3) There is otherwise no more than a slight variation from a typical translucent color for properly prepared and properly processed canned pears; and
- (4) In halves, quarters, slices, or whole styles not more than 10 percent, by count, of the units may possess "reasonably good color", provided none of such units

are "dead white" (or "chalky") in appearance; or

(5) One unit of halves, quarters, slices, or whole in a container is permitted to have "reasonably good color" if such unit exceeds the allowance of 10 percent, by count: *Provided*, That in all containers comprising the sample such "reasonably good color" units do not exceed an average of 10 percent of the total number of units.

(c) (B) *classification*.—Halves, quarters, slices, diced, or whole styles of canned pears that possess a reasonably good color and mixed pieces of irregular sizes and shapes style of canned pears that possess at least a reasonably good color may be given a score of 16 or 17 points. Mixed pieces of irregular sizes and shapes of canned pears that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a partial limiting rule). "Reasonably good color" means that:

- (1) The units of pears individually and collectively possess a reasonably characteristic and reasonably uniform typical color of properly prepared and properly processed canned pears;
- (2) Any skin pigment on the units may materially affect the overall color of the units or product;
- (3) Such characteristic color may show a very slight tint of pink or may be light tan (or beige) color, or may show a lack of uniformity or may vary in translucency; and
- (4) In halves, quarters, slices, whole, or mixed pieces of irregular sizes and shapes styles not more than 10 percent, by count, of the units may possess "fairly good color" including units that may be "dead white" (or "chalky") in appearance; or

(5) One unit of halves, quarters, slices, whole, or of mixed pieces of irregular sizes and shapes in a container is permitted to have "fairly good color" including a unit that may be "dead white" (or "chalky") in appearance, if such unit exceeds the allowance of 10 percent, by count: *Provided*, That in all containers comprising the sample such "fairly good color" units do not exceed an average of 10 percent of the total number of units.

(d) (C) *classification*.—Halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes styles of canned pears that possess a fairly good color may be given a score of 14 or 15 points. Canned pears that fall into this classification shall not be graded above U.S. Grade C, regardless of the total score for the product (this is a limiting rule). "Fairly good color" means that the units of pears individually and collectively may vary noticeably from a uniform, characteristic color; may be "dead white" (or "chalky") in appearance; may have a slight pink or brown cast, but not a definitely pink or brown color; and are not off-color for any reason.

(e) (SS)d *classification*.—Canned pears that fail to meet the requirements of paragraph (d) of this section may be

given a score of 0 to 13 points and shall not be graded above substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.1621 Uniformity of size and symmetry.

(a) *General*.—The factor of uniformity of size and symmetry for mixed pieces of irregular sizes and shapes of canned pears is not based on any detailed requirements and is not scored; the other three factors (color, absence of defects, and character as applicable) are scored and the total is multiplied by 100 and divided by 80, dropping any fractions to determine the total score.

(b) (A) *classification*.—Halves, quarters, slices, diced or whole canned pears that are practically uniform in size and symmetry may be given a score of 18 to 20 points. "Practically uniform in size and symmetry" has the following meanings (and as summarized in table VIII of this subpart), with respect to the following styles of canned pears:

(1) *Halves; quarters; whole*.—The units are reasonably symmetrical and the weight of the largest full-size unit does not exceed the weight of the smallest full-size unit by more than 50 percent; the weight of each half is not less than three-fifths ounce; and the weight of each quarter is not less than three-tenths ounce.

(2) *Slices*.—Not more than 10 percent, by count, of the units vary noticeably from the uniform shape of slices.

(3) *Diced*.—The units are fairly symmetrical and not more than 10 percent, by weight, of the units may be of such size as to pass through $\frac{5}{16}$ -inch square openings.

(c) (B) *classification*.—Halves, quarters, slices, diced, or whole canned pears that are reasonably uniform in size and symmetry may be given a score of 16 or 17 points. "Reasonably uniform in size and symmetry" has the following meanings (and as summarized in table VIII of this subpart), with respect to the following styles of canned pears:

(1) *Halves; quarters; whole*.—The units may vary in symmetry and the weight of the largest full-size unit does not exceed the weight of the smallest full-size unit by more than 75 percent; the weight of each half is not less than three-fifths ounce; and the weight of each quarter is not less than three-tenths ounce.

(2) *Slices*.—Not more than 15 percent, by count, of the units may vary noticeably from the uniform shape of slices.

(3) *Diced*.—The units may vary in symmetry and not more than 15 percent, by weight, of the units may be of such size as to pass through $\frac{5}{16}$ -inch square openings.

(d) (C) *classification*.—Halves, quarters, slices, diced, or whole canned pears that are fairly uniform in size and symmetry may be given a score of 14 or 15 points. "Fairly uniform in size and symmetry" has the following meanings (and as summarized in table VIII of this

subpart) with respect to the following styles of canned pears:

(1) *Halves; quarters; whole.*—The units may vary in symmetry and the weight of the largest full-size unit may be not more than twice the weight of the smallest full-size unit; the weight of each half is not less than three-fifths ounce; and the weight of each quarter is not less than three-tenths ounce.

(2) *Slices.*—Any amount of the units may vary noticeably from the uniform shape of slices.

(3) *Diced.*—The units may vary in symmetry and not more than 20 percent, by weight, of the units may be of such size as to pass through $\frac{3}{16}$ -inch square openings.

(e) *(SStd) classification.*—Canned pears of the applicable styles which fail to meet paragraph (d) of this section may be given a score of 0 to 13 points

and shall not be graded above the following stated grade, regardless of the total score for the product (this is a limiting rule):

(1) Halves, quarters, or whole canned pears in which the weight of the largest full-size unit is more than twice the weight of the smallest full-size unit shall not be graded above substandard, and are also below standard in quality—mixed sizes.

(2) Halves of canned pears in which the weight of any half is less than three-fifths ounce shall not be graded above substandard and are also below standard in quality—small halves.

(3) Quarters of canned pears in which the weight of any quarter is less than three-tenths ounce shall not be graded above substandard and are also below standard in quality—small quarters.

(4) Slices and diced canned pears shall not be graded above substandard.

(7) "Moderately trimmed" in the style of quarters, or whole means that the unit:

(i) Is noticeably trimmed but retains the resemblance of a normal shape for the unit; and/or

(ii) Has gouges or similar cuts, indentations, or knife marks on the edges or surfaces that no more than materially affect the appearance of the unit.

(8) "Seriously trimmed" in the style of halves means that the unit:

(i) Is more than moderately trimmed; and/or

(ii) Is so trimmed (including gouges on the backs, edges, or surfaces) that the appearance is seriously affected but the unit retains a reasonably normal shape; and/or

(iii) Is so trimmed that parts of the calyx have not been removed so that the appearance is seriously affected.

(9) "Seriously trimmed" in the style of quarters or whole means that the unit:

(i) Is more than moderately trimmed; and/or

(ii) Is so trimmed (including gouges on the edges or surfaces) that the appearance is seriously affected but the unit retains a reasonably normal shape.

(10) "Crushed" means that the unit in the styles of halves, quarters, slices, or whole:

(i) Has lost its normal shape; and/or

(ii) Bears marks of crushing; and/or

(iii) Is crushed otherwise but not due to ripeness.

(11) "Broken" means that the unit in the styles of halves, quarters, slices, or whole:

(i) Is severed into definite parts; but halves which are slightly split from the edge to the core cavity or at the stem end are not "broken";

(ii) Portions equivalent to a full-size unit are considered as "one unit" in determining the percentage by count.

(12) "Other defects" or "other defective units" include:

(i) Any not specifically defined or mentioned (such as, but not limited to, a unit in halves style which is only partially cored) which materially affect the appearance or edibility of the unit;

(ii) Any not specifically defined or mentioned (such as, but not limited to, a unit in halves style which is not completely cored) which seriously affect the appearance or edibility of the unit.

(c) *Explanation of terms.*—For the purposes of table IX of this subpart:

(1) "1 unit" without further qualification means that an alternative allowance of one unit affected as described is permitted in a container when the percentage allowance by count would be exceeded by the one unit.

(2) "One unit (avg)" means that an allowance of one unit affected as described is permitted in a container when the percentage allowance by count would be exceeded by the one unit: *Provided*, That in all containers comprising the sample such units affected as described do not exceed the allowance on an average based on the total number of units in the sample.

TABLE VIII.—UNIFORMITY OF SIZE AND SYMMETRY REQUIREMENTS FOR CANNED PEARS

Styles and criteria	(A) classification	(B) classification	(C) classification
Halves; quarters; whole:			
Symmetry of units	Reasonably symmetrical	May vary	May vary
Weight variation (smallest unit versus largest unit)	80 percent maximum	75 percent maximum	100 percent maximum
Weight of individual unit:			
Halves	$\frac{3}{4}$ oz minimum	$\frac{3}{4}$ oz minimum	$\frac{3}{4}$ oz minimum
Quarters	$\frac{3}{8}$ oz minimum	$\frac{3}{8}$ oz minimum	$\frac{3}{8}$ oz minimum
Slices:			
Variation from uniform shape	10 percent, by count, may vary noticeably	15 percent, by count, may vary noticeably	Any amount may vary noticeably
Diced:			
Variation in symmetry	Fairly symmetrical	May vary	May vary
Size that pass through $\frac{3}{16}$ inch square openings	10 percent, by weight, maximum	15 percent, by weight, maximum	20 percent, by weight, maximum

§ 52.1622 Absence of defects.

(a) *General.*—The factor of absence of defects refers to the degree of freedom from harmless extraneous vegetable material; from peel; from external stems; from interior stems, seeds, core material or portions thereof; from blemished units; from improperly, insufficiently, or unevenly trimmed units for the applicable style; and from any other defects or defective units which detract from the appearance or edibility of the product.

(b) *Definitions of defects and defective units.*—(1) "Interior stem" means an interior stem or portion of an interior stem of any length that is definitely fibrous, tough, or woody which affects the edibility of the unit.

(2) "Loose seed" means any pear seed, or the equivalent in pieces of one seed, not included in core material.

(3) A unit of "core material" means portions of a seed cell cavity or of a loose core, with or without seeds, aggregating approximately one-half of a pear core. Core material in whole-peeled uncured style is not considered a defect.

(4) "Minor blemishes" on a unit include:

(i) Light brown areas, aggregating the area of a circle one-fourth inch or less in diameter, which significantly affect the appearance of the unit;

(ii) Definitely corky or hard spots (corns) on outer surfaces, aggregating the area of a circle one-half inch in diameter or less, which are not accompanied by material discoloration;

(iii) Any similar surface defect that no more than materially affects the appearance of the unit.

(5) "Blemishes" on a unit include:

(i) Scab, hail injury, discoloration (abnormal), or other abnormality, aggregating the area of a circle more than one-fourth inch in diameter;

(ii) Dark brown areas, aggregating the area of a circle one-fourth inch or less in diameter, which materially affect the appearance of the unit;

(iii) Definitely corky or hard spots (corns) on outer surfaces, aggregating the area of a circle more than one-half inch in diameter, which are not accompanied by material discoloration; and

(iv) Very dark brown, black, or other very dark spots, regardless of the area, which materially affect the appearance or edibility of the unit.

(6) "Moderately trimmed" in the style of halves means that the unit:

(i) Is noticeably trimmed but retains the resemblance of a normal shape for the unit; and/or

(ii) Has gouges or similar cuts, indentations, or knife marks on the backs, edges, or surfaces that no more than materially affect the appearance of the unit; and/or

(iii) Shows marks of double stemming; and/or

(iv) Possesses moderate trimming on the face; and/or

(v) Is deeply or nonsymmetrically cored and stemmed.

(3) "Ounces" means avoirdupois weight based on total contents.

(4) "Average" (or the abbreviation "Avg") with respect to the requirements of this section means the average as ascertained from all sample units.

(d) (A) *classification*.—Halves, quarters, slices, diced, whole styles of canned pears that are practically free from defects may be given a score of 27 to 30 points. "Practically free from defects" means that the canned pears are practically free from any defects whether or not specifically mentioned that may affect the appearance or edibility of the product no more than slightly; and, in addition, the canned pears meet the requirements of table IX for the applicable style.

(e) (B) *classification*.—Halves, quarters, slices, diced, or whole styles of canned pears that are reasonably free from defects and mixed pieces of irregular sizes and shapes style of canned pears that are at least reasonably free from defects may be given a score of 24 to 26 points. Canned pears that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that the canned pears are reasonably free from any defects whether or not specifically mentioned that materially affect the appearance or edibility of the product; and, in addition, the canned pears meet the requirements of table IX for the applicable style.

(f) (C) *classification*.—Halves, quarters, slices, diced, whole, or mixed pieces

of irregular sizes and shapes styles of canned pears that are fairly free from defects may be given a score of 21 to 23 points. Canned pears that fall into this classification shall not be graded above U.S. Grade C, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that the canned pears are fairly free from any defects whether or not specifically mentioned that seriously affect the appearance or edibility of the product; and, in addition, the canned pears meet the requirements of table IX for the applicable style.

(g) (SStd) *classification*.—Canned pears which fail to meet the requirements of paragraph (f) of this section may be given a score of 0 to 20 points and shall not be graded above the following stated grades, as applicable, regardless of the total score for the product (this is a limiting rule):

(1) Halves, quarters, whole canned pears shall not be graded above Substandard and may also be "Below Standard in Quality" for the applicable reasons:

- (i) Not well peeled.
- (ii) Partly crushed or broken.
- (iii) Unevenly trimmed.
- (iv) Blemished.

(2) Sliced, diced, mixed pieces of irregular sizes and shapes canned pears shall not be graded above Substandard and may also be "Below Standard in Quality" for the applicable reasons:

- (i) Not well peeled.
- (ii) Blemished.

no visible breaking down of the flesh; and not more than 10 percent, by count, of the units may possess a reasonably good character. One unit in a container is permitted to have a reasonably good character if one unit exceeds the allowance of 10 percent, by count: *Provided*, That in all containers comprising the sample, the units with reasonably good character do not exceed an average of 10 percent, by count, of the total number of units.

(2) *Whole*.—The units possess a texture typical of properly and uniformly ripened pears that are properly processed; the texture is fleshy and free from noticeable graininess or toughness; the units are uniformly intact and firm with no visible breaking down of the flesh; and not more than 10 percent, by count, of the units may possess a reasonably good character. One unit in a container is permitted to have a reasonably good character if one unit exceeds the allowance of 10 percent, by count: *Provided*, That in all containers comprising the sample the units with reasonably good character do not exceed an average of 10 percent, by count, of the total number of units.

(3) *Slices; diced*.—The product generally possess a texture typical of properly and uniformly ripened pears that are properly prepared and processed and not more than 10 percent, by weight, of the drained pears may be disintegrated or mushy.

(c) (B) *classification*.—Halves, quarters, slices, diced, or whole canned pears that possess a reasonably good character and mixed pieces of irregular sizes and shapes of canned pears that possess at least a reasonably good character may be given a score of 24 to 26 points. Canned pears that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably good character" has the following meanings with respect to the following styles of canned pears:

(1) *Halves; quarters; mixed pieces of irregular sizes and shapes*.—The units possess a texture typical of properly ripened pears that are properly processed; the units may possess a texture of moderate graininess; the units are reasonably tender or the tenderness may be variable within the unit; the units may be slightly firm or slightly ragged with slightly frayed edges or slightly soft but are not mushy; and not more than 10 percent, by count, of the units may possess a fairly good character. One unit in a container is permitted to have a fairly good character if one unit exceeds the allowance of 10 percent, by count: *Provided*, That in all containers comprising the sample the units with fairly good character do not exceed an average of 10 percent, by count, of the total number of units.

(2) *Whole*.—The units possess a texture typical of properly ripened pears that are properly processed; the units may possess a texture of moderate graini-

TABLE IX.—MAXIMUM ALLOWANCES FOR DEFECTS OR DEFECTIVE UNITS IN CANNED PEARS

All styles except as otherwise stated	Grade A	Grade B	Grade C
Peel.....	1/4 in ² per 16 oz (average).....	1/2 in ² per 16 oz (average).....	1 in ² per 16 oz (average).....
External stems ¹	1 per 100 oz.....	1 per 100 oz.....	1 per 100 oz.....
Interior stems.....	1 per 60 oz.....	1 per 30 oz.....	1 per 15 oz.....
Units of core material ²	1 per 60 oz.....	1 per 30 oz.....	1 per 15 oz.....
Loose seeds.....	1 per 30 oz (average).....	1 per 15 oz (average).....	1 per 10 oz (average).....
Broken or crushed ³	5 percent by count or 1 unit.....	10 percent by count or 1 unit.....	10 percent by count or 1 unit.....
Seriously trimmed ⁴	None.....	None.....	10 percent by count or 1 unit.....
Moderately trimmed ⁴	Total: 10 percent by count.....	Total: 20 percent by count.....	No limit for moderately trimmed.....
Minor blemishes; and blemished (combined).....	do.....	do.....	Do.....
With further limitations of—			
Minor blemishes; and blemished.....	10 percent by count but no more than 5 percent by count blemished or 1 unit (average).....	20 percent by count but no more than 10 percent by count blemished or 5 unit (average).....	Total: 30 percent by count but no more than 20 percent by count blemished or 1 unit (average).....

¹ Does not apply to style of: Whole uncored with stems.

² Does not apply to style of: Whole uncored.

³ Does not apply to styles of: Diced or mixed pieces.

⁴ Does not apply to styles of: Sliced, diced, or mixed pieces.

§ 52.1623 Character.

(a) *General*.—The factor of character refers to the degree of ripeness, the texture, and tenderness of the product.

(b) (A) *classification*.—Halves, quarters, slices, diced, or whole canned pears that possess a good character may be given a score of 27 to 30 points. "Good character" has the following meanings

with respect to the various styles of canned pears:

(1) *Halves; quarters*.—The units possess a texture typical of properly and uniformly ripened pears that are properly processed; the texture is fleshy and free from noticeable graininess or toughness; the units are tender; the units are uniformly intact and pliable but firm enough to possess well-defined edges with

ness; the units are reasonably tender or the tenderness may be variable within the unit; the units may be slightly firm or slightly ragged or slightly soft but are not mushy; and not more than 10 percent, by count, of the units may possess a fairly good character. One unit in a container is permitted to have a fairly good character if one unit exceeds the allowance of 10 percent, by count: *Provided*, That in all containers comprising the sample the units with fairly good character do not exceed an average of 10 percent, by count, of the total number of units.

(3) *Slices, diced*.—The product generally possesses a texture typical of properly ripened pears that are properly prepared and processed and not more than 15 percent, by weight, of the drained pears may be disintegrated or mushy.

(d) (C) *classification*.—Halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned pears that possess a fairly good character may be given a score of 21 to 23 points. Canned pears that fall into this classification shall not be graded above U.S. Grade C, regardless of the total score for the product (this is a limiting rule). "Fairly good character" has the following meanings with respect to the following styles of canned pears:

(1) *Halves; quarters; mixed pieces of irregular sizes and shapes*.—The units possess a texture of properly processed pears which may be variable; the units may possess a texture of marked graininess; the units may be lacking uniformity of tenderness; the units may be markedly firm or markedly ragged with frayed edges or may be soft; and not more than 10 percent, by weight, of the drained pears may be mushy or consist of units with hard-calyx ends or units that are not tender.

(2) *Whole*.—The units possess a texture of properly processed pears which may be variable; the units may possess a texture of marked graininess; the units may be lacking uniformity of tenderness; the units may be markedly firm or markedly ragged or soft; and not more than 10 percent, by count, of the units may be mushy or consist of units with hard-calyx ends or units that are not tender. One unit in a container is permitted to be mushy or possess hard-calyx ends or not tender: *Provided*, That in all containers comprising the sample, all of such units do not exceed an average of 10 percent, by count, of the total number of units.

(3) *Slices, diced*.—The product generally possesses a texture typical of properly prepared and processed pears and not more than 20 percent, by weight of the drained pears may be disintegrated or mushy.

(e) (SStd) *classification*.—Halves, quarters, slices, diced, whole, and mixed pieces of irregular sizes and shapes of canned pears that fail to meet the requirements of paragraph (d) of this section or that are "not tender" may be given a score of 0 to 20 points and shall not be graded above substandard, re-

gardless of the total score for the product (this is a limiting rule). Halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned pears that are "not tender" are also "Below Standard in Quality—Not Tender."

LOT COMPLIANCE

§ 52.1624 Ascertaining the grade of a lot.

The grade of a lot of canned pears covered by these standards is determined by the procedures set forth in the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Products Thereof, and Certain Other Processed Food Products (7 CFR 52.1 through 52.87).

SCORE SHEET

§ 52.1625 Score sheet.

Size and kind of container.....	
Container mark or identification.....	
Label.....	
Net weight (ounces).....	
Vacuum (inches).....	
Drained weight (ounces).....	
Styles.....	
<input type="checkbox"/> Halves <input type="checkbox"/> Quarters <input type="checkbox"/> Whole <input type="checkbox"/> Sliced <input type="checkbox"/> Diced <input type="checkbox"/> Mixed pieces	
Count.....	
Brix measurement.....	
Syrup designation (extra heavy, heavy, etc.).....	
Factors	Score points
Color.....	20 (A)..... 18-20 (B)..... 16-17 (C)..... 14-15 (SStd)..... 0-13
Uniformity of size and symmetry.....	20 (A)..... 18-20 (B)..... 16-17 (C)..... 14-15 (SStd)..... 0-13
Absence of defects.....	30 (A)..... 27-30 (B)..... 24-26 (C)..... 21-23 (SStd)..... 0-20
Character.....	30 (A)..... 27-30 (B)..... 24-26 (C)..... 21-23 (SStd)..... 0-20
Total score.....	100
Flavor and odor () normal () off.....	
Grade.....	

¹ Limited to grade B, or lower.

² Partial limiting rule (mixed pieces style).

³ Limiting rule.

These U.S. Standards for Grades of Canned Pears, as herein amended, shall become effective June 20, 1973, and thereupon supersede the U.S. Standards for Grades of Canned Pears which have been in effect since September 18, 1970.

Subpart—U.S. Standards for Grades of Canned Asparagus

PRODUCT DESCRIPTION, STYLES, GRADES, AND TYPES

Sec.	
52.2541	Identity.
52.2542	Styles.
52.2543	Grades.
52.2544	Types.

FILL OF CONTAINER, DRAINED WEIGHTS, AND FILL WEIGHTS

52.2545	Recommended fill of container.
52.2546	Recommended minimum drained weights.
52.2547	Recommended minimum fill weights.

SIZE (DIAMETERS) OF SPEARS, TIPS, AND POINTS

52.2548	Size (diameter) of spears, tips, and points.
52.2549	Compliance with single size recommendations.

FACTORS OF QUALITY

52.2550	Ascertaining the grade.
52.2551	Ascertaining the rating for the factors which are scored.
52.2552	Liquor.
52.2553	Color.
52.2554	Defects.
52.2555	Character.

DEFINITIONS AND EXPLANATIONS

52.2556	Definitions and explanations of terms.
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LOT INSPECTION AND CERTIFICATION

52.2557	Ascertaining the grade of a lot.
SCORE SHEET	
52.2558	Score sheet.

PRODUCT DESCRIPTION, STYLES, GRADES, AND TYPES

§ 52.2541 Identity.

"Canned asparagus" means the canned product prepared from clean, sound, succulent shoots of the asparagus plant prepared and processed in accordance with good commercial practice as such product is defined in the standard of identity for canned asparagus (21 CFR 51.990) issued pursuant to the Federal Food, Drug, and Cosmetic Act.

§ 52.2542 Styles.

(a) "Spears" (stalks), which may be peeled or unpeeled, is the style of canned asparagus that consists of the head and adjoining portion of the shoot that is 3¾ inches or more in length.

(b) "Tips" is the style of canned asparagus that consists of the head and adjoining portion of the shoot that is less than 3¾ inches but not less than 2¾ inches in length.

(c) "Points" is the style of canned asparagus that consists of the head and adjoining portion of the shoot that is less than 2¾ inches in length.

(d) "Cut spears" (cut stalks) is the style of canned asparagus that consists of shoots cut transversely into pieces. The recommended minimum percent, by count, of heads in cut spears is given in table I of this section.

TABLE I.—RECOMMENDED MINIMUM PERCENT, BY COUNT, OF HEADS IN CUT SPEARS

Length of units:	Percent, by count, of heads
1¼ inches or less.....	15
Over 1¼ inches.....	20

(e) "Bottom cuts" or "cuts—tips removed" is the style of canned asparagus that consists of portions of shoots with heads removed that are cut transversely into pieces.

(f) "Mixed" is the style of canned asparagus consisting of two or more of the foregoing styles.

§ 52.2543 Grades.

(a) "U.S. Grade A" or "U.S. Fancy" is the quality of canned asparagus that

possesses a good flavor; that possesses a clear liquor; that possesses a good color; that is practically free from defects; that possesses a good character; and that for those factors which are scored in accordance with the scoring system outlined in this section the total score is not less than 85 points: *Provided*, That the canned asparagus may possess a fairly clear liquor and a fairly good color if the total score is no less than 85 points.

(b) "U.S. Grade C" or "U.S. Standard" is the quality of canned asparagus that possess a fairly good flavor; that possesses a fairly clear liquor; that possesses a fairly good color; that is fairly free from defects; that possesses a fairly good character; and that scores not less than 70 points when scored in accordance with the scoring system outlined in this section.

(c) "Substandard" is the quality of canned asparagus that fails to meet the requirements of U.S. Grade C or U.S. Standard.

§ 52.2544 Types.

The type of canned asparagus is not incorporated in the grades of the processed product, since the type of canned asparagus is not a factor of quality for the purpose of these grades. The type of asparagus may be designated in accordance with the following requirements:

(a) "Green" (all green) consists of units of canned asparagus which are typical green, light green, or yellowish green in color.

(b) "Green tipped" consists of canned asparagus spears, tips, and points, of which one-half or more of the unit measured from the tip end is green, light green, or yellowish green in color.

(c) "Green tipped and white" consists of (1) spears, tips, and points of canned asparagus which are typical white or yellowish white in color, and may have green, light green, or yellowish green heads, and the green color may extend to not more than one-half of the length of the stalk measured from the tip end; and (2) green tipped and white spears, tips, and points, when cut into units, may consist of a mixture of typical white, yellowish white, green, light green, or yellowish green units.

(d) "White" consists of units of canned asparagus which are typical white or yellowish white in color.

FILL OF CONTAINER, DRAINED WEIGHTS AND FILL WEIGHTS

§ 52.2545 Recommended fill of container.

The recommended fill of container for canned asparagus is not incorporated in the grades of the processed product, since fill of container, as such, is not a factor of quality for the purpose of these grades. It is recommended that each container of canned asparagus be filled as full as practicable with asparagus without impairment of quality.

§ 52.2546 Recommended minimum drained weights.

(a) *General*.—The minimum drained weight recommendations in table II are

not incorporated in the grades of the processed product, since drained weight, as such, is not a factor of quality for the purpose of these grades.

(b) *Method for ascertaining drained weights*.—The drained weight of canned asparagus is determined by emptying the contents of the container upon a U.S. Standard No. 8 sieve of proper diameter, inclining the sieve to facilitate drainage, and allow to drain for 2 minutes. The drained weight is the weight of the sieve and the asparagus less the weight of the dry sieve. A sieve 8 in in diameter is used for the No. 2½ can (401 x 411) and smaller sizes, and a sieve 12 in in diameter is used for containers larger than the No. 2½ size can.

(c) *Definitions of symbols*.—(1) \bar{X}_a —the average drained weight of all the

sample units in the sample.

(2) LL—lower limit for drained weights of individual sample units.

(d) *Compliance with recommended minimum drained weights*.—A lot of canned asparagus is considered as meeting the minimum drained weight recommendations if the following criteria are met:

(1) The average of the drained weights of all the sample units in the sample meets the recommended minimum average drained weight (designated as \bar{X}_a in table II); and

(2) The number of sample units which fail to meet the recommended drained weight lower limit for individuals (designated as LL in table II) does not exceed the applicable acceptance number specified in table III.

TABLE II.—RECOMMENDED MINIMUM DRAINED WEIGHT FOR CANNED ASPARAGUS

Container designation (metal, unless otherwise stated)	Container dimensions (inches; or water capacity in ounces avoirdupois as applicable)		Small, medium, or large large sizes; and blends of these sizes		Extra large, colossal, giant sizes; or blends including these sizes		Cuts spears, bottom cuts-tips removed	
	Diameter	Height	Green tipped and white; white (ounces)	Green and green tipped (ounces)	Green tipped and white; white (ounces)	Green and green tipped (ounces)	Green tipped and white (ounces)	Green (ounces)
	LL	\bar{X}_a	LL	\bar{X}_a	LL	\bar{X}_a	LL	\bar{X}_a
8 oz glass	8.5 oz avdp.	4.8	5.1	4.6	4.9	4.8	4.6	4.9
8½ short	2½	3	4.4	4.7	4.2	4.5	4.4	4.7
8½ tall	2½	3½	4.9	5.2	4.7	5.0	4.9	5.2
No. 1 picnic	2½	4	6.6	7.0	5.8	6.2	6.1	6.5
12½	2½	4½	7.6	8.0	7.1	7.5	7.3	7.7
13½ glass	14.0 oz avdp.	8.6	9.1	7.8	8.3	8.1	8.6	7.5
No. 300	3	4½	9.0	9.5	8.2	8.7	8.5	9.0
300 x 409	3	4½	9.2	9.7	8.5	9.0	8.7	9.2
No. 1 tall	3½	4½	9.9	10.5	8.8	9.4	9.3	9.9
No. 303 glass	17.7 oz avdp.	10.3	10.9	9.1	9.7	10.3	8.8	9.4
No. 303	3½	4½	10.1	10.7	8.9	9.5	10.1	8.6
No. 303 cylinder	3	5½			10.3	11.0	9.8	10.5
No. 2	3½	4½	12.3	13.0	11.1	11.8	11.6	12.3
No. 2½ glass	29.5 oz avdp.	17.7	18.7	16.0	17.0	16.7	17.7	15.5
No. 2½	4½	18.0	19.0	16.2	17.2	17.0	18.0	15.7
No. 5 squat	6½	4½	41.5	43.0	37.5	39.0	39.5	41.0
No. 10	6½	7					36.5	38.0
							41.0	42.0
							63.1	64.5
							58.8	60.2

TABLE III.—SINGLE SAMPLING PLAN FOR DRAINED WEIGHTS

Sample size (number of sample units)	3	6	13	21	29	38	48	60	72
Acceptance No.	0	1	2	3	4	5	6	7	8

§ 52.2547 Recommended minimum fill weights.

(a) *General*.—The minimum fill weight recommendations specified in tables IV, V, VI, VII, VIII, and IX are not incorporated in the grades of the finished product since fill weight, as such, is not a factor of quality for the purposes of these grades.

(b) *Method for ascertaining fill weights*.—Fill weight is determined in accordance with the U.S. Standards for Inspection by Variables and the U.S. Standards for Determination of Fill Weights.

(c) *Definitions of terms and symbols*.—"Subgroup" means a group of sample units representing a portion of a sample.

\bar{X}_{min} means the minimum lot average fill weight.

LWL_x means the lower warning limit for subgroup averages.

LRL_x means the lower reject limit for subgroup averages.

LWL means the lower warning limit for individual fill weight measurements.

LRL means the reject limit for individual fill weight measurements.

R' means a specified average range value.

R_{max} means a specified maximum range for a subgroup.

"Sampling allowance code" means a code letter on the Sampling Allowance Chart of the U.S. Standards for Inspection by Variables. This letter identifies the appropriate line which gives the amount of sampling allowance to be applied to the specification average for fill weights in order to determine compliance with requirements for fill weight averages for a sample.

(d) *Compliance with recommended fill weights*.—Compliance with the recommended fill weights shall be in accordance with the acceptance criteria specified in the U.S. Standards for Inspection by Variables and the U.S. Standards for Determination of Fill Weights.

TABLE VI.—RECOMMENDED FILL WEIGHT VALUES

Container designation (metal, unless otherwise designated)	Green tipped and white; and white—spars, tips, or points (small, medium, large, or blends of these sizes)					Sampling allowance code
	\bar{X}_{n-1}	LWL	LRL	\bar{P}	P_{n-1}	
8 oz glass	5.2	4.9	4.6	4.3	4.0	E
82 short	4.8	4.5	4.2	3.9	3.6	E
82 tall	5.3	5.0	4.7	4.4	4.1	E
No. 1 picnic	7.1	6.8	6.5	6.2	5.9	G
122	7.9	7.5	7.2	6.9	6.6	G
1352 glass	8.8	8.5	8.2	7.9	7.6	H
No. 300	9.2	8.9	8.6	8.3	8.0	H
No. 409	9.6	9.3	9.0	8.7	8.4	H
No. 1 tall	10.7	10.2	9.7	9.2	8.7	I
No. 303 glass	11.1	10.6	10.1	9.6	9.1	I
No. 303	10.9	10.4	9.9	9.4	8.9	I
No. 2	12.0	11.4	10.7	10.0	9.3	L
No. 254 glass	13.0	12.3	11.6	10.9	10.2	L
No. 254	13.4	12.7	12.0	11.3	10.6	L
No. 5 squat	44.3	43.2	42.1	41.0	40.0	W

TABLE VII.—RECOMMENDED FILL WEIGHT VALUES

Container designation (metal, unless otherwise designated)	Green tipped and white; and white—spars, tips, or points (extra large, colossal, giant, or blends of these sizes)					Sampling allowance code
	\bar{X}_{n-1}	LWL	LRL	\bar{P}	P_{n-1}	
8 oz glass	5.2	4.9	4.6	4.3	4.0	E
82 short	4.8	4.5	4.2	3.9	3.6	E
82 tall	5.3	5.0	4.7	4.4	4.1	E
No. 1 picnic	7.1	6.8	6.5	6.2	5.9	G
122	7.9	7.5	7.2	6.9	6.6	G
1352 glass	8.8	8.5	8.2	7.9	7.6	H
No. 300	9.2	8.9	8.6	8.3	8.0	H
No. 409	9.6	9.3	9.0	8.7	8.4	H
No. 1 tall	10.7	10.2	9.7	9.2	8.7	I
No. 303 glass	11.1	10.6	10.1	9.6	9.1	I
No. 303	10.9	10.4	9.9	9.4	8.9	I
No. 2	12.0	11.4	10.7	10.0	9.3	L
No. 254 glass	13.0	12.3	11.6	10.9	10.2	L
No. 254	13.4	12.7	12.0	11.3	10.6	L
No. 5 squat	44.3	43.2	42.1	41.0	40.0	W

TABLE IV.—RECOMMENDED FILL WEIGHT VALUES

Container designation (metal, unless otherwise designated)	Green and green tipped—spars, tips, or points (small, medium, large, or blends of these sizes)					Sampling allowance code
	\bar{X}_{n-1}	LWL	LRL	\bar{P}	P_{n-1}	
8 oz glass	5.0	4.7	4.6	4.1	4.0	E
82 short	4.6	4.3	4.2	3.7	3.6	E
82 tall	5.1	4.8	4.7	4.2	4.1	E
No. 1 picnic	6.3	6.0	5.8	5.4	5.2	G
122	7.8	7.2	7.0	6.4	6.2	G
1352 glass	8.4	8.0	7.8	7.4	7.2	H
No. 300	8.8	8.4	8.2	7.9	7.7	H
No. 409	9.1	8.7	8.5	8.1	7.9	H
No. 1 tall	9.6	9.1	8.9	8.4	8.2	I
No. 303 glass	9.9	9.4	9.2	8.7	8.5	I
No. 303	9.7	9.2	9.0	8.5	8.3	I
No. 300 cylinder	11.2	10.6	10.3	9.7	9.4	L
No. 2	12.0	11.4	11.1	10.5	10.2	L
No. 254 glass	12.4	11.8	11.5	10.9	10.6	L
No. 254	12.6	12.1	11.8	11.3	11.0	L
No. 5 squat	41.0	39.7	38.1	36.5	35.0	W

TABLE V.—RECOMMENDED FILL WEIGHT VALUES

Container designation (metal, un- less otherwise designated)	Green and green tipped—spars, tips, or points (extra large, colossal, giant, or blends including these sizes)					Sampling allowance code
	\bar{X}_{n-1}	LWL	LRL	\bar{P}	P_{n-1}	
8 oz glass	5.0	4.7	4.6	4.1	4.0	E
82 short	4.6	4.3	4.2	3.7	3.6	E
82 tall	5.1	4.8	4.7	4.2	4.1	E
No. 1 picnic	6.1	5.8	5.6	5.0	4.8	G
122	7.3	6.9	6.7	6.1	5.9	G
1352 glass	8.1	7.7	7.5	7.2	7.0	H
No. 300	8.6	8.2	8.0	7.7	7.5	H
No. 409	8.9	8.5	8.3	7.9	7.7	H
No. 1 tall	9.3	8.8	8.6	8.2	7.9	I
No. 303 glass	9.7	9.2	9.0	8.7	8.4	I
No. 303	9.4	8.9	8.7	8.4	8.1	I
No. 2	10.7	10.1	9.8	9.4	9.1	L
No. 300 cylinder	11.6	11.0	10.7	10.3	10.0	L
No. 254 glass	12.4	11.8	11.5	11.1	10.8	L
No. 254	12.6	12.1	11.8	11.4	11.1	L
No. 5 squat	39.6	38.2	37.0	35.3	34.0	W

TABLE VIII.—RECOMMENDED FILL WEIGHT VALUES

Container designation (metal, unless otherwise designated)	Green—cut spears; bottom cuts; or cuts-tips removed							Sampling allowance code
	\bar{X}_{min}	LWL	LRL	LWL	LRL	\bar{F}	R_{max}	
4 oz glass	4.9	4.6	4.5	4.3	4.0	0.70	1.50	E
32 short	4.5	4.2	4.1	3.9	3.6	0.70	1.50	E
32 tall	5.0	4.7	4.6	4.4	4.1	0.70	1.50	E
No. 1 picnic	6.3	6.0	5.9	5.7	5.4	0.70	1.50	E
12½	7.5	7.2	7.0	6.8	6.4	0.80	1.70	F
No. 300	8.9	8.5	8.3	8.1	7.7	0.90	2.0	G
300 x 400	9.1	8.7	8.5	8.3	7.9	0.90	2.0	G
No. 1 tall	9.4	9.0	8.8	8.5	8.0	1.10	2.20	H
No. 300 glass	9.7	9.3	9.1	8.8	8.3	1.10	2.20	H
No. 300	9.5	9.1	8.9	8.6	8.1	1.10	2.20	H
No. 2	12.0	11.5	11.3	11.0	10.5	1.20	2.50	I
No. 2½ glass	17.3	16.7	16.4	16.0	15.4	1.40	3.0	K
No. 2½	17.5	17.0	16.7	16.3	15.7	1.40	3.0	K
No. 5 squat	41.0	40.2	39.8	39.2	38.3	2.10	4.40	Q
No. 10	65.5	64.3	63.7	62.9	61.6	3.0	6.40	V

TABLE IX.—RECOMMENDED FILL WEIGHT VALUES

Container designation (metal, unless otherwise designated)	Green tipped and white—cut spears; bottom cuts; or cuts-tips removed							Sampling allowance code
	\bar{X}_{min}	LWL	LRL	LWL	LRL	\bar{F}	R_{max}	
4 oz glass	5.3	5.0	4.9	4.7	4.4	0.70	1.50	E
32 short	4.8	4.5	4.4	4.2	3.9	0.70	1.50	E
32 tall	5.4	5.1	5.0	4.8	4.5	0.70	1.50	E
No. 1 picnic	6.8	6.5	6.4	6.2	5.9	0.70	1.50	E
12½	8.0	7.7	7.5	7.3	6.9	0.80	1.70	F
No. 300	9.4	9.0	8.8	8.6	8.2	0.90	2.0	G
300 x 400	9.6	9.2	9.0	8.8	8.4	0.90	2.0	G
No. 1 tall	9.9	9.5	9.3	9.0	8.5	1.10	2.20	H
No. 300 glass	10.2	9.8	9.6	9.3	8.8	1.10	2.20	H
No. 300	10.0	9.6	9.4	9.1	8.6	1.10	2.20	H
No. 2	13.0	12.5	12.3	12.0	11.5	1.20	2.50	I
No. 2½ glass	18.8	18.3	18.0	17.6	17.0	1.40	3.0	K
No. 2½	19.0	18.5	18.2	17.8	17.2	1.40	3.0	K
No. 5 squat	44.5	43.7	43.3	42.7	41.8	2.10	4.40	Q
No. 10	71.0	69.8	69.2	68.4	67.1	3.0	6.40	V

SIZE (DIAMETER) OF SPEARS, TIPS, AND POINTS

§ 52.2548 Size (diameter) of spears, tips, and points.

The size (diameter) of asparagus spears, tips, and points in canned asparagus is determined by measuring the largest diameter across the base at right angles to the longitudinal axis of the unit. Units compressed in processing should be restored to their approximate original contour before sizing. Asparagus spears longer than 5 in are measured at a point 5 in from the top of the spear. Units 5 in in length and less are measured at the base or largest cut end of the unit.

§ 52.2549 Compliance with single size recommendations.

Canned asparagus spears, tips, and points will be considered as meeting a designated size when not more than 20 percent, by count, of all the units are of the next size smaller or the next size larger than the diameter range of the particular size designation.

TABLE X
SIZES (DIAMETER) OF ASPARAGUS SPEARS, TIPS, AND POINTS IN CANNED ASPARAGUS

Word designation:	Diameter (16ths of inch)
Small	Approximately 6/16.
Medium	6/16 to 8/16.
Large	8/16 to 10/16.
Extra large or mammoth.	10/16 to 13/16.
Colossal	13/16 to 16/16.
Giant	16/16 and over.
Blend of sizes	A mixture of 2 or more of the foregoing sizes.

FACTORS OF QUALITY

§ 52.2550 Ascertaining the grade.

(a) *General*.—In addition to considering other requirements outlined in the standards, the following quality factors are evaluated in ascertaining the grade of the product:

(1) *Factor not rated by score points*.—(i) Flavor.

(2) *Factors rated by score points*.—(i) The relative importance of each factor which is rated is expressed numerically on the scale of 100. The maximum number of points that may be given each such factor is:

Factors:	Points
Liquor	10
Color	20
Defects	30
Character	40
Total score	100

(ii) "Good flavor" means that the product has a good, characteristic normal flavor and odor and is free from objectionable flavors and objectionable odors of any kind.

(iii) "Fairly good flavor" means that the product may be lacking in good flavor and odor but is free from objectionable flavors and objectionable odors of any kind.

§ 52.2551 Ascertaining the rating for the factors which are scored.

The essential variations within each factor which is rated by score points are so described that the value may be ascertained for such factors and expressed numerically. The numerical

range within each such factor is inclusive (for example, "17 to 20 points" means 17, 18, 19, or 20 points).

§ 52.2552 Liquor.

(a) (A) *classification*.—Canned asparagus that possesses a clear liquor may be given a score of 9 or 10 points. "Clear liquor" means that the liquor may possess a typical yellow or green color and is fairly free from suspended material and sediment.

(b) (C) *classification*.—If the canned asparagus possesses a fairly clear liquor a score of 7 or 8 points may be given. "Fairly clear liquor" means that the liquor may be cloudy but not excessively cloudy or may possess an accumulation of sediment which may be slightly gray or slightly brown but is not seriously objectionable and is not off color.

(c) (SSD) *classification*.—Canned asparagus that fails to meet the requirements of paragraph (b) of this section may be given a score of 0 to 6 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.2553 Color.

(a) *General*.—The color of asparagus in canned asparagus is based on the type and style of asparagus and the characteristic and predominant color of the units.

(b) (A) *classification*.—Canned asparagus that possesses a good color may be given a score of 17 to 20 points. "Good color" has the following meanings with respect to the following types and styles of canned asparagus:

(i) *Spears, tips, or points*.—(i) *Green*.—The units possess a good, characteristic, green, light green, or yellowish green color typical of well developed asparagus, and the bottom portion of not more than 10 percent, by count, of the units, or one unit, whichever is larger, may possess typical white or yellowish white color not to exceed one-eighth of the length of the unit.

(ii) *Green tipped*.—The units possess a good, characteristic, green, light green, or yellowish green color with typical white or yellowish white color at the base ends, typical of well developed asparagus, and not more than 20 percent, by count, of the units may possess typical white or yellowish white color in excess of one-half of the length of the unit or may be all green.

(iii) *Green tipped and white*.—The units possess a good, characteristic, white or yellowish white color, and may possess green, light green, or yellowish green heads and adjacent areas typical of well developed asparagus, and not more than 20 percent, by count, of the units may possess green, light green, or yellowish green heads and adjacent areas exceeding one-half of the length of the unit.

(iv) *White*.—The units possess a good, characteristic, white, or yellowish white color typical of well developed asparagus, and not more than 10 percent, by count, of the units, or one unit, whichever is larger, may possess green, light green, or yellowish green heads and adjacent areas not to exceed one-half of the length of

the unit.

(2) *Cut spears, bottom cuts or cuts—tips removed, and mixed.*—(i) *Green.*—The units possess a good, characteristic, green, light green, or yellowish green color typical of well developed asparagus, and not more than 10 percent, by count, of the units may be green and white or white: *Provided*, That not more than 2 percent, by count, of all the units may be white.

(ii) *Green tipped and white or white.*—The units possess a good, characteristic color typical of well developed green tipped and white or white asparagus.

(c) (C) *classification.*—If the canned asparagus possesses a fairly good color, a score of 14 to 16 points may be given. "Fairly good color" has the following meanings with respect to the following types and styles of canned asparagus:

(1) *Spears, tips, or points.*—(i) *Green.*—The units possess a fairly good, characteristic, green, light green, or yellowish green color typical of fairly well developed asparagus and the bottom portion of not more than 20 percent, by count, of the units may possess typical white or yellowish white color not to exceed one-fourth of the length of the unit.

(ii) *Green tipped.*—The units possess a fairly good, characteristic, green, light green, or yellowish green color with typical white or yellowish white color at the base ends, typical of fairly well developed asparagus, and not more than 50 percent, by count, of the units may possess typical white or yellowish white color in excess of one-half of the length of the unit, or may be all green.

(iii) *Green tipped and white.*—The units possess a fairly good characteristic, white or yellowish white color and may possess green, light green, or yellowish green heads and adjacent areas typical of fairly well developed asparagus, and not more than 50 percent, by count, of the units may possess green, light green, or yellowish green heads and adjacent areas in excess of one-half of the length of the unit.

(iv) *White.*—The units possess a fairly good, characteristic, white or yellowish white color typical of fairly well developed white asparagus, and not more than 20 percent, by count, of the units may possess green, light green, or yellowish green heads and adjacent areas not to exceed one-half of the length of the unit.

(2) *Cut spears, bottom cuts or cuts—tips removed, and mixed.*—(i) *Green.*—The units possess a fairly good, characteristic, green, light green, or yellowish green color typical of fairly well developed asparagus and not more than 20 percent, by count, of the units may be green and white or white: *Provided*, That not more than 5 percent, by count, of all the units may be white.

(ii) *Green tipped and white or white.*—The units possess a fairly good, characteristic color typical of fairly well developed green tipped and white or white asparagus.

(d) (SStd) *classification.*—Canned asparagus that fails to meet the require-

ments of paragraph (c) of this section or is definitely off color may be given a score of 0 to 13 points and shall not be graded above substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.2554 Defects.

(a) *General.*—The factor of defects refers to the degree of freedom from grit or silt, loose material, shattered heads, poorly cut unit, damaged units, and seriously damaged units.

(1) "Grit or silt" means sand or any other particle of earthy material.

(2) "Loose material" means shattered asparagus material and cut or broken pieces which are less than three-eighths inch in length.

(3) "Shattered head" means any unit with the asparagus head broken or shattered to the extent that the appearance is seriously affected.

(4) "Misshapen" means any spear, tip, or point that is badly crooked, or any unit that is seriously affected in appearance by doubles or other malformations.

(5) "Poorly cut" means a unit that has a very ragged, stringy, or frayed edge or edges, or a unit that is partially cut, or is cut at an angle of less than approximately 45 degrees.

(6) "Damaged" means damaged by discoloration, mechanical injury, or damaged by other means to the extent that the appearance or edibility of the unit is materially affected.

(7) "Seriously damaged" means damaged to such an extent that the appearance or edibility of the unit is seriously affected.

(b) (A) *classification.*—Canned asparagus that is practically free from defects may be given a score of 25 to 30 points. "Practically free from defects" means that no grit or silt may be present that affects the appearance or edibility of the product; that loose material may be present that does not materially affect the appearance of the product; and that with respect to the following styles of canned asparagus:

(1) *Spears, tips, and points.*—There may be present with respect to green and green tipped types not more than 10 percent, and with respect to green tipped and white types not more than 15 percent, by count, of units with shattered heads, misshapen units and poorly cut units, and damaged and seriously damaged units: *Provided*, That not more than 3 percent, by count, of the units may be seriously damaged, or one unit in a single container may be seriously damaged if such unit exceeds the allowance of 3 percent: *Provided*, That in all of the containers comprising the sample such damaged units do not exceed an average of 3 percent, by count, of the total number of units.

(2) *Cut spears, bottom cuts or cuts—tips removed, and mixed.*—There may be present for the applicable style not more than 10 percent, by count, of units with shattered heads, misshapen units and poorly cut units, and damaged and seriously damaged units: *Provided*, That not

more than 2 percent, by count, of the units may be seriously damaged or one unit in a single container may be seriously damaged if such unit exceeds the allowance of 2 percent: *Provided*, That in all of the containers comprising the sample such damaged units do not exceed an average of 2 percent, by count, of the total number of units.

(c) (C) *classification.*—If the canned asparagus is fairly free from defects, a score of 21 to 24 points may be given. Canned asparagus that falls into this classification shall not be graded above U.S. Grade C or U.S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that not more than a trace of grit or silt may be present that affects the appearance or edibility of the product; that loose material may be present that does not seriously affect the appearance of the product; and that with respect to the following styles of canned asparagus:

(1) *Spears, tips, and points.*—There may be present with respect to green and green tipped types not more than 20 percent, and with respect to green tipped and white and white types not more than 30 percent, by count, of units with shattered heads, misshapen units, and poorly cut units, and damaged and seriously damaged units: *Provided*, That not more than 10 percent, by count, of the units may be seriously damaged, or one unit in a single container may be seriously damaged if such unit exceeds the allowance of 10 percent: *Provided*, That in all of the containers comprising the sample such damaged units do not exceed an average of 10 percent, by count, of the total number of units.

(2) *Cut spears, bottom cuts or cuts—tips removed, and mixed.*—There may be present for the applicable style not more than 20 percent, by count, of units with shattered heads, misshapen units and poorly cut units, and damaged and seriously damaged units: *Provided*, That not more than 7 percent, by count, of all the units may be seriously damaged.

(d) (SStd) *classification.*—Canned asparagus that fails to meet the requirements of paragraph (c) of this section may be given a score of 0 to 20 points and shall not be graded above substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.2555 Character.

(a) *General.*—The factor of character refers to the degree of development of the head and bracts and to the tenderness and texture of the unit.

(1) "Well developed" means that the appearance of the head is not materially affected by a seedy appearance, and is practically compact.

(2) "Fairly well developed" means that the head may show a seedy appearance over the surface of the head and the head and bracts may be elongated but not so developed or elongated as to give a definitely spread or branching appearance.

(b) (A) *classification.*—Canned asparagus that possesses a good character may

be given a score of 34 to 40 points. "Good character" has the following meanings with respect to the following styles and types of canned asparagus:

(1) *Spears, tips, and points*.—Not less than 85 percent, by count, of the heads are well developed, and the remaining units are at least fairly well developed, and with respect to green and green tipped types not more than 10 percent, and with respect to green tipped and white and white types not more than 20 percent, by count, of the units, or one unit in a container if such unit exceeds the allowances provided for the respective type, may be tough.

(2) *Cut spears and mixed*.—Not less than 50 percent, by count, of the heads are well developed, and the remainder are at least fairly well developed, and with respect to green and green tipped types not more than 10 percent, and with respect to green tipped and white and white types not more than 20 percent, by count, of the units may be tough.

(3) *Bottom cuts or cuts—tips removed*.—With respect to green and green tipped types not more than 10 percent, and with respect to green tipped and white and white types not more than 33 1/3 percent, by count, of the units may be tough.

(c) *(C) classification*.—If the canned asparagus possesses a fairly good character, a score of 28 to 33 points may be given. Canned asparagus that falls into this classification shall not be graded above U.S. Grade C or U.S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good character" has the following meanings with respect to the following styles and types of canned asparagus:

(1) *Spears, tips, and points*.—Not less than 90 percent, by count, of the heads are at least fairly well developed, and the remaining units may fail to meet the requirements for fairly well developed heads, and with respect to green and green tipped types not more than 25 percent, and with respect to green tipped and white and white types not more than 50 percent, by count, of the units may be tough.

(2) *Cut spears and mixed*.—Not less than 90 percent, by count, of all the heads are at least fairly well developed, and the remainder may fail to meet the requirements for fairly well developed heads, and with respect to green and green tipped types not more than 25 percent, and with respect to green tipped and white and white types, not more than 50 percent, by count, of the units may be tough.

(3) *Bottom cuts or cuts—tips removed*.—With respect to green and green tipped types not more than 25 percent, and with respect to green tipped and white and white types not more than 50 percent, by count, of the units may be tough.

(d) *(SStd) classification*.—Canned as-

paragus that fails to meet the requirements of paragraph (c) of this section may be given a score of 0 to 27 points and shall not be graded above substandard, regardless of the total score for the product (this is a limiting rule).

DEFINITIONS AND EXPLANATIONS

§ 52.2556 Definitions and explanations of terms.

(a) *Head*.—Head in cut spears means the tip end which has been cut from an asparagus shoot which is 3/8 inch or more in length with respect to the green type and which is 3/8 inch or more in length with respect to green tipped and white and white types, or the upper portion of a spear which possesses a substantial amount of head material which has been cut from near the tip end and which is approximately the same length as the other cut units.

(b) *Unit*.—Unit means any individual portion of an asparagus shoot 3/8 inch or more in length in canned asparagus.

(c) *Percent, by count, of heads*.—Percent, by count, of heads means the percent determined by averaging the percent, by count, of heads in all of the containers comprising the sample.

(d) *Tough unit*.—(1) *Spears, tips, and points*.—Tough unit means a unit which is not cut through in 5 seconds or less when tested by means of the fiberometer and which possesses fibrous material which is materially objectionable upon eating. When tested by means of the fiberometer the test is made at a point 1 inch from the cut end with respect to the green type and at a point 1 1/2 inches from the cut end with respect to the green tipped type, and at the midpoint of the unit with respect to the green tipped and white and white types.

(2) *Cut spears, bottom cuts or cuts—tips removed, and mixed; containing cut spears and bottom cuts or cuts—tips removed*.—Tough unit means a unit which possesses fibrous material which is materially objectionable upon eating.

(e) *Asparagus fiberometer*.—The cutting wire of the fiberometer shall be 0.031 in diameter stainless steel wire and is mounted in a metal frame having an overall weight of 3 lb avoirdupois. The slots in the block supporting the asparagus unit to be tested shall be not less than 0.039 in nor more than 0.042 in in width.

LOT INSPECTION AND CERTIFICATION

§ 52.2557 Ascertaining the grade of a lot.

The grade of a lot of canned asparagus covered by these standards is determined by the procedures set forth in the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Products Thereof, and Certain Other Processed Food Products (7 CFR 52.1 through 52.87).

SCORE SHEET

§ 52.2558 Score sheet.

Number, size, and kind of container	.....
Label	.....
Container mark or identification	.....
Net weight (ounces)	.....
Vacuum (inches)	.....
Drained weight (ounces)	.....
Type	.....
Style	.....
Size or sizes (Spears, tips, and points)	.....
Length of cut	.....
Heads (cut) (percent, by count)	.....

Factors	Score points
Liquor	10 (A) 9-10 (C) 7-8 (SStd) 0-6
Color	20 (A) 17-20 (C) 14-16 (SStd) 10-13
Defects	30 (A) 25-30 (C) 21-24 (SStd) 10-20
Character	40 (A) 34-40 (C) 28-33 (SStd) 10-27
Total score	100
Flavor (A, C, or SStd)	.....
Grade	.....

¹ Indicates limiting rule.

The U.S. Standards for Grades of Canned Asparagus as herein amended, shall become effective June 20, 1973, and thereupon will supersede the U.S. Standards for Grades of Canned Asparagus which have been in effect since May 7, 1963.

Subpart—United States Standards for Grades of Canned Clingstone Peaches

PRODUCT DESCRIPTION, STYLES, AND GRADES

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PRODUCT DESCRIPTION, STYLES, AND GRADES

§ 52.2561 Product description.

(a) *Canned clingstone peaches*.—"Canned clingstone peaches" means "canned yellow clingstone peaches" or "canned yellow cling peaches" as such product is defined in the standard of

identity for canned peaches (21 CFR 27.2 and 27.6) issued pursuant to the Federal Food, Drug, and Cosmetic Act. For the purposes of the standards in this subpart, and unless the text indicates otherwise the terms "canned peaches" or "canned clingstone peaches" include "canned yellow clingstone peaches," "canned spiced yellow clingstone peaches" and "canned artificially sweetened yellow clingstone peaches" as defined in the aforesaid standards of identity, and canned "solid-pack" clingstone peaches.

(b) Canned "solid-pack" clingstone peaches.—For the purposes of the standards in this subpart, canned peaches when referred to as "canned 'solid-pack' clingstone peaches" or "solid-pack peaches" means prepared peaches of the yellow clingstone varietal group packed without a liquid packing medium, with or without a dry nutritive sweetening ingredient added, and sufficiently processed by heat to assure preservation of the product in hermetically sealed containers. "Solid-pack" peaches to which a sweetening ingredient has not been added are considered "unsweetened"; "solid-pack" peaches to which a dry nutritive sweetening ingredient has been added are considered "sweetened."

§ 52.2562 Styles.

(a) "Halves" or "Halved" canned peaches are peeled and pitted peaches, cut approximately in half along the suture from stem to apex.

(b) "Quarters" or "Quartered" canned peaches are halved peaches cut into two approximately equal parts.

(c) "Slices" or "Sliced" canned peaches are peeled and pitted peaches cut into sectors smaller than quarters.

(d) "Dice" or "Diced" canned peaches are peeled and pitted peaches cut into approximate cubes.

(e) "Whole" canned peaches are peeled, unpitted, whole peaches with or without stems removed.

(f) "Mixed pieces of irregular sizes and shapes" are peeled, pitted, and cut units of canned peaches that are predominantly irregular in size and shape which do not conform to a single style of halves, quarters, slices, or dice and which may consist of:

(1) Units (commonly called "salad cuts" or "salad pieces") which may have been prepared originally as peach halves but which are irregular in size and shape in that more than one-fourth of the unit appears to have been removed at the outer curved surface and which have been cut further into pieces;

(2) Units which may have been prepared originally as peach slices but which are irregular in size and shape in that they have been cut further into pieces; or

(3) Mixtures of two or more of the following styles which may or may not be of normal shape: Halves, quarters, slices, or diced.

§ 52.2563 Grades.

(a) "U.S. Grade A" or "U.S. Fancy" is the quality of halves, quarters, slices, diced, or whole canned clingstone peaches that possess similar varietal characteristics, that possess a normal flavor and odor, that possess a good color, that are practically uniform in size and symmetry, that are practically free from defects, that possess a good character, and that for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 90 points: *Provided*, That halves, quarters, slices, diced, or whole canned clingstone peaches may possess a reasonably good color, may be reasonably uniform in size and symmetry, and may possess a reasonably good character, if the total score is not less than 90 points.

(b) "U.S. Grade B" or "U.S. Choice" is the quality of halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned clingstone peaches that possess similar varietal characteristics; that possess a normal flavor and odor, that possess a reasonably good color; that are reasonably uniform in size and symmetry for the applicable style, that are reasonably free from defects, that possess a reasonably good character, and that for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 80 points: *Provided*, That halves, quarters, slices, diced, or whole canned clingstone peaches may be fairly uniform in size and symmetry if the total score is not less than 80 points.

(c) "U.S. Grade C" or "U.S. Standard" is the quality of halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned clingstone peaches that possess similar varietal characteristics; that possess a normal flavor and odor, that possess a fairly good color, that are fairly uniform in size and symmetry for the applicable style, that are fairly free from defects, that possess a fairly good character, and that for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 70 points.

(d) "U.S. Grade D" is the quality of halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned clingstone peaches that may possess dissimilar varietal characteristics; that possess a normal flavor and odor, that possess a fairly good color, that may vary in size and symmetry for the applicable style; that are fairly free from defects except for crushed and broken units in the styles of halves, quarters, or whole style; that possess a noticeable variability in character, and that for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 60 points. Canned clingstone peaches of this grade may or may

not meet the minimum standard of quality for canned peaches issued pursuant to the Federal Food, Drug, and Cosmetic Act.

(e) "Substandard" is the quality of canned clingstone peaches that fail to meet the applicable requirements of U.S. Grade C or U.S. Standard or of U.S. Grade D and is the quality of canned clingstone peaches that may or may not meet the minimum standard of quality for canned peaches issued pursuant to the Federal Food, Drug, and Cosmetic Act.

§ 52.2564 Grades of canned "solid-pack" clingstone peaches.

(a) "U.S. Grade C Solid-Pack" or "U.S. Standard Solid-Pack" is the quality of halves, quarters, slices, diced, or mixed pieces of irregular sizes and shapes of canned "solid-pack" clingstone peaches that possess a normal flavor and odor; that possess a fairly good color; that are fairly free from defects for canned "solid-pack" clingstone peaches; that possess a fairly good character for canned "solid-pack" clingstone peaches; and that for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 70 points.

(b) "Substandard Solid-Pack" is the quality of halves, quarters, slices, diced, or mixed pieces of irregular sizes and shapes of canned "solid-pack" clingstone peaches that fail to meet the requirements of "U.S. Grade C Solid-Pack."

LIQUID MEDIA, FILL OF CONTAINER, DRAINED WEIGHTS, AND FILL WEIGHTS

§ 52.2565 Liquid media and Brix measurements.

"Cut-out" requirements for liquid media in canned clingstone peaches are not incorporated in the grades of the finished product since sirup or any other liquid medium, as such, is not a factor of quality for the purposes of these grades. The designations of liquid packing media and the Brix measurements, where applicable, are as follows:

Designations	Brix measurement
"Extra heavy sirup" or "Extra heavy fruit juice sirup".	24° or more but not more than 35°.
"Heavy sirup" or "Heavy fruit juice sirup".	19° or more but less than 24°.
"Light sirup" or "Light fruit juice sirup".	14° or more but less than 19°.
"Slightly sweetened water".	Less than 14°.
"Slightly sweetened fruit juice".	10° or more but less than 14°.
"In water".	Not applicable.
"In fruit juice".	Not applicable.
"Artificially sweetened".	Not applicable.

§ 52.2566 Fill of container.

The standard of fill of container for canned clingstone peaches is the maximum quantity of the peach units which can be sealed in the container and processed by heat to prevent spoilage, without crushing or breaking such ingredi-

ent. Canned clingstone peaches that do not meet this requirement are "Below Standard in Fill".

§ 52.2567 Recommended fill of container for canned "solid-pack" clingstone peaches.

The recommended fill of container for canned "solid-pack" clingstone peaches is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purposes of these grades. It is recommended that each container of "solid-pack" clingstone peaches be as full of peaches as practicable without impairment of quality and that the product (including liquid, if any) occupy not less than 90 percent of the volume of the container.

§ 52.2568 Recommended drained weights.

(a) *General.*—(1) The minimum drained weight recommendations for the various applicable styles in table I of this subpart are not incorporated in the grades of the finished product since drained weight, as such, is not a factor of quality for the purposes of these grades.

(2) The recommended minimum drained weights are based on equilization of the product 30 days or more after the product has been canned.

(b) *Method for ascertaining drained weight.*—The drained weight of canned clingstone peaches and canned "solid-pack" clingstone peaches is determined by emptying the contents of the container, turning the pit cavities down in halves, upon a U.S. Standard No. 8 circular sieve of proper diameter containing 8 meshes to the inch (0.0937-in \pm 3 percent, square openings) so as to distribute the product evenly, inclining the sieve slightly to facilitate drainage, and allowing to drain for 2 minutes. The drained weight is the weight of the sieve and peaches less the weight of the dry sieve. A sieve 8 inches in diameter is used for the equivalent of No. 3 size cans (404 x 414) and smaller, and a sieve 12 inches in diameter is used for containers larger than the equivalent of the No. 3 size can.

(c) *Definitions of symbols.*—(1) \bar{X}_a —The average drained weight of all the sample units in the sample.

(2) LL —Lower limit for drained weights of individual sample units.

(d) *Compliance with recommended drained weights.*—A lot of canned clingstone peaches and canned unsweetened "solid-pack" clingstone peaches is considered as meeting the minimum drained weight recommendations if the following criteria are met:

(1) The average of the drained weights from all the sample units in the sample meets the recommended average drained weight (designated as \bar{X}_a in table I); and

(2) The number of sample units which fail to meet the recommended minimum drained weight for individuals (designated as LL in table I) does not exceed the applicable acceptance number specified in the single sampling plan to table II.

TABLE I.—RECOMMENDED MINIMUM DRAINED WEIGHTS FOR CANNED CLINGSTONE PEACHES

Container designation (metal, unless otherwise stated)	Container size (overall dimensions)		Over-flow capacity (fluid ounces)	Sliced							
	Diameter (inches)	Height (inches)		In extra heavy sirup (ounces)		In heavy sirup (ounces)		In any other liquid medium (ounces)		Diced in any liquid medium	
				LL	\bar{X}_s	LL	\bar{X}_s	LL	\bar{X}_s	LL	\bar{X}_s
8Z	211	200		2.2	2.8	2.4	3.0	2.5	3.1	2.6	2.9
8Z	211	202		2.4	3.0	2.6	3.2	2.7	3.3	2.9	3.2
6Z	300	200		2.8	3.4	3.0	3.6	3.1	3.7	3.4	3.7
7Z	211	212		3.4	4.0	3.6	4.2	3.7	4.3	4.0	4.3
8Z tall	211	304		4.3	4.9	4.5	5.1	4.6	5.2	4.7	5.2
No. 300	300	407		8.2	8.9	8.4	9.1	8.6	9.3	8.9	9.5
No. 303	303	406		9.1	9.9	9.3	10.1	9.5	10.3	9.8	10.5
No. 303 glass			17.0	9.1	9.9	9.3	10.1	9.5	10.3	9.8	10.5
No. 2	307	409		11.1	12.0	11.4	12.3	11.7	12.6	11.9	12.7
No. 2½	401	411		16.3	17.4	16.7	17.8	17.1	18.2	17.5	18.5
No. 2½ glass			28.35	15.8	16.9	16.2	17.3	16.6	17.7	17.0	18.0
No. 10	603	700		62.5	64.5	64.5	66.5	65.5	68.5	68.2	70.0

TABLE I—(Continued)

Container designation (metal, unless otherwise stated)	Heavy pack—any style in any liquid medium (ounces)		Solid pack—all applicable styles (unsweetened only) (ounces)	
	LL	\bar{X}_a	LL	\bar{X}_a
No. 2½	18.6		20.0	24.1
No. 10	73.5		76.0	89.5

TABLE I (Continued)

Container designations (metal, unless otherwise stated)	Halves				Quarters; and mixed pieces of irregular sizes and shapes							
	In extra heavy sirup (ounces)		In heavy sirup (ounces)		In any other liquid medium (ounces)		In extra heavy sirup (ounces)		In heavy sirup (ounces)		In any other liquid medium (ounces)	
	LL	\bar{X}_a	LL	\bar{X}_a	LL	\bar{X}_a	LL	\bar{X}_a	LL	\bar{X}_a	LL	\bar{X}_a
8Z tall	4.3	5.0	4.5	5.2	4.6	5.3	4.3	5.0	4.5	5.2	4.6	5.3
No. 300	8.2	9.0	8.4	9.2	8.6	9.4	8.2	9.0	8.4	9.2	8.6	9.4
No. 303	9.1	10.0	9.3	10.2	9.5	10.4	9.1	10.0	9.3	10.2	9.5	10.4
No. 303 glass	9.1	10.0	9.3	10.2	9.5	10.4	9.1	10.0	9.3	10.2	9.5	10.4
No. 2	11.0	12.1	11.3	12.4	11.6	12.7	11.0	12.1	11.3	12.4	11.6	12.7
No. 2½ glass	15.7	17.1	16.1	17.5	16.5	17.9	15.7	17.1	16.1	17.5	16.5	17.4
No. 2½							16.2	17.6	16.6	18.0	17.0	18.9
No. 2½, 7 count or more	16.2	17.6	16.6	18.0	17.0	18.4						
No. 2½, 6 count or less	15.6	17.0	16.0	17.4	16.4	17.8						
No. 10							62.0	64.5	64.0	66.5	66.0	68.5
No. 10, 24 count or more	62.0	64.5	64.0	66.5	66.0	68.5						
No. 10, 23 count or less	60.5	63.0	62.5	65.0	64.5	67.0						

TABLE II.—SINGLE SAMPLING PLAN FOR DRAINED WEIGHTS

Sample size (number of sample units)	3	6	13	21	29	38	48	60	72
Acceptance No.	0	1	2	3	4	5	6	7	8

§ 52.2569 Recommended fill weights.

(a) *General.*—The minimum fill weight recommendations for the various styles in table III of this subpart are not incorporated in the grades of the finished product since fill weight, as such, is not a factor of quality for the purpose of these grades.

(b) *Method for ascertaining fill weight.*—The fill weight of canned clingstone peaches is determined in accordance with the U.S. Standards for Inspection by Variables and the U.S. Standards for Determination of Fill Weights.

(c) *Definitions of terms and symbols.*—"Subgroup" means a group of sample units representing a portion of a sample.

\bar{X}'_{min} means the minimum lot average fill weight.

$LWL_{\bar{X}}$ means the lower warning limit for subgroup averages.

$LRL_{\bar{X}}$ means the lower reject limit for group averages.

LWL means the lower warning limit for individual fill weight measurements.

LRL means the lower reject limit for individual fill weight measurements.

R' means a specified average range value. R_{max} means a specified maximum range for a subgroup.

"Sampling allowance code" means a letter on the sampling allowance chart of the U.S. Standards for Inspection by Variables. This letter identifies the appropriate line which gives the amount of sampling allowance to be applied to the specification average for fill weights in order to determine compliance with requirements for fill weight averages for a sample.

(d) *Subgroup size.*—The subgroup size for the determination of fill weights shall be 5 sample units.

(e) Compliance with recommended fill weights.—Compliance with the recommended fill weights for canned clingstone peaches shall be in accordance with

the acceptance criteria specified in the U.S. Standards for Inspection by Variables and the U.S. Standards for determination of fill weights.

TABLE III.—RECOMMENDED FILL WEIGHT VALUES FOR CANNED CLINGSTONE PEACHES

Container designations (metal, unless otherwise stated)	Halves (ounces)						\bar{R}	R_{max}	Sampling allowance code
	\bar{X}_{min}	LWL	LRL	LWL	LRL	\bar{R}			
8Z tall	5.4	4.9	4.7	4.4	3.9	1.2	2.5	I	
No. 300	9.6	9.0	8.7	8.3	7.6	1.5	3.2	L	
No. 303 glass	10.6	10.0	9.6	9.2	8.5	1.6	3.4	M	
No. 303	10.6	10.0	9.6	9.2	8.5	1.6	3.4	M	
No. 2	12.9	12.2	11.8	11.3	10.5	1.9	3.9	O	
No. 2½ glass	18.2	17.3	16.9	16.2	15.2	2.3	4.9	S	
No. 2½, 7 count or more	18.7	17.8	17.4	16.7	15.7	2.3	4.9	S	
No. 2½, 6 count or less	18.0	17.1	16.7	16.0	15.0	2.3	4.9	S	
No. 10, 24 count or more	70.5	69.0	68.2	67.1	65.4	4.0	8.4	Z	
No. 10, 23 count or less	69.0	67.5	66.7	65.6	63.9	4.0	8.4	Z	

Sliced—fill weight values (ounces)									
Container designation (metal, unless otherwise stated)	\bar{X}_{min}	LWL	LRL	LWL	LRL	\bar{R}	R_{max}	Sampling allowance code	
6Z	4.0	3.6	3.4	3.2	2.8	0.9	1.9	G	
8Z tall	5.4	5.0	4.8	4.4	4.0	1.0	2.1	H	
No. 300	9.7	9.2	8.9	8.5	7.9	1.4	3.0	K	
No. 303 glass	10.7	10.1	9.8	9.4	8.7	1.5	3.2	L	
No. 303	10.7	10.1	9.8	9.4	8.7	1.5	3.2	L	
No. 2	12.1	12.4	12.1	11.6	10.9	1.7	3.7	N	
No. 2½	19.0	18.2	17.8	17.2	16.3	2.1	4.4	Q	
No. 2½ glass	18.5	17.7	17.3	16.7	15.8	2.1	4.4	Q	
No. 10	72.0	70.6	69.8	68.8	67.2	3.7	7.9	Y	

TABLE III (Continued)
(Quarters—fill weight values (ounces))

Container designation (metal, unless otherwise stated)	\bar{X}_{min}	LWL	LRL	LWL	LRL	\bar{R}	R_{max}	Sampling allowance code
8Z tall	5.5	5.1	4.9	4.6	4.1	1.1	2.2	H
No. 300	9.9	9.4	9.1	8.7	8.1	1.4	3.0	K
No. 303 glass	11.0	10.4	10.1	9.7	9.0	1.5	3.2	L
No. 303	11.0	10.4	10.1	9.7	9.0	1.5	3.2	L
No. 2	13.3	12.6	12.3	11.8	11.0	1.7	3.7	N
No. 2½ glass	18.8	18.0	17.6	17.0	16.1	2.1	4.4	Q
No. 2½	19.3	18.5	18.1	17.5	16.6	2.1	4.4	Q
No. 10	74.0	72.6	71.8	70.8	69.2	3.7	7.9	Y

TABLE III (Continued)

Container designation (metal, unless otherwise designated)	\bar{X}_{min}	LWL	LRL	LWL	LRL	\bar{R}	R_{max}	Sampling allowance code
Diced—fill weight values (ounces)								
5 oz.	3.4	3.2	3.0	2.9	2.6	.60	1.20	D
5 oz.	3.7	3.5	3.3	3.2	2.9	.60	1.20	D
6 oz.	4.3	4.1	3.9	3.8	3.5	.60	1.20	D
7 oz.	5.0	4.8	4.6	4.5	4.2	.60	1.20	D
8Z tall	6.1	5.9	5.7	5.6	5.3	.60	1.20	D
No. 300	10.6	10.2	10.0	9.8	9.4	.90	2.0	G
No. 303	11.7	11.3	11.1	10.8	10.3	1.1	2.2	H
No. 303 glass	11.7	11.3	11.1	10.8	10.3	1.1	2.2	H
No. 2	14.3	13.8	13.6	13.3	12.8	1.2	2.5	I
No. 2½	20.7	20.2	20.0	19.6	19.0	1.3	2.7	J
No. 2½ glass	20.2	19.7	19.5	19.1	18.5	1.3	2.7	J
No. 10	77.0	75.9	75.4	74.6	73.4	2.8	5.9	U
Mixed pieces of irregular sizes and shapes—fill weight values (ounces)								
No. 2½	19.3	18.5	18.1	17.5	16.6	2.1	4.4	Q
No. 10	74.0	72.6	71.8	70.8	69.2	3.7	7.9	Y

TABLE III (Continued)

Container designation (metal, unless otherwise designated)	\bar{X}_{min}	LWL	LRL	LWL	LRL	\bar{R}	R_{max}	Sampling allowance code
Spiced, whole—fill weight values (ounces)								
No. 2½ 6 count or less.....	17.0	15.9	15.4	14.6	13.4	2.8	5.9	U
No. 2½ 7 count or more.....	17.5	16.4	15.9	15.1	13.9	2.8	5.9	U
No. 10.....	70	68.2	67.3	66.0	64.0	4.7	9.8	C1
Heavy pack halves, sliced, mixed pieces of irregular sizes and shapes—fill weight values (ounces)								
No. 10.....	86.0	84.8	84.2	83.4	82.1	3.0	6.4	V

FACTORS OF QUALITY

§ 52.2570 Ascertaining the grade.

(a) General.—In addition to considering other requirements outlined in the standards the following quality factors are evaluated:

(1) Factors not rated by score points in canned clingstone peaches other than "solid-pack" clingstone peaches.—(i) Varietal characteristics.

(ii) Flavor and odor.

(2) Factors not rated by score points in "solid-pack" clingstone peaches.—(i) Flavor and odor.

(3) Factors rated by score points.—The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

	Points
(i) Color	20
(ii) Uniformity of size and symmetry	20
(iii) Absence of defects	30
(iv) Character	30

Total score..... 100

(b) Definition of flavor and odor.—"Normal flavor and odor" means that the canned peaches are free from objectionable flavors and odors of any kind.

§ 52.2571 Ascertaining the rating for the factors which are scored.

The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "18 to 20 points" means "18, 19, or 20 points").

§ 52.2572 Color.

(a) General.—(1) The color of canned clingstone peaches other than canned "spiced" peaches refers to the predominant and characteristic color on the surface of whole units, and the outside surfaces of other units, except the cut surfaces of such units are also considered when adversely affected by discoloration. Units other than whole on which the pit cavity is abnormally discolored are considered under the factor of absence of defects only.

(2) The factor of color for canned "spiced" peaches is not based on any detailed requirement and is not scored but the color shall be normal for canned "spiced" peaches; the other three factors (uniformity of size and symmetry, absence of defects, and character as applicable) are scored and the total is multiplied by 100 and divided by 80, dropping any fractions to determine the total score.

(b) (A) classification.—Canned clingstone peaches that possess a good color may be given a score of 18 to 20 points. Mixed pieces of irregular sizes and shapes that score 18 to 20 points shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a partial limiting rule). "Good color" means that the peaches possess a bright color ranging from yellowish

orange to orange yellow; and that there may be present units which possess "reasonably good color" as follows:

(1) In the style of halves, quarters, slices, or whole, not more than 10 percent, by count, of the units may possess "reasonably good color"; or one unit in a container is permitted to possess "reasonably good color": *Provided*, That in all containers comprising the sample such units do not exceed an average of 10 percent of the total number of units; and

(2) In the styles of diced or mixed pieces of irregular sizes and shapes, not more than 10 percent, by weight, of the drained peaches may possess "reasonably good color".

(c) (B) *classification*.—Canned clingstone peaches that possess a reasonably good color may be given a score of 16 or 17 points. Mixed pieces of irregular sizes and shapes that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a partial limiting rule). "Reasonably good color" means that the canned clingstone peaches possess a reasonably bright color that may fail to meet minimum color requirements for Grade A but is equal to or better than light orangish-yellow, that the units may possess slight discoloration due to oxidation, pit pigmentation, or other causes which does not more than slightly affect the appearance or edibility, or both, of the product; and that there may be present units which possess "fairly good color" as follows:

(1) In the style of halves, quarters, slices, or whole, not more than 10 percent, by count, of the units may possess "fairly good color"; or one unit in a container is permitted to possess "fairly good color": *Provided*, That in all containers comprising the sample such units do not exceed an average of 10 percent of the total number of units; and

(2) In the style of diced or mixed pieces of irregular sizes and shapes, not more than 10 percent, by weight, of the drained peaches may possess "fairly good color".

(d) (C), (D), and (C-SP) *classification*.—Canned clingstone peaches and canned solid-pack clingstone peaches that possess a fairly good color may be given a score of 14 or 15 points. Canned clingstone peaches or canned "solid-pack" clingstone peaches that fall into this classification shall not be graded above U.S. Grade C or U.S. Grade C Solid-Pack, whichever is applicable, regardless of the total score for the product (this is a limiting rule). "Fairly good color" means that the peaches possess a color that may fail to meet minimum color requirements for Grade B, but is equal to or better than greenish-yellow; that the units may possess slight discoloration due to oxidation, pit pigmentation, or other causes which do not materially affect the appearance or edibility, or both, of the product; and that the units may possess other color as follows:

(1) In the style of halves, quarters, slices, or whole, not more than 10 percent, by count, of the units may fail to

meet the minimum color for Grade C or may be off-color; or one unit in a container is permitted to possess such color: *Provided*, That in all containers comprising the sample such units do not exceed an average of 10 percent of the total number of units.

(2) In the style of diced or mixed pieces of irregular sizes and shapes, not more than 10 percent, by weight, of the drained peaches may consist of units that fail to meet the minimum color for Grade C or may be off-color: *Provided*, That such units do not materially affect the appearance of the product.

(e) (SStd) and (SStd-SP) *classification*.—Canned clingstone peaches and canned "solid-pack" clingstone peaches that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard or Substandard Solid-Pack, whichever is applicable, regardless of the total score for the product (this is a limiting rule).

§ 52.2573 Uniformity of size and symmetry.

(a) *General*.—The factor of uniformity of size and symmetry for mixed pieces of irregular sizes and shapes of canned clingstone peaches and all applicable styles of canned "solid-pack" clingstone peaches is not based on any detailed requirements and is not scored; the other three factors (color, absence of defects, and character, as applicable) are scored and the total is multiplied by 100 and divided by 80, dropping any fractions to determine the total score.

(b) *Off-suture cuts*.—"Off-suture cut" in halved or quartered canned clingstone peaches means a halved or quartered unit which has been cut at a distance from the suture greater than three-eighths in at the widest measurement from the suture.

(c) *Partially detached or detached piece*.—A "partially detached or detached piece" in halved canned clingstone peaches means a unit which has the appearance of a slice resulting from an off-suture cut or from improper cutting and which may or may not be attached to the half from which cut. In determining the applicable allowances in terms of percentage by count, a partially detached piece together with the half to which it is partially attached is considered as one unit or a detached piece with the half from which detached or together with any other half is considered as one unit.

(d) *Partial slice*.—A "partial slice" in the style of slices is a unit that has had the semblance of a slice with respect to thickness and shape but is less than three-fourths of an apparent full slice and that does not bear marks of crushing. In determining the allowances in terms of percentage by count, partial slices aggregating the equivalent of an average size slice shall be considered as one unit.

(e) *Sliver*.—A "sliver" in the style of slices is a sector that is substantially smaller than the general size of slices or that weighs 3 grams or less.

(f) *Slab*.—A "slab" in the style of slices is a portion of a unit which does

not conform to the shape of a definite slice due to improper cutting.

(g) (A) *classification*.—Halves, quarters, slices, diced, or whole canned clingstone peaches that are practically uniform in size and symmetry may be given a score of 18 to 20 points. "Practically uniform in size and symmetry" has the following meanings with respect to the following styles of canned clingstone peaches:

(1) *Halves; quarters; whole*.—The units are very symmetrical and the weight of the largest full-size unit does not exceed the weight of the smallest full-size unit by more than 40 percent; the weight of each half is not less than three-fifths oz; the weight of each quarter is not less than three-tenths oz; and not more than 10 percent, by count, of the units in the style of halves or quarters may possess off-suture cuts or partially detached or detached pieces, or any combination thereof. One unit in a container is permitted to possess an off-suture cut or partially detached or detached piece if such unit exceeds the allowance of 10 percent, by count: *Provided*, That in all containers comprising the sample such units do not exceed an average of 10 percent of the total number of units.

(2) *Slices*.—Not more than a total of 5 percent, by count, of the units may be partial slices, slivers, and slabs: *Provided*, That not more than 2½ percent, by count, are slabs; and excluding partial slices, slivers, and slabs that may be present, the variation in size and symmetry of the other units does not affect more than slightly the appearance of the product.

(3) *Diced*.—Not more than 10 percent, by weight, of the drained clingstone peaches may be units that are more than three-fourths inch in their greatest edge dimension or are of such size as to pass through a five-sixteenth-inch square opening.

(h) (B) *classification*.—Halves, quarters, slices, diced, or whole canned clingstone peaches that are reasonably uniform in size and symmetry may be given a score of 16 or 17 points. "Reasonably uniform in size and symmetry" has the following meanings with respect to the following styles of canned clingstone peaches:

(1) *Halves; quarters; whole*.—The units are reasonably symmetrical and the weight of the largest full-size unit does not exceed the weight of the smallest full-size unit by more than 60 percent; the weight of each half is not less than three-fifths oz; the weight of each quarter is not less than three-tenths oz; and not more than 20 percent, by count, of the units in the style of halves or quarters may possess off-suture cuts or partially detached or detached pieces, or any combination thereof. One unit in a container is permitted to possess an off-suture cut or partially detached or detached piece if such unit exceeds the allowance of 20 percent, by count: *Provided*, That in all containers comprising the sample such units do not exceed an

average of 20 percent of the total number of units.

(2) *Slices*.—Not more than a total of 10 percent, by count, of the units may be partial slices, slivers, and slabs: *Provided*, That not more than 5 percent, by count, are slabs; and excluding partial slices, slivers, and slabs that may be present, the variation in size and symmetry of the other units does not affect materially the appearance of the product.

(3) *Diced*.—Not more than 15 percent, by weight, of the drained clingstone peaches may be units that are more than three-quarter in in their greatest edge dimension or are of such size as to pass through a five-sixteenths in square opening.

(1) (C) *classification*.—Halves, quarters, slices, diced, or whole canned clingstone peaches that are fairly uniform in size and symmetry may be given a score of 14 or 15 points. Canned clingstone peaches that fall into this classification shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product (this is a partial limiting rule). "Fairly uniform in size and symmetry" has the following meanings with respect to the following styles of canned clingstone peaches:

(1) *Halves; quarters; whole*.—The units may vary in size, thickness, and symmetry and the weight of the largest full-size unit may be not more than twice the weight of the smallest full-size unit; the weight of each half is not less than three-fifths oz; the weight of each quarter is not less than three-tenths oz; and not more than 40 percent, by count, of the units in the style of halves or quarters may possess off-suture cuts or partially detached or detached pieces, or any combination thereof: *Provided*, That the presence of such units does not give the appearance of canned peaches of "Mixed Pieces of Irregular Sizes and Shapes" or canned peaches that are "Unevenly Trimmed".

(2) *Slices*.—Not more than a total of 20 percent, by count, of the units may be partial slices, slivers, and slabs: *Provided*, That not more than 10 percent, by count, are slabs; and excluding partial slices, slivers, and slabs that may be present, the balance of slices may vary noticeably in size, thickness and symmetry.

(3) *Diced*.—Not more than 20 percent, by weight, of the drained clingstone peaches may be units that are more than three-quarter in in their greatest edge dimension or are of such size as to pass through a five-sixteenths in square opening.

(4) (D) and (SSd) *classification*.—Canned clingstone peaches of the applicable styles which fail to meet paragraph (1) of this section may be given a score of 0 to 13 points and shall not be graded above the following stated grade, regardless of the total score for the product (this is a limiting rule):

(1) Halves, quarters, or whole canned clingstone peaches in which the weight of the largest full-size unit is more than twice the weight of the smallest full-size

unit shall not be graded above U.S. Grade D and are also "Below Standard in Quality—Mixed Sizes."

(2) Halves of canned clingstone peaches in which the weight of any half is less than three-fifths oz shall not be graded above U.S. Grade D and are also "Below Standard in Quality—Small Halves."

(3) Quarters of canned clingstone peaches in which the weight of any quarter is less than three-tenths oz shall not be graded above U.S. Grade D and are also "Below Standard in Quality—Small Quarters."

(4) Slices and diced canned clingstone peaches shall not be graded above U.S. Grade D.

§ 52.2574 Absence of defects.

(a) *General*.—The factor of absence of defects refers to the degree of freedom from harmless extraneous material (such as stems or leaves and portions thereof), from pit material, from units that are crushed or broken for the applicable style, and from any other defects which detract from the appearance or edibility of the product.

(1) *Blemished*.—"Blemished" or "blemished units" means units that are blemished with scab, hail injury, discoloration, or other abnormality which affects materially the appearance or edibility, or both, of the unit.

(2) *Crushed or broken*.—"Crushed or broken" means that:

(i) A unit in halves, quarters, or whole style of canned clingstone peaches is "crushed" if the unit has definitely lost its normal shape and bears marks of crushing or is otherwise crushed not due to ripeness; and

(ii) A unit in halves, quarters, or whole style of canned clingstone peaches is "broken" if severed into definite parts; halves of canned clingstone peaches that are slightly or partially split from the edge to the pit cavity are not considered broken. Portions equivalent to a full-size unit that has been broken are considered as one unit in determining the percentage by count.

(3) *Pit material*.—"Pit material" means any whole pit in all styles other than whole style or any portion of a peach pit, regardless of size, except when whole peach pits or peach kernels are permitted as seasoning ingredients in other than whole style.

(b) (A) *classification*.—Halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned clingstone peaches that are practically free from defects may be given a score of 27 to 30 points. Mixed pieces of irregular sizes and shapes of canned clingstone peaches that score 27 to 30 points shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product (this is a partial limiting rule). "Practically free from defects" means that the canned clingstone peaches are practically free from pit material, from harmless extraneous material, and from any defects not specifically mentioned that affect the appearance or edibility of the product, and in

addition, has the following meanings with respect to the following styles of canned clingstone peaches:

(1) *Halves; quarters; whole*.—Not more than an average of one-eighth square inch of peel for each pound of total contents may be present; not more than 5 percent, by count, of the units may be crushed, or broken; and not more than 5 percent, by count, of units may be blemished. One unit in a container is permitted to be crushed or broken and one unit in a container is permitted to be blemished if any of such units exceeds the respective allowances of 5 percent, by count: *Provided*, That in all containers comprising the sample such crushed or broken units do not exceed an average of 5 percent of the total number of units and such blemished units do not exceed an average of 5 percent of the total number of units.

(2) *Sliced*.—Not more than an average of one-eighth square inch of peel for each pound of total contents may be present; and not more than 3 percent, by count, of the units may be blemished. One unit in a container is permitted to be blemished if such unit exceeds the allowance of 3 percent by count: *Provided*, That in all containers comprising the sample such blemished units do not exceed an average of 3 percent of the total number of units.

(3) *Diced*.—Not more than an average of one-eighth square inch of peel for each pound of total contents may be present; and not more than 3 percent, by weight, of drained clingstone peaches may consist of units that are blemished.

(4) *Mixed pieces of irregular sizes and shapes*.—Not more than an average of one-eighth square inch of peel for each pound of total contents may be present; and not more than 1 blemished unit for each 32 oz of total contents may be present.

(c) (B) *classification*.—Halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned clingstone peaches that are reasonably free from defects may be given a score of 24 to 26 points. Canned clingstone peaches that fall into this classification shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that the canned clingstone peaches are practically free from pit material, are reasonably free from harmless extraneous material and from any defects not specifically mentioned that affect the appearance or edibility of the product, and in addition, has the following meanings with respect to the following styles of canned clingstone peaches:

(1) *Halves; quarters; whole*.—Not more than an average of $\frac{1}{2}$ square inch of peel for each pound of total contents may be present; not more than 5 percent, by count, of the units may be crushed, or broken; and not more than 10 percent, by count, of the units may be blemished. One unit in a container is permitted to be crushed or broken and one unit in a container is permitted to

be blemished if any of such units exceed the respective allowances of 5 percent and 10 percent, by count: *Provided*, That in all containers comprising the sample such crushed or broken units do not exceed an average of 5 percent of the total number of units and such blemished units do not exceed an average of 10 percent of the total number of units.

(2) *Sliced*.—Not more than an average of $\frac{1}{2}$ -square inch of peel for each pound of total contents may be present; and not more than 6 percent, by count, of the units may be blemished. One unit in a single container is permitted to be blemished if such unit exceeds the allowance of 6 percent, by count: *Provided*, That in all containers comprising the sample such blemished units do not exceed an average of 6 percent of the total number of units.

(3) *Diced*.—Not more than an average of $\frac{1}{2}$ -square inch of peel for each pound of total contents may be present; and not more than 6 percent, by weight, of drained clingstone peaches may consist of units that are blemished.

(4) *Mixed pieces of irregular sizes and shapes*.—Not more than an average of $\frac{1}{2}$ -square inch of peel for each pound of total contents may be present; and not more than 1 blemished unit for each pound of total contents may be present.

(d) (C) *classification*.—Halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned clingstone peaches that are fairly free from defects may be given a score of 21 to 23 points. Canned clingstone peaches that fall into this classification shall not be graded above U.S. Grade C or U.S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that the canned clingstone peaches are practically free from pit material, are fairly free from harmless extraneous material and from any defects not specifically mentioned that affect the appearance or edibility of the product, and in addition, has the following meanings with respect to the following styles of canned clingstone peaches:

(1) *Halves; quarters; whole*.—Not more than an average of 1 square inch of peel for each pound of total contents may be present; not more than 5 percent, by count, of the units may be crushed or broken; and not more than 20 percent, by count, of the units may be blemished. One unit in a container is permitted to be blemished if any of such units exceed the respective allowances of 5 percent and 20 percent, by count: *Provided*, That in all containers comprising the sample such blemished units do not exceed an average of 20 percent of the total number of units.

(2) *Slices; diced; mixed pieces of irregular sizes and shapes*.—Not more than an average of 1 square inch of peel for each pound of total contents may be present; and not more than 20 percent, by count, of the units may be blemished.

(e) (D) *classification*.—Canned clingstone peaches of any style which fail to meet the requirements of paragraph (d)

of this section but which meet the requirements of this paragraph may be given a score of 0 to 20 points and shall not be graded above U.S. Grade D, regardless of the total score for the product (this is a limiting rule). Halves, quarters, or whole canned clingstone peaches that are thereby U.S. Grade D may also be "Below Standard in Quality"—Blemished or "Partly Crushed or Broken" or "Unevenly Trimmed", or combinations thereof. Canned clingstone peaches of U.S. Grade D with respect to "absence of defects" are practically free from pit material, are fairly free from harmless extraneous material and from any defects not specifically mentioned that affect materially the appearance or edibility of the product, and in addition:

(1) Not more than an average of 1 square inch of peel for each pound of total contents may be present;

(2) In the style of halves, quarters, or whole, any amount of crushed units may be present; and

(3) Not more than 20 percent, by count, of the units may be blemished. One unit in a container is permitted to be blemished if such unit exceeds the allowance of 20 percent, by count: *Provided*, That in all containers comprising the sample such blemished units do not exceed an average of 20 percent of the total number of units.

(f) (SStd) *classification*.—Canned clingstone peaches that fail to meet the applicable requirements of paragraph (e) of this section may be given a score of 0 to 20 points and shall not be graded above the following stated grades, as applicable, regardless of the total score for the product (this is a limiting rule).

(1) Halves, quarters, or whole canned clingstone peaches shall not be graded above Substandard and may also be "Below Standard in Quality" for the applicable reasons:

- (i) Not well peeled;
- (ii) Partly crushed or broken;
- (iii) Unevenly trimmed;
- (iv) Blemished.

(2) Slices, diced, or mixed pieces of irregular sizes and shapes of canned clingstone peaches shall not be graded above Substandard and may also be "Below Standard in Quality" for the applicable reasons:

- (i) Not well peeled;
- (ii) Blemished.

(g) (C-SP) *classification*.—Halves, quarters, slices, diced, or mixed pieces of irregular sizes and shapes of canned "solid-pack" clingstone peaches that are fairly free from defects for canned "solid-pack" clingstone peaches may be given a score of 21 to 23 points. Canned "solid-pack" clingstone peaches that fall into this classification shall not be graded above U.S. Grade C Solid-Pack or U.S. Standard Solid-Pack, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects for canned 'solid-pack' clingstone peaches" means that the canned "solid-pack" clingstone peaches are practically free from pit material; are fairly free from harmless extraneous material and from any defects specifically mentioned that

affect the appearance or edibility of the product, and in addition, there may be present:

(1) Not more than an average of 1 square inch of peel for each pound of total contents; and

(2) Not more than 2 blemished units for each pound of total contents.

(h) (SStd-SP) *classification*.—Halves, quarters, slices, diced, or mixed pieces of irregular sizes and shapes of canned "solid-pack" clingstone peaches that fail to meet the requirements of paragraph (g) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard Solid-Pack, regardless of the total score for the product (this is a limiting rule).

§ 52.2575 Character.

(a) *General*.—The factor of character refers to the degree of ripeness, the texture, and tenderness of the product.

(b) (A) *classification*.—Halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned clingstone peaches that possess a good character may be given a score of 27 to 30 points. Mixed pieces of irregular sizes and shapes of canned clingstone peaches that score 27 to 30 points shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product (this is a partial limiting rule). "Good character" has the following meanings with respect to the various styles of canned clingstone peaches:

(1) *Halves; quarters; slices; mixed pieces of irregular sizes and shapes*.—The units are pliable and possess a tender, fleshy texture typical of mature, well-ripened, properly prepared, and properly processed canned clingstone peaches; the units are intact and possess reasonably well-defined edges; and not more than 10 percent, by count, of the units may possess a "reasonably good character". One unit in a container is permitted to possess a "reasonably good character" if such unit exceeds the allowance of 10 percent, by count: *Provided*, That the appearance or eating quality, or both, is not more than slightly affected by the character of such unit.

(2) *Diced*.—The product generally possesses a texture typical of mature, well-ripened, properly prepared, and properly processed canned clingstone peaches; not more than 3 percent, by weight, of the drained clingstone peaches may be excessively frayed or mushy; and the product is otherwise reasonably free from crushed units.

(3) *Whole*.—The units possess a tender texture typical of mature, well-ripened, properly prepared, and properly processed canned clingstone peaches; the units are uniformly intact and firm; and not more than 10 percent, by count, of the units may possess a "reasonably good character". One unit in a container is permitted to possess a "reasonably good character" if such unit exceeds the allowance of 10 percent, by count: *Provided*, That the appearance or eating quality, or both, is not more than slightly affected by the character of such unit.

(c) (B) *classification*.—Halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned clingstone peaches that possess a reasonably good character may be given a score of 24 to 26 points. Mixed pieces of irregular sizes and shapes of canned clingstone peaches that fall into this classification shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product (this is a partial limiting rule). "Reasonably good character" has the following meanings with respect to the following styles of canned clingstone peaches:

(1) *Halves; quarters; slices; mixed pieces of irregular sizes and shapes*.—The units possess a texture typical of mature, properly ripened, properly prepared, and properly processed canned clingstone peaches; the texture is reasonably fleshy, and the units are reasonably tender or the tenderness may be variable within the unit; the units are reasonably intact with not more than slightly frayed edges and may be slightly firm or slightly soft but are not mushy; and not more than 10 percent, by count, of the units may possess a fairly good character. One unit in a container is permitted to possess such fairly good character if such unit exceeds the allowance of 10 percent, by count: *Provided*, That the appearance or eating quality, or both, is not affected materially by the character of such unit.

(2) *Diced*.—The product generally possesses a texture typical of mature, properly ripened, properly prepared, and properly processed canned clingstone peaches; not more than 5 percent, by weight, of the drained clingstone peaches may be excessively frayed or mushy; and the product is otherwise reasonably free from crushed units.

(3) *Whole*.—The units possess a texture typical of mature, properly ripened, properly prepared, and properly processed canned clingstone peaches; the units are reasonably tender or the tenderness may be variable within the unit; the units may be slightly firm or slightly soft but are not mushy; and not more than 10 percent, by count, of the units may possess a fairly good character, except for mushy or "not tender" units. One unit in a container is permitted to possess such fairly good character if such unit exceeds the allowance of 10 percent, by count: *Provided*, That the appearance or eating quality, or both, is not affected materially by the character of such unit.

(d) (C) *classification*.—Halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned clingstone peaches that possess a fairly good character may be given a score of 21 to 23 points. Canned clingstone peaches that fall into this classification shall not be graded above U.S. Grade C or U.S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good character" has the following meanings with respect to the following styles of canned clingstone peaches:

(1) *Halves; quarters; slices; mixed pieces of irregular sizes and shapes*.—The units possess a texture typical of mature, properly prepared, and properly processed canned clingstone peaches which may be variable in fleshiness but the texture is fairly fleshy; the units may be lacking uniformity of tenderness; the units may be frayed but not excessively frayed or may be soft; and not more than 10 percent, by weight, of the drained clingstone peaches may be mushy or units that are so firm as to be "not tender".

(2) *Diced*.—The product generally possesses a texture typical of mature, properly prepared, and properly processed canned clingstone peaches; not more than 10 percent, by weight, of the drained clingstone peaches may be excessively frayed or mushy or are so firm as to be "not tender"; and the product is otherwise fairly free from crushed units.

(3) *Whole*.—The units possess a texture typical of mature, properly prepared, and properly processed canned clingstone peaches which may be variable; the units may be lacking uniformity of tenderness; the units may be markedly firm or markedly ragged or soft; and not more than 10 percent, by count, of the units may be mushy or so firm as to be "not tender". One unit in a container is permitted to be mushy or "not tender" if such unit exceeds the allowance of 10 percent, by count: *Provided*, That in all containers comprising the sample, such units do not exceed an average of 10 percent of the total number of units.

(e) (D) *classification*.—Canned clingstone peaches of any style that meet the requirements of paragraph (d) of this section with respect to units that are so firm as to be "not tender" but which otherwise possess a noticeably variable texture with not more than 25 percent, by weight, of the drained canned clingstone peaches that consist of mushy fruit may be given a score of 0 to 20 points and shall not be graded above U.S. Grade D, regardless of the total score for the product (this is a limiting rule).

(f) (SStd) *classification*.—Canned clingstone peaches of any style that fail to meet the applicable requirements of paragraph (d) or (e) of this section or that are so firm as to be "not tender" may be given a score of 0 to 20 points and shall not be graded above substandard, regardless of the total score for the product (this is a limiting rule). Halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned clingstone peaches that are "not tender" are also "Below standard in quality—Not tender".

(g) (C-SP) *classification*.—Halves, quarters, slices, diced, or mixed pieces of irregular sizes and shapes of canned "solid-pack" clingstone peaches that possess a fairly good character for canned "solid-pack" clingstone peaches may be given a score of 21 to 23 points. Canned "solid-pack" clingstone peaches that fall into this classification shall not be

graded above U.S. Grade C Solid-Pack or U.S. Standard Solid-Pack, regardless of the total score for the product (this is a limiting rule). "Fairly good character for canned 'solid-pack' clingstone peaches" means the product generally possesses a texture of properly prepared and properly processed "solid-pack" clingstone peaches which may be variable in tenderness, may be soft, or may consist of fairly firm units.

(h) (SStd-SP) *classification*.—Halves, quarters, slices, diced, or mixed pieces of irregular sizes and shapes of canned "solid-pack" clingstone peaches that fail to meet the requirements of paragraph (g) of this section may be given a score of 0 to 20 points and shall not be graded above substandard solid-pack, regardless of the total score for the product (this is a limiting rule).

LOT INSPECTION AND CERTIFICATION

§ 52.2579 Ascertaining the grade of a lot.

The grade of a lot of canned clingstone peaches covered by these standards is determined by the procedures set forth in the regulations governing inspection and certification of processed fruits and vegetables, processed products thereof, and certain other processed food products (7 CFR 52.1 to 52.87).

SCORE SHEET

§ 52.2577 Score sheet.

Size and kind of container		
Container mark or identification		
Label		
Net weight (ounces)		
Vacuum (inches)		
Drained weight (ounces) () Heavy pack		
Solid pack () spiced () dietetic ()		
If in a liquid packing medium:		
Brix measurement		
Sirup designation (extra heavy, heavy, etc.)		
Style (halves) (quarters) (whole) etc.		
Count (halves, quarters, whole)		
<hr/>		
Factors	Score points	
Color	20 (A) 18-20	
	(B) 16-17	
	(C), (D), (C-SP) 14-15	
	(SStd) and (SStd-SP) 10-13	
Uniformity of size and symmetry	20 (A) 18-20	
	(B) 16-17	
	(C) 14-15	
	(D) and (SStd) 10-13	
Absence of defects	30 (A) 27-30	
	(B) 24-26	
	(C) and (C-SP) 21-23	
	(D), (SStd) and (SStd-SP) 10-20	
Character	30 (A) 27-30	
	(B) 24-26	
	(C) and (C-SP) 21-23	
	(D), (SStd) and (SStd-SP) 10-20	
<hr/>		
Total score	100	
Varietal characteristics () similar () dissimilar		
Normal flavor and odor		
Grade		

¹ Limiting rule.

² Partial limiting rule.

These U.S. Standards for grades of canned clingstone peaches, as herein amended, shall become effective June 20, 1973, and thereupon will supersede the U.S. Standards for grades of canned clingstone peaches which have been in effect since September 18, 1970.

Subpart—U.S. Standards for Grades of Canned Freestone Peaches

PRODUCT DESCRIPTION, STYLES, AND GRADES

Sec.	
§2.2601	Product description.
§2.2602	Styles.
§2.2603	Grades.
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LIQUID MEDIA, FILL OF CONTAINER, DRAINED WEIGHTS, AND FILL WEIGHTS

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PRODUCT DESCRIPTION, STYLES, AND GRADES

§ 2.2601 Product description.

(a) *Canned freestone peaches.*—"Canned freestone peaches" means "canned yellow freestone peaches" or "canned yellow free peaches" as such product is purported to be in the standard of identity for canned peaches (21 CFR 27.0) issued pursuant to the Federal Food, Drug, and Cosmetic Act. For the purposes of the standards in this subpart, and unless the text indicates otherwise, the terms "canned peaches" or "canned freestone peaches" include "canned yellow freestone peaches" and "canned spiced yellow freestone peaches" as defined in the aforesaid standard of identity, and canned "solid-pack" freestone peaches.

(b) *Canned "solid-pack" freestone peaches.*—For the purposes of the standards in this subpart, canned peaches when referred to as "canned 'solid-pack' freestone peaches" or "solid-pack freestone peaches" means prepared peaches of the yellow freestone varietal group packed without a liquid packing medium, with or without a dry nutritive sweetening ingredient added, and sufficiently processed by heat to assure preservation of the product in hermetically-sealed containers. "Solid-pack" peaches to which a sweetening ingredient has not been added are considered "unsweetened"; "solid-pack" peaches to which a dry nutritive sweetening ingredient has been added are considered "sweetened".

§ 2.2602 Styles.

(a) "Halves" or "halved" canned peaches are peeled and pitted peaches, cut approximately in half along the suture from stem to apex.

(b) "Quarters" or "quartered" canned peaches are halved peaches cut into two approximately equal parts.

(c) "Slices" or "sliced" canned peaches are peeled and pitted peaches cut into sectors smaller than quarters.

(d) "Dice" or "diced" canned peaches are peeled and pitted peaches cut into approximate cubes.

(e) "Whole" canned peaches are peeled, unpitted, whole peaches with or without stems removed.

(f) "Mixed pieces of irregular sizes and shapes" are peeled, pitted, and cut units of canned peaches that are predominantly irregular in size and shape which do not conform to a single style of halves, quarters, slices, or dice and which may consist of:

(1) Units (commonly called "salad cuts" or "salad pieces") which may have been prepared originally as peach halves but which are irregular in size and shape in that more than one-fourth of the unit appears to have been removed at the outer curved surface and which have been cut further into pieces;

(2) Units which may have been prepared originally as peach slices but which are irregular in size and shape in that they have been cut further into pieces; or

(3) Mixtures of two or more of the following styles which may or may not be or normal shape: halves, quarters, slices, or dice.

§ 2.2603 Grades.

(a) "U.S. Grade A" or "U.S. Fancy" is the quality of halves, quarters, slices, diced, or whole canned freestone peaches that possess similar varietal characteristics; that possess a normal flavor and odor, that possess a good color, that are practically uniform in size and symmetry, that are practically free from defects, that possess a good character, and that for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 90 points: *Provided*, That halves, quarters, slices, diced, or whole canned freestone peaches may possess a reasonably good color, may be reasonably uniform in size and symmetry, and may possess a reasonably good character, if the total score is not less than 90 points.

(b) "U.S. Grade B" or "U.S. Choice" is the quality of halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned freestone peaches that possess similar varietal characteristics; that possess a normal flavor and odor, that possess a reasonably good color, that are reasonably uniform in size and symmetry for the applicable style, that are reasonably free from defects, that possess a reasonably good character, and that for the factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 80 points: *Provided*, That halves, quarters, slices, diced, or whole canned freestone peaches may be fairly uniform in size and symmetry if the total score is not less than 80 points.

(c) "U.S. Grade C" or "U.S. Standard"

is the quality of halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned freestone peaches that possess similar varietal characteristics; that possess a normal flavor and odor, that possess a fairly good color, that are fairly uniform in size and symmetry for the applicable style, that are fairly free from defects, that possess a fairly good character, and that for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 70 points.

(d) "U.S. Grade D" is the quality of halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned freestone peaches that may possess dissimilar varietal characteristics; that possess a normal flavor and odor, that possess a fairly good color, that may vary in size and symmetry for the applicable style; that are fairly free from defects except for crushed and broken units in the styles of halves, quarters, or whole style; that possess a noticeable variability in character, and that for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 60 points. Canned freestone peaches of this grade may or may not meet the minimum standard of quality for canned peaches issued pursuant to the Federal Food, Drug, and Cosmetic Act.

(e) "Substandard" is the quality of canned freestone peaches that fail to meet the applicable requirements of U.S. Grade C or U.S. Standard or of U.S. Grade D and is the quality of canned freestone peaches that may or may not meet the minimum standard of quality for canned peaches issued pursuant to the Federal Food, Drug, and Cosmetic Act.

§ 2.2604 Grades of canned "solid-pack".

(a) "U.S. Grade C Solid-Pack" or "U.S. Standard Solid-Pack" is the quality of halves, quarters, slices, diced, or mixed pieces or irregular sizes and shapes of canned solid-pack freestone peaches that possess a normal flavor and odor; that possess a fairly good color, that are fairly free from defects for canned solid-pack freestone peaches, that possess a fairly good character for canned solid-pack freestone peaches, and that for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 70 points.

(b) "Substandard Solid-Pack" is the quality of halves, quarters, slices, diced or mixed pieces of irregular sizes and shapes of canned solid-pack freestone peaches that fail to meet the requirements of "U.S. Grade C Solid-Pack."

LIQUID MEDIA, FILL OF CONTAINER, DRAINED WEIGHTS, AND FILL WEIGHTS

§ 2.2605 Liquid media and Brix measurements.

"Cut-out" requirements for liquid media in canned freestone peaches are not incorporated in the grades of the

finished product since sirup or any other liquid medium, as such, is not a factor of quality for the purposes of these grades. The "cut-out" Brix measurements, as applicable, for the respective designations are as follows:

Designations	Brix measurement
"Extra heavy sirup" or "Extra heavy fruit juice(s) sirup."	24° or more but not more than 35°.
"Heavy sirup" or "Heavy fruit juice(s) sirup."	19° or more but less than 24°.
"Light sirup" or "Light fruit juice(s) sirup."	14° or more but less than 19°.
"Slightly sweetened water."	Less than 14°.
"Slightly sweetened fruit juice(s)."	10° or more but less than 14°.
"In water"	Not applicable.
"In fruit juice(s)."	Not applicable.

§ 52.2606 Fill of container.

The standard of fill of container for canned freestone peaches is the maximum quantity of the peach units which can be sealed in the container and processed by heat to prevent spoilage, without crushing or breaking such ingredient. Canned freestone peaches that do not meet this requirement are "Below Standard in Fill."

§ 52.2607 Recommended fill of container for canned "solid-pack".

The recommended fill of container for canned solid-pack freestone peaches is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purposes of these grades. It is recommended that each container of solid-pack freestone peaches be as full of peaches as practicable without impairment of quality and that the product (including liquid, if any) occupy not less than 90 percent of the volume of the container.

§ 52.2608 Recommended minimum drained weights.

(a) *General.*—(1) The minimum drained weight recommendations for the various styles in table I of this subpart are not incorporated in the grades of the finished product since drained weight, as such, is not a factor of quality for the purposes of these grades.

(2) The recommended minimum drained weights are based on equalization of the product 30 days or more after the product has been canned.

(b) *Method for ascertaining drained weight.*—The drained weight of canned freestone peaches and canned "solid-pack" freestone peaches is determined by emptying the contents of the container, turning the pit cavities down in halves, upon a U.S. Standard No. 8 circular sieve of proper diameter containing 8 meshes to the inch (0.0937-inch \pm 3 percent, square openings) so as to distribute the product evenly, inclining the sieve slightly to facilitate drainage, and allowing to drain for 2 minutes. The drained weight is the weight of the sieve and peaches less the weight of the dry sieve. A sieve 8 inches in diameter is used for the equivalent of No. 3 size cans (404 x

414) and smaller, and a sieve 12 inches in diameter is used for containers larger than the equivalent of the No. 3 size can.

(c) *Definitions of symbols.*—(1) \bar{X}_d —The average drained weight of all the sample units in the sample.

(2) LL —Lower limit for drained weights of individual sample units.

(d) *Compliance with recommended drained weights.*—A lot of canned freestone peaches is considered as meeting the minimum drained weight recommendations if the following criteria are met:

TABLE I.—RECOMMENDED MINIMUM DRAINED WEIGHTS FOR CANNED FREESTONE PEACHES

Container designations (metal, unless otherwise stated)	Container size (overall dimensions)		Over- flow capacity (fluid ounces)	Halves			
	Diameter (inches)	Height (inches)		In extra heavy sirup (ounces)		In any other liquid medium (ounces)	
				LL	\bar{X}_d	LL	\bar{X}_d
8Z tall	211	304		4.1	4.8	4.3	5.0
No. 300	300	407		7.8	8.6	8.0	8.8
No. 303	303	406		8.6	9.5	8.9	9.8
No. 303 glass			17.0	8.6	9.5	8.9	9.8
No. 2	307	409		10.4	11.5	10.8	11.9
No. 2½ glass			28.35	14.7	16.1	15.2	16.6
No. 2½, 7 count or more	401	411		15.2	16.6	15.7	17.1
No. 2½, 6 count or less	401	411		14.8	16.2	15.3	16.7
No. 10, 24 count or more	603	700		68.5	61.0	60.0	62.5
No. 10, 23 count or less	603	700		57.5	60.0	59.0	61.5

TABLE I—(Continued)

Container size (metal, unless otherwise stated)	Quarters, mixed pieces of irregular sizes and shapes				Sliced			
	In extra heavy sirup (ounces)		In any other liquid medium (ounces)		In extra heavy sirup (ounces)		In any other liquid medium (ounces)	
	LL	\bar{X}_d	LL	\bar{X}_d	LL	\bar{X}_d	LL	\bar{X}_d
8Z tall	4.2	4.9	4.4	5.1	4.1	4.7	4.3	4.9
No. 300	8.0	8.8	8.2	9.0	7.8	8.5	8.0	8.7
No. 303 glass	8.8	9.7	9.1	10.0	8.6	9.4	8.9	9.7
No. 303	8.8	9.7	9.1	10.0	8.6	9.4	8.9	9.7
No. 2	10.6	11.7	11.0	12.1	10.4	11.3	10.8	11.7
No. 2½ glass	15.0	16.9	15.5	16.9	14.7	15.8	15.2	16.3
No. 2½	15.5	16.9	16.0	17.4	15.2	16.3	15.7	16.8
No. 10	60.5	63.0	62.0	64.5	59.0	60.0	59.0	61.0

TABLE I—Continued

Container size (metal, unless otherwise stated)	Heavy pack (all styles) (ounces)		Solid-pack unsweetened (all styles) (ounces)	
	LL	\bar{X}_d	LL	\bar{X}_d
No. 2½			22.6	24.0
No. 10	67.5	70.0	87.5	90.0

TABLE II.—SINGLE SAMPLING PLAN FOR DRAINED WEIGHTS

Sample size (number of sample units)	3	6	13	21	29	35	48	60	72
Acceptance No.	0	1	2	3	4	5	6	7	8

§ 52.2609 Recommended minimum fill weights.

(a) *General.*—The minimum fill weight recommendations specified in table III are not incorporated in the grades of the finished product since fill weight, as such, is not a factor of quality for the purposes of these grades.

(1) The average of the drained weights from all the sample units in the sample meet the recommended minimum average drained weight (designated as " \bar{X}_d " in table I); and

(2) The number of sample units which fail to meet the recommended drained weight lower limit for individuals (designated as " LL " in table I) does not exceed the applicable acceptance number specified in the single sampling plan of table II.

(b) *Method for ascertaining fill weight.*—Fill weight is determined in accordance with the U.S. Standards for Inspection by Variables and the U.S. Standards for Determination of Fill Weights.

(c) *Definitions of terms and symbols.*—"Subgroup" means a group of sample units representing a portion of a sample.

\bar{X}'_{min} means the minimum lot average fill weight.

$LWL_{\bar{X}}$ means the lower warning limit for subgroup averages.

$LRL_{\bar{X}}$ means the lower reject limit for subgroup averages.

LWL means the lower warning limit for individual fill weight measurements.

LRL means the lower reject limit for individual fill weight measurements.

\bar{R} means a specified average range value.

R_{max} means a specified maximum range for a subgroup.

"Sampling allowance code" means a code letter on the Sampling Allowance Chart of the U.S. Standards for Inspection by Variables. This letter identifies the appropriate line which gives the amount of sampling allowance to be ap-

piled to the specification average for fill weights in order to determine compliance with requirements for fill weight averages for a sample.

(d) *Compliance with recommended fill weights.*—Compliance with the recom-

mended fill weights shall be in accordance with the acceptance criteria specified in the U.S. Standards for Inspection by Variables and the U.S. Standards for Determination of Fill Weights.

TABLE III.—RECOMMENDED FILL WEIGHT VALUES FOR CANNED FREESTONE PEACHES

Container size (metal, unless otherwise stated)	Halves							Sampling allowance code
	Fill weight values (ounces)							
	\bar{X}_{min}	LWL	LRL	LWL	LRL	\bar{R}	R_{max}	
8½ tall	5.6	5.1	4.9	4.6	4.1	1.2	2.5	I
No. 300	9.9	9.3	8.9	8.5	7.8	1.6	3.4	M
No. 303	11.0	10.3	10.0	9.6	8.7	1.7	3.7	N
No. 305 glass	11.0	10.3	10.0	9.5	8.7	1.7	3.7	N
No. 2	13.3	12.5	12.1	11.5	10.6	2.1	4.4	Q
No. 2½ glass	18.9	17.9	17.4	16.7	15.6	2.6	5.4	T
No. 2½, 7 count or more	19.4	18.4	17.9	17.2	16.1	2.6	5.4	T
No. 2½, 6 count or less	19.0	18.0	17.5	16.8	15.7	2.6	5.4	T
No. 10, 24 count or more	73.0	71.9	70.4	69.2	67.3	4.4	9.3	B1
No. 10, 23 count or less	72.0	70.3	69.4	68.2	66.3	4.4	9.3	B1

TABLE III.—Continued

Container size (metal, unless otherwise stated)	Sliced							Sampling allowance code
	Fill weight values (ounces)							
	\bar{X}_{min}	LWL	LRL	LWL	LRL	\bar{R}	R_{max}	
8½ tall	5.6	5.2	5.0	4.7	4.2	1.1	2.2	H
No. 300	10.0	9.4	9.1	8.7	8.0	1.5	3.2	L
No. 303	11.1	10.5	10.1	9.7	9.0	1.6	3.4	M
No. 305 glass	11.1	10.5	10.1	9.7	9.0	1.6	3.4	M
No. 2	13.4	12.6	12.2	11.7	10.8	2.0	4.3	P
No. 2½	19.0	18.7	18.2	17.6	16.6	2.3	4.9	S
No. 2½ glass	19.1	18.2	17.7	17.1	16.1	2.3	4.9	S
No. 10	74.0	72.5	71.7	70.6	68.9	4.0	8.4	Z

Quarters—mixed pieces of irregular sizes and shapes—fill weight values

Container size	\bar{X}_{min}	LWL	LRL	LWL	LRL	\bar{R}	R_{max}	Code
8½ tall	5.7	5.3	5.1	4.8	4.3	1.1	2.2	H
No. 300	11.3	10.7	10.3	9.9	9.2	1.6	3.4	M
No. 2	13.6	12.8	12.4	11.9	11.0	2.0	4.3	P
No. 2½	19.9	19.0	18.5	17.9	16.9	2.3	4.9	S
No. 10	76.0	74.5	73.7	72.6	70.9	4.0	8.4	Z

FACTORS OF QUALITY

§ 52.2610 Ascertaining the grade.

(a) *General.*—In addition to considering other requirements outlined in the standards the following quality factors are evaluated:

(1) *Factors not rated by score points in other than "solid-pack" freestone peaches.*—(i) Varietal characteristics.

(ii) Flavor and odor.

(2) *Factors not rated by score points in "solid-pack" freestone peaches.*—(i) Flavor and odor.

(3) *Factors rated by score points.*—The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

	Points
(i) Color	20
(ii) Uniformity of size and symmetry	20
(iii) Absence of defects	30
(iv) Character	30
Total score	100

(b) *Definition of flavor and odor.*—"Normal flavor and odor" means that the canned peaches are free from objectionable flavors and objectionable odors of any kind.

§ 52.2611 Ascertaining the rating for the factors which are scored.

The essential variations within each factor which is scored are so described

that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "18 to 20 points" means "18, 19, or 20 points").

§ 52.2612 Color.

(a) *General.*—(1) The color of canned freestone peaches other than canned "spiced" peaches refers to the predominant and characteristic color on the surface of whole units and the outside surface of other units, except the cut surfaces of such units are also considered when adversely affected by discoloration. Units other than whole on which the pit cavity is abnormally discolored are considered under the factor of "absence of defects" only.

(2) The factor of color for canned "spiced" peaches is not based on any detailed requirement and is not scored but the color shall be normal for canned "spiced" peaches; the other three factors (uniformity of size and symmetry, absence of defects, and character as applicable) are scored and the total is multiplied by 100 and divided by 80, dropping any fractions to determine the total score.

(b) (A) *classification.*—Canned freestone peaches that possess a good color may be given a score of 18 to 20 points. Mixed pieces of irregular sizes and shapes that score 18 to 20 points shall not be graded above U.S. grade B, regardless of the total score for the prod-

uct (this is a partial limiting rule). "Good color" means that the peaches possess a bright color ranging from pale yellowish-orange to orange-yellow; and that there may be present units which possess "reasonably good color" as follows:

(1) In the style of halves, quarters, slices, or whole, not more than 10 percent, by count, of the units may possess "reasonably good color"; or one unit in a container is permitted to possess "reasonably good color": *Provided*, That in all containers comprising the sample such units do not exceed an average of 10 percent of the total number of units; and

(2) In the style of diced or mixed pieces of irregular sizes and shapes, not more than 10 percent, by weight, of the drained peaches may possess "reasonably good color".

(c) (B) *classification.*—Canned freestone peaches that possess a reasonably good color may be given a score of 16 or 17 points. Mixed pieces of irregular sizes and shapes that fall into this classification shall not be graded above U.S. grade B, regardless of the total score for the product (this is a partial limiting rule). "Reasonably good color" means that the canned freestone peaches possess a reasonably bright color that may fail to meet minimum color requirements for grade A but is equal to or better than pale yellow; that the units may possess slight discoloration due to oxidation, pit pigmentation, or other causes which does not more than slightly affect the appearance or edibility, or both, of the product; and that there may be present units which possess "fairly good color" as follows:

(1) In the style of halves, quarters, slices, or whole, not more than 10 percent, by count, of the units may possess "fairly good color"; or one unit in a container is permitted to possess "fairly good color": *Provided*, That in all containers comprising the sample such units do not exceed an average of 10 percent of the total number of units; and

(2) In the style of diced or mixed pieces of irregular sizes and shapes, 10 percent, by weight, of the drained peaches may possess "fairly good color".

(d) (C), (D), and (C-SP) *classification.*—Canned freestone peaches that possess a fairly good color and canned "solid-pack" freestone peaches that possess a fairly good color or better color may be given a score of 14 or 15 points. Canned freestone peaches or canned "solid-pack" freestone peaches that fall into this classification shall not be graded above U.S. grade C or U.S. grade C solid-pack, whichever is applicable, regardless of the total score for the product (this is a limiting rule). "Fairly good color" means that the peaches possess a color that may fail to meet minimum color requirements for grade B but is equal to or better than a dull greenish yellow; that the units may possess slight discoloration due to oxidation, pit pigmentation, or other causes which do not materially affect the appearance or edibility, or both, of the product; and that the units may possess other color as follows:

(1) In the style of halves, quarters, slices, or whole, not more than 10 percent, by count, of the units may fail to

meet the minimum color for grade C or may be off-color; or one unit in a container is permitted to possess such color: *Provided*, That in all the containers comprising the sample such units do not exceed an average of 10 percent of the total number of units; and

(2) In the style of diced or mixed pieces of irregular sizes and shapes, not more than 10 percent, by weight, of the drained peaches may consist of units that fail to meet the minimum color requirements for grade C or may be off-color: *Provided*, That such units do not materially affect the appearance of the product.

(e) *(SStd) and (SStd-SP) classification*.—Canned freestone peaches and canned "solid-pack" freestone peaches that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 13 points and shall not be graded above substandard or substandard solid-pack, whichever is applicable, regardless of the total score for the product (this is a limiting rule).

§ 52.2613 Uniformity of size and symmetry.

(a) *General*.—The factor of uniformity of size and symmetry for mixed pieces of irregular sizes and shapes of canned freestone peaches and all applicable styles of canned "solid-pack" freestone peaches is not based on any detailed requirements and is not scored; the other three factors (color, absence of defects, and character as applicable) are scored and the total is multiplied by 100 and divided by 80, dropping any fractions to determine the total score.

(b) *Off-suture cut*.—"Off suture cut" in halved or quartered canned freestone peaches means a halved or quartered unit which has been cut at a distance from the suture greater than $\frac{3}{8}$ inch at the widest measurement from the suture.

(c) *Partial slice*.—A "partial slice" in the style of slices is a unit that has had the semblance of a slice with respect to thickness and shape but is less than three-fourths of an apparent full slice and that does not bear marks of crushing. In determining the allowances in terms of percentage by count, partial slices aggregating the equivalent of an average size slice shall be considered as one unit.

(d) *Sliver*.—A "sliver" in the style of slices is a sector that is substantially smaller than the general size of slices or that weighs 3 gram or less.

(e) *Slab*.—A "slab" in the style of slices is a portion of a unit which does not conform to the shape of a definite slice due to improper cutting.

(f) *(A) classification*.—Halves, quarters, slices, diced, or whole canned freestone peaches that are practically uniform in size and symmetry may be given a score of 18 to 20 points. "Practically uniform in size and symmetry" has the following meanings with respect to the following styles of canned freestone peaches:

(1) *Halves; quarters; whole*.—The weight of the largest full-size unit does

not exceed the weight of the smallest full-size unit by more than 50 percent; the weight of each half is not less than $\frac{3}{8}$ ounce; the weight of each quarter is three-fifths ounce; the weight of each quarter is not less than three-tenths ounce; and not more than 10 percent, by count, of the units in the style of halves or quarters may possess off-suture cuts. One unit in a container is permitted to possess an off-suture cut if such unit exceeds the allowance of 10 percent, by count: *Provided*, That in all containers comprising the sample such units do not exceed an average of 10 percent of the total number of units.

(2) *Slices*.—Not more than a total of 10 percent, by count, of the units may be partial slices, slivers, and slabs: *Provided*, That not more than 5 percent, by count, are slabs; and excluding partial slices, slivers, and slabs that may be present, the variation in size of the other units does not affect materially the appearance of the product.

(3) *Diced*.—Not more than 10 percent, by weight, of the drained freestone peaches may be units of such size as to pass through a $\frac{5}{16}$ -in square opening and the variation in size of the other units does not affect materially the appearance of the product.

(g) *(B) classification*.—Halves, quarters, slices, diced, or whole canned freestone peaches that are reasonably uniform in size and symmetry may be given a score of 16 or 17 points. "Reasonably uniform in size and symmetry" has the following meanings with respect to the following styles of canned freestone peaches:

(1) *Halves; quarters; whole*.—The weight of the largest full-size unit does not exceed the weight of the smallest full-size unit by more than 60 percent; the weight of each half is not less than three-fifths oz; the weight of each quarter is not less than three-tenths oz; and not more than 20 percent, by count, of the units in the style of halves or quarters may possess off-suture cuts. One unit in a container is permitted to possess an off-suture cut, if such unit exceeds the allowance of 20 percent, by count: *Provided*, That in all containers comprising the sample, such units do not exceed an average of 20 percent of the total number of units.

(2) *Slices*.—Not more than a total of 15 percent, by count, of the units may be partial slices, slivers, and slabs: *Provided*, That not more than 7½ percent, by count, are slabs; and excluding partial slices, slivers, and slabs that may be present, the variation in size of the other units does not affect materially the appearance of the product.

(3) *Diced*.—Not more than 15 percent, by weight, of the drained freestone peaches may be units of such size as to pass through a five-sixteenth-in square opening and the variation in size of the other units does not affect seriously the appearance of the product.

(h) *(C) classification*.—Halves, quarters, slices, diced, or whole canned freestone peaches that are fairly uniform in size and symmetry may be given a score

of 14 or 15 points. Canned freestone peaches that fall into this classification shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product (this is a partial limiting rule). "Fairly uniform in size and symmetry" has the following meanings with respect to the following styles of canned freestone peaches:

(1) *Halves; quarters; whole*.—The weight of the largest full-size unit may be not more than twice the weight of the smallest full-size unit; the weight of each half is not less than three-fifths oz; the weight of each quarter is not less than three-tenths oz; and not more than 40 percent, by count, of the units in the style of halves or quarters may possess off-suture cuts.

(2) *Slices*.—Not more than a total of 25 percent, by count, of the units may be partial slices, slivers, and slabs: *Provided*, That not more than 12½ percent, by count, are slabs.

(3) *Diced*.—Not more than 20 percent, by weight, of the drained freestone peaches are units of such size as to pass through a $\frac{5}{16}$ -in square opening and the size of the other units may be variable.

(i) *(D) and (SStd) classification*.—Canned freestone peaches of the applicable styles which fail to meet paragraph (h) of this section, may be given a score of 0 to 13 points and shall not be graded above the following stated grade, regardless of the total score for the product (this is a limiting rule):

(1) *Halves, quarters, or whole* canned freestone peaches in which the weight of the largest full-size unit is more than twice the weight of the smallest full-size unit shall not be graded above U.S. Grade D, and are also "Below Standard in Quality—Mixed Sizes".

(2) *Halves* of canned freestone peaches in which the weight of any half is less than three-fifths oz shall not be graded above U.S. Grade D, and are also "Below Standard in Quality—Small Halves".

(3) *Quarters* of canned freestone peaches in which the weight of any quarter is less than three-tenths oz shall not be graded above U.S. Grade D, and are also "Below Standard in Quality—Small Quarters".

(4) *Sliced and diced* canned freestone peaches shall not be graded above U.S. Grade D.

§ 52.2614 Absence of defects.

(a) *General*.—The factor of absence of defects refers to the degree of freedom from harmless extraneous material (such as stems or leaves and portions thereof), from pit material, from peel from blemished units, from units that are crushed or broken for the applicable style, and from any other defects which detract from the appearance or edibility of the product.

(1) *Blemished*.—"Blemished" or "blemished units" means units that are blemished with scab, hail injury, discoloration, or other abnormality which affects materially the appearance or edibility, or both, of the unit.

(2) *Crushed or broken.*—"Crushed or broken" means that:

(i) A unit in halves, quarters, or whole style of canned freestone peaches is "crushed" if the unit has definitely lost its normal shape and bears marks of crushing or is otherwise crushed not due to ripeness; and

(ii) A unit in halves, quarters, or whole style of canned freestone peaches is "broken" if severed into definite parts; halves of canned freestone peaches that are slightly or partially split from the edge to the pit cavity are not considered broken. Portions equivalent to a full-size unit that has been broken are considered as one unit in determining the percentage by count.

(3) *Pit material.*—"Pit material" means any whole pit in all styles other than whole style or any portion of a peach pit, regardless of size, except when whole peach pits or peach kernels are permitted as seasoning ingredients in other than whole style.

(b) (A) *classification.*—Halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned freestone peaches that are practically free from defects may be given a score of 27 to 30 points. Mixed pieces of irregular sizes and shapes of canned freestone peaches that score 27 to 30 points shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product (this is a partial limiting rule). "Practically free from defects" means that the canned freestone peaches are practically free from pit material, from harmless extraneous material, and from any defects not specifically mentioned that affect the appearance or edibility of the product, and, in addition, has the following meanings with respect to the following styles of canned freestone peaches:

(1) *Halves; quarters; whole.*—Not more than an average of one-half square inch of peel for each pound of total contents may be present; not more than 5 percent, by count, of the units may be crushed or broken; and not more than 5 percent, by count, of the units may be blemished. One unit in a container is permitted to be crushed or broken and one unit in a container is permitted to be blemished, if any of such units exceed the respective allowances of 5 percent, by count: *Provided*, That in all containers comprising the sample such crushed or broken units do not exceed an average of 5 percent of the total number of units and such blemished units do not exceed an average of 5 percent of the total number of units.

(2) *Sliced.*—Not more than an average of one-half square inch of peel for each pound of total contents may be present; and not more than 3 percent, by count, of the units may be blemished. One unit in a container is permitted to be blemished if such unit exceeds the allowance of 3 percent, by count: *Provided*, That in all containers comprising the sample such blemished units do not exceed an average of 3 percent of the total number of units.

(3) *Diced.*—Not more than an average of one-half square inch of peel for each pound of total contents may be present; one-half square inch of peel for each and not more than one blemished unit for each 32 oz of total contents may be present.

(4) *Mixed pieces of irregular sizes and shapes.*—Not more than an average of one-half square inch of peel for each pound of total contents may be present; and not more than one blemished unit for each 32 oz of total contents may be present.

(c) (B) *classification.*—Halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned freestone peaches that are reasonably free from defects may be given a score of 24 to 26 points. Canned freestone peaches that fall into this classification shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that the canned freestone peaches are practically free from pit material, are reasonably free from harmless extraneous material and from any defects not specifically mentioned that affect the appearance or edibility of the product, and, in addition, has the following meanings with respect to the following styles of canned freestone peaches:

(1) *Halves; quarters; whole.*—Not more than an average of one-half square inch of peel for each pound of total contents may be present; not more than 5 percent, by count, of the units may be crushed or broken; and not more than 10 percent, by count, of the units may be blemished. One unit in a container is permitted to be crushed or broken and one unit in a container is permitted to be blemished if any of such units exceed the respective allowances of 5 and 10 percent, by count: *Provided*, That in all containers comprising the sample such crushed or broken units do not exceed an average of 5 percent of the total number of units and such blemished units do not exceed an average of 10 percent of the total number of units.

(2) *Sliced.*—Not more than an average of one-half square inch of peel for each pound of total contents may be present; and not more than 6 percent, by count, of the units may be blemished. One unit in a container is permitted to be blemished if such unit exceeds the allowance of 6 percent, by count: *Provided*, That in all containers comprising the sample such blemished units do not exceed an average of 6 percent of the total number of units.

(3) *Diced.*—Not more than an average of one-half square inch of peel for each pound of total contents may be present; and not more than 6 percent by weight, of drained freestone peaches may consist of units that are blemished.

(4) *Mixed pieces of irregular sizes and shapes.*—Not more than an average of one-half square inch of peel for each pound of total contents may be present; and not more than 1 blemished unit for each pound of total contents may be present.

(d) (C) *classification.*—Halves, quarters, slices, diced, whole or mixed pieces of irregular sizes and shapes of canned freestone peaches that are fairly free from defects may be given a score of 21 to 23 points. Canned freestone peaches that fall into this classification shall not be graded above U.S. Grade C or U.S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that the canned freestone peaches are practically free from pit material, are fairly free from harmless extraneous material and from any defects not specifically mentioned that affect the appearance or edibility of the product, and, in addition, has the following meanings with respect to the following styles of canned freestone peaches:

(1) *Halves; quarters; whole.*—Not more than an average of 1 square inch of peel for each pound of total contents may be present; not more than 5 percent, by count, of the units may be crushed or broken; and not more than 20 percent, by count, of the units may be blemished. One unit in a container is permitted to be crushed or broken and one unit in a container is permitted to be blemished if any of such units exceed the respective allowances of 5 percent and 20 percent, by count: *Provided*, That in all containers comprising the sample such blemished units do not exceed an average of 20 percent of the total number of units.

(2) *Slices; diced; mixed pieces of irregular sizes and shapes.*—Not more than an average of 1 square inch of peel for each pound of total contents may be present; and not more than 20 percent, by count, of the units may be blemished.

(e) (D) *classification.*—Canned freestone peaches of any style which fail to meet the requirements of paragraph (d) of this section but which meet the requirements of this paragraph may be given a score of 0 to 20 points and shall not be graded above U.S. Grade D, regardless of the total score for the product (this is a limiting rule). Halves, quarters, or whole canned freestone peaches that are thereby U.S. Grade D may also be "Below Standard in Quality"—"Blemished" or "Partly Crushed or Broken" or "Unevenly Trimmed" or combinations thereof. Canned freestone peaches of U.S. Grade D with respect to "absence of defects" are practically free from pit material, are fairly free from harmless extraneous material and from any defects not specifically mentioned that affect materially the appearance or edibility of the product, and, in addition:

(1) Not more than an average of 1 square inch of peel for each pound of total contents may be present;

(2) In the style of halves, quarters, or whole, any amount of crushed or broken units may be present; and

(3) Not more than 20 percent, by count, of the units may be blemished. One unit in a container is permitted to be blemished if such unit exceeds the allowance of 20 percent, by count: *Provided*, That in all containers comprising the sample such blemished units do not

exceed an average of 20 percent of the total number of units.

(f) *(SStd) classification*.—Canned freestone peaches that fail to meet the applicable requirements of paragraph (e) of this section may be given a score of 0 to 20 points and shall not be graded above the following stated grades, as applicable, regardless of the total score for the product (this is a limiting rule):

(1) Halves, quarters, or whole canned freestone peaches shall not be graded above Substandard and may also be "Below Standard in Quality" for the applicable reasons:

- (i) Not well peeled;
- (ii) Partly crushed or broken;
- (iii) Unevenly trimmed;
- (iv) Blemished.

(2) Slices, diced, or mixed pieces of irregular sizes and shapes of canned freestone peaches shall not be graded above Substandard and may also be "Below Standard in Quality" for the applicable reasons:

- (i) Not well peeled;
- (ii) Blemished.

(g) *(C-SP) classification*.—Halves, quarters, slices, diced, or mixed pieces of irregular sizes and shapes of canned "solid-pack" freestone peaches that are fairly free from defects for canned "solid-pack" freestone peaches may be given a score of 21 to 23 points. Canned "solid-pack" freestone peaches that fall into this classification shall not be graded above U.S. Grade C Solid-Pack or U.S. Standard Solid-Pack, regardless of the total score for the product (this is a for canned "solid-pack" freestone peaches limiting rule). "Fairly free from defects for canned 'solid-pack' freestone peaches" means that the canned "solid-pack" freestone peaches are practically free from pit material, are fairly free from harmless extraneous material and from any defects not specifically mentioned that affect the appearance or edibility of the product, and, in addition, there may be present:

(1) Not more than an average of 1 square inch of peel for each pound of total contents; and

(2) Not more than two blemished units for each pound of total contents.

(h) *(SStd-SP) classification*.—Halves, quarters, slices, diced, or mixed pieces of irregular sizes and shapes of canned "solid-pack" freestone peaches that fail to meet the requirements of paragraph (g) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard Solid-Pack, regardless of the total score for the product (this is a limiting rule).

§ 52.2615 Character.

(a) *General*.—The factor of character refers to the degree of ripeness, the texture, and tenderness of the product.

(b) *(A) classification*.—Halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned freestone peaches that possess a good

character may be given a score of 27 to 30 points. Mixed pieces of irregular sizes and shapes of canned freestone peaches that score 27 to 30 points shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product (this is a partial limiting rule). "Good character" has the following meanings with respect to the various styles of canned freestone peaches:

(1) *Halves; quarters; slices; diced; mixed pieces of irregular sizes and shapes*.—The units are pliable and possess a tender, fleshy texture typical of mature, well-ripened, properly prepared and properly processed canned freestone peaches; the units are free from noticeable stringiness or toughness; the units may be soft or slightly frayed but not mushy; the halves of peaches may have a tendency to flatten and may be slightly frayed; and not more than 10 percent, by count, of all the units may possess a reasonably good character. One unit in a container is permitted to possess a reasonably good character if such unit exceeds the allowance of 10 percent, by count: *Provided*, That the appearance or eating quality, or both, is not more than slightly affected by the character of such unit.

(2) *Whole*.—The units possess a tender texture typical of mature, well-ripened properly prepared, and properly processed canned freestone peaches; the units are uniformly intact; and not more than 10 percent, by count, of all the units may possess a reasonably good character. One unit in a container is permitted to possess a reasonably good character if such unit exceeds the allowance of 10 percent, by count: *Provided*, That the appearance or eating quality, or both, is not more than slightly affected by the character of such unit.

(c) *(B) classification*.—Halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned freestone peaches that possess a reasonably good character may be given a score of 24 to 26 points. Mixed pieces of irregular sizes and shapes of canned freestone peaches that fall into this classification shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product (this is a partial limiting rule). "Reasonably good character" has the following meanings with respect to the following styles of canned freestone peaches:

(1) *Halves; quarters; slices, diced; mixed pieces of irregular sizes and shapes*.—The units possess a texture typical of mature, properly ripened, properly prepared and properly processed canned freestone peaches; the texture is reasonably fleshy; the units may be soft or materially frayed but not mushy or may be slightly firm or variable in tenderness within the unit; the halves of peaches may have a tendency to flatten and may be materially frayed; and not more than 10 percent, by count, of the units may possess a fairly good character, except

for mushy units. One unit in a container is permitted to possess such fairly good character if such unit exceeds the allowance of 10 percent, by count: *Provided*, That the appearance or eating quality, or both, is not affected materially by the character of such unit.

(2) *Whole*.—The units possess a texture typical of mature, properly ripened, properly prepared, and properly processed canned freestone peaches; the units are reasonably tender or the tenderness may be variable within the unit; the units may be slightly firm or slightly soft but are not mushy; and not more than 10 percent, by count, of the units may possess a fairly good character, except for mushy or "not tender" units. One unit in a container is permitted to possess such fairly good character if such unit exceeds the allowance of 10 percent, by count: *Provided*, That the appearance or eating quality, or both, is not affected materially by the character of such unit.

(d) *(C) classification*.—Halves, quarters, slices, diced, whole, or mixed pieces of irregular sizes and shapes of canned freestone peaches that possess a fairly good character may be given a score of 21 to 23 points. Canned freestone peaches that fall into this classification shall not be graded above U.S. Grade C or U.S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good character" has the following meanings with respect to the following styles of canned freestone peaches:

(1) *Halves; quarters; slices; diced; mixed pieces of irregular sizes and shapes*.—The units possess a texture typical of mature, properly prepared, and properly processed canned freestone peaches which may be variable in fleshiness but the texture is fairly fleshy; the units may be lacking uniformity of tenderness; the units may be very soft but not frayed to the extent that their normal shape is destroyed; and not more than 10 percent, by weight, of the drained freestone peaches may be mushy or units that are so firm as to be not tender.

(2) *Whole*.—The units possess a texture of mature, properly prepared, and properly processed canned freestone peaches which may be variable; the units may be lacking uniformity of tenderness or may be markedly ragged or very soft; and not more than 10 percent, by count, of the units may be mushy or so firm as to be not tender. One unit in a single container is permitted to be mushy or not tender, if one unit exceeds the allowance of 10 percent, by count: *Provided*, That in all containers comprising the sample, such units do not exceed an average of 10 percent of the total number of units.

(e) *(D) classification*.—Canned freestone peaches of any style that meet the requirements of paragraph (d) of this section with respect to units that are so firm as to be not tender but which other-

wise possess a noticeably variable texture with not more than 25 percent, by weight, of the drained canned freestone peaches that consist of mushy fruit may be given a score of 0 to 20 points and shall not be graded above U.S. Grade D, regardless of the total score for the product (this is a limiting rule).

(f) *(SStd) classification.*—Canned freestone peaches of any style that fail to meet the applicable requirements of paragraph (d) or (e) of this section or that are so firm as to be not tender may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule). Halves, quarters, slices, diced, whole, or mixed sizes and shapes of canned freestone peaches that are not tender are also "Below Standard in Quality—Not Tender."

(g) *(C-SP) classification.*—Halves, quarters, slices, diced, or mixed pieces of irregular sizes and shapes of canned "solid-pack" freestone peaches that possess a fairly good character for canned "solid-pack" freestone peaches may be given a score of 21 to 23 points. Canned "solid-pack" freestone peaches that fall into this classification shall not be graded above U.S. Grade C Solid-Pack or U.S. Standard Solid-Pack, regardless of the total score for the product (this is a limiting rule). "Fairly good character for canned 'solid-pack' freestone peaches" means the product generally possesses a texture of properly prepared and properly processed "solid-pack" freestone peaches which may be variable in tenderness or degree of softness and may consist of mushy fruit and fairly firm units.

(h) *(SStd-SP) classification.*—Halves, quarters, slices, diced, or mixed pieces of irregular sizes and shapes of canned "solid-pack" freestone peaches that fail to meet the requirements of paragraph (g) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard Solid-Pack, regardless of the total score for the product (this is a limiting rule).

LOT INSPECTION AND CERTIFICATION

§ 52.2616 Ascertaining the grade of a lot.

The grade of a lot of canned freestone peaches covered by these standards is determined by the procedures set forth in the regulations governing inspection and certification of processed fruits and vegetables, processed products thereof, and certain other processed food products (7 CFR 52.1 to 52.87).

SCORE SHEET

§ 52.2617 Score sheet.

Size and kind of container.....	
Container mark or identification.....	
Label.....	
Net weight (ounces).....	
Vacuum (inches).....	
Drained weight (ounces).....	
Solid-pack () Spiced ().....	
If in a liquid packing medium:	
Brix measurement.....	
Syrup designation (extra heavy, heavy, etc.).....	
Style (halves), (quarters), (whole), etc.....	
Count (halves, quarters, whole).....	

Factors	Score points
Color.....	20 (A)..... 18-20 (B)..... 16-17 (C), (D), (C-SP)..... 14-15 (SStd) and (SStd-SP)..... 10-13
Uniformity of size and symmetry.....	20 (A)..... 18-20 (B)..... 16-17 (C)..... 14-15 (D) and (SStd)..... 10-13
Absence of defects.....	30 (A)..... 27-30 (B)..... 24-26 (C) and (C-SP)..... 21-23 (D), (SStd) and (SStd-SP)..... 10-20
Character.....	30 (A)..... 27-30 (B)..... 24-26 (C) and (C-SP)..... 21-23 (D), (SStd) and (SStd-SP)..... 10-20

Total score.....	100
Varietal characteristics () similar () dissimilar.....	
Normal flavor and odor.....	
Grade.....	

¹ Limiting rule.
² Partial limiting rule.

These U.S. Standards for Grades of Canned Freestone Peaches, as herein amended, shall become effective June 30, 1973, and thereupon will supersede the U.S. Standards for Grades of Canned Freestone Peaches which have been in effect since June 1, 1969.

Subpart—U.S. Standards for Grades of Canned Kadota Figs

PRODUCT DESCRIPTION, STYLES, AND GRADES

Sec.	
52.2821	Product description.
52.2822	Styles.
52.2823	Grades.

LIQUID MEDIA, FILL OF CONTAINER, DRAINED WEIGHTS, AND FILL WEIGHTS

52.2824	Liquid media and Brix measurements.
52.2825	Recommended fill of container.
52.2826	Recommended minimum drained weights.
52.2827	Recommended minimum fill weights.

FACTORS OF QUALITY

52.2828	Ascertaining the grade.
52.2829	Ascertaining the rating for the factors which are scored.
52.2830	Color.
52.2831	Uniformity of size.
52.2832	Absence of defects.
52.2833	Character.

LOT INSPECTION AND CERTIFICATION

52.2834	Ascertaining the grade of a lot.
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SCORE SHEET

52.2835	Score sheet.
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PRODUCT DESCRIPTION, STYLES, AND GRADES

§ 52.2821 Product description.

(a) *Canned figs.*—"Canned figs" means "canned figs" as such product as defined in the standard of identity for canned figs (21 CFR 27.70) issued pursuant to the Federal Food, Drug, and Cosmetic Act.

(b) *Canned Kadota figs.*—"Canned Kadota figs" are canned figs of the Kadota variety. The provisions of the standards in this subpart cover canned Kadota figs only.

(c) *Canned "dietetic" Kadota figs.*—For the purposes of the standards in this subpart, canned Kadota figs, when referred to as "canned 'dietetic' Kadota figs" means canned Kadota figs without nutritive sweetening ingredient(s) added and declared for dietary use, or with artificial sweetening ingredient(s) permissible for dietary use under the provisions of the Federal Food, Drug, and Cosmetic Act.

§ 52.2822 Styles.

- (a) *Style I.*—Whole.
(b) *Style II.*—Whole and split (or broken).
(c) *Style III.*—Split (or broken) and whole.
(d) *Style IV.*—Split (or broken).

§ 52.2823 Grades.

(a) "U.S. Grade A" or "U.S. Fancy" is the quality of canned Kadota figs of Style I, Whole, that possess similar varietal characteristics, that possess a normal flavor and odor, that possess a good color; that are practically uniform in size for Style I, Whole, figs; that are practically free from defects, that possess a good character, and that for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 90 points: *Provided*, That canned Kadota figs may possess a reasonably good color; that Style I, Whole, figs may be reasonably uniform or fairly uniform in size; and may possess a reasonably good character, if the total score is not less than 90 points.

(b) "U.S. Grade B" or "U.S. Choice" is the quality of canned Kadota figs of Style I, Whole, that possess similar varietal characteristics, that possess a normal flavor and odor, that possess a reasonably good color; that are reasonably uniform in size for Style I, Whole, figs; that are reasonably free from defects, that possess a reasonably good character, and that for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 80 points: *Provided*, That Style I, Whole, figs may

be fairly uniform in size, if the total score is not less than 80 points.

(c) "U.S. Grade C" or "U.S. Standard" is the quality of canned Kadota figs of any style that possess similar varietal characteristics, that possess a normal flavor and odor, that possess a fairly good color; that are fairly uniform in size for style I, whole, figs; that are fairly free from defects, that possess a fairly good character, and that for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 70 points: *Provided*, That style I, whole, figs may vary in size if the total score is not less than 70 points.

(d) "Substandard" is the quality of canned Kadota figs that fail to meet the requirements of "U.S. Grade C" or "U.S. Standard".

LIQUID MEDIA, FILL OF CONTAINER, DRAINED WEIGHTS, AND FILL WEIGHTS

§ 52.2824 Liquid media and Brix measurements.

Cut-out requirements for liquid media in canned Kadota figs other than canned dietetic Kadota figs are not incorporated in the grades of the finished product since sirup or any other liquid medium, as such, is not a factor of quality for the purposes of these grades. The cut-out Brix measurement, as applicable, for the respective designations are as follows:

Designations	Brix measurement
"Extra heavy sirup"-----	26° or more but less than 35°.
"Heavy sirup"-----	21° or more but less than 26°.
"Light sirup"-----	16° or more but less than 21°.
"Slightly sweetened water"-----	11° or more but less than 16°.
"In water"-----	Not applicable.

§ 52.2825 Recommended fill of container.

The recommended fill of container for canned Kadota figs is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purposes of these grades. It is recommended that each container of canned Kadota figs be as full of figs as practicable without impairment of quality and that the product (including liquid medium) occupy not less than 90 percent of the volume of the container.

§ 52.2826 Recommended minimum drained weights.

(a) *General*.—(1) The minimum drained weight recommendations in table I, for all styles of canned Kadota figs, are not incorporated in the grades of the finished product since drained weight, as such, is not a factor of quality for the purposes of these grades.

(2) The recommended minimum drained weights are based on equalization of the product 30 days or more after the product has been canned.

(b) *Method for ascertaining drained weights*.—The drained weight of canned Kadota figs is determined by emptying the contents of the container upon a U.S. Standard No. 8 circular sieve of proper diameter containing 8 meshes to the inch (0.0937-in \pm 3 percent, square openings) so as to distribute the product evenly, including the sieve slightly to facilitate drainage, and allowing to drain for two minutes. The drained weight is the weight of the sieve and figs less the weight of the dry sieve. A sieve 8 in in diameter is used for the equivalent of No. 3 size cans (404 x 414) and smaller, and a sieve 12 in in diameter is used for containers larger than the equivalent of the No. 3 size can.

(c) *Definitions of symbols*.—(1) \bar{X}_a —The average drained weight of all the sample units in the sample.

(2) LL —Lower limit for drained weights of individuals sample units.

(d) *Compliance with recommended drained weights*.—A lot of canned Kadota figs is considered as meeting the minimum drained weight recommendations if the following criteria are met:

(1) The average of the drained weights from all the sample units in the sample meets the recommended minimum average drained weight (designated as " \bar{X}_a " in table I); and

(2) The number of sample units which fail to meet the recommended drained weight lower limit for individuals (designated as " LL " in table I) does not exceed the applicable acceptance number specified in the single sampling plan of table II.

TABLE I.—RECOMMENDED MINIMUM DRAINED WEIGHTS FOR CANNED KADOTA FIGS

Container designations (metal, unless otherwise stated)	Container size, overall dimensions		Overflow capacity (fluid ounce)	All styles (and including canned dietetic Kadota figs) (ounces)	
	Width (inches)	Height (inches)		LL	\bar{X}_a
8Z tall	211	304	8.2	4.2	8.9
8 oz glass				4.2	8.9
No. 300	300	407	8.2	8.1	9.9
No. 1 tall	301	411		9.0	10.9
No. 303	303	406		9.0	10.9
No. 303 glass			17.0	8.7	9.7
No. 2	307	409		11.5	12.5
No. 214	401	411		16.6	18.0
No. 214 glass			28.35	15.8	17.2
No. 10 (70 whole figs, or portions equivalent thereto, and less)	603	700		60.5	61.9
No. 10 (71 whole figs, or portions equivalent thereto, and more)				63.5	66.9

TABLE II.—SINGLE SAMPLING PLAN FOR DRAINED WEIGHTS

Sample size (number of sample units)	3	6	13	21	29	38	48	60	72
Acceptance No.	0	1	2	3	4	5	6	7	8

§ 52.2827 Recommended minimum fill weights.

(a) *General*.—The minimum fill weight recommendations specified in table III are not incorporated in the grades of the finished product since fill weight, as such, is not a factor of quality for the purposes of these grades.

(b) *Method for ascertaining fill weights*.—Fill weight is determined in accordance with the U.S. Standards for Inspection by Variables and the U.S. Standards for Determination of Fill Weights.

(c) *Definitions of terms and symbols*.—"Subgroup" means a group of sample units representing a portion of a sample.

\bar{X}_{min} means the minimum lot average fill weight.

$LWL_{\bar{X}}$ means the lower warning limit for subgroup averages.

$LR_{\bar{X}}$ means the lower reject limit for subgroup averages.

LWL means the lower warning limit for individual fill weight measurements.

LR means the lower reject limit for individual fill weight measurements.

\bar{R} means a specified average range value.

R_{max} means a specified maximum range for a subgroup.

"Sampling allowance code" means a code letter on the Sampling Allowance Chart of the U.S. Standards for Inspection by Variables. This letter identifies the appropriate line which gives the amount of sampling allowance to be applied to the specification average for fill weights in order to determine compliance with requirements for fill weight averages for a sample.

(d) *Compliance with recommended fill weights*.—Compliance with the recommended fill weights shall be in accordance with the acceptance criteria specified in the U.S. Standards for Inspection by Variables and the United States Standards for Determination of Fill Weights.

TABLE III.—RECOMMENDED FILL WEIGHT VALUES FOR CANNED KADOTA FIGS

Container designation (metal, unless otherwise stated)	\bar{X}'_{min}	LWL	LRL	LWL	LRL	\bar{F}	R_{max}	Sampling allow- ance code
52 tall.....	5.3	4.8	4.5	4.2	3.6	1.3	2.7	J
52 of glass.....	5.3	4.8	4.5	4.2	3.6	1.3	2.7	J
No. 300.....	9.5	8.9	8.6	8.2	7.6	1.5	3.2	L
No. 1 tall whole.....	10.3	9.7	9.3	8.9	8.2	1.6	3.4	M
No. 1 tall other styles.....	10.6	10.0	9.6	9.2	8.5	1.6	3.4	M
No. 300 whole.....	10.5	9.9	9.5	9.1	8.4	1.6	3.4	M
No. 300 other styles.....	10.8	10.2	9.8	9.4	8.7	1.6	3.4	M
300 glass whole.....	10.2	9.6	9.2	8.8	8.1	1.6	3.4	M
No. 2 whole.....	12.8	12.1	11.8	11.3	10.5	1.7	3.7	N
No. 2 other styles.....	13.1	12.4	12.1	11.6	10.8	1.7	3.7	N
No. 2 1/2 whole.....	19.0	18.1	17.6	17.0	16.0	2.3	4.9	S
No. 2 1/2 other styles.....	19.2	18.3	17.8	17.2	16.2	2.3	4.9	S
2 1/2 glass whole.....	18.2	17.3	16.8	16.2	15.2	2.3	4.9	S
2 1/2 glass other styles.....	18.4	17.5	17.0	16.4	15.4	2.3	4.9	S
No. 10 whole.....	69.0	67.5	66.7	65.6	63.9	4.0	8.4	Z
No. 10 other styles.....	71.0	69.5	68.7	67.6	65.9	4.0	8.4	Z

FACTORS OF QUALITY

§ 52.2828 Ascertaining the grade.

(a) *General*.—In addition to considering other requirements outlined in the standards the following quality factors are evaluated:

(1) *Factors not rated by score points*.—(i) Varietal characteristics.

(ii) Flavor and odor.

(2) *Factors rated by score points*.—The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

	Points
Color.....	20
Uniformity of size.....	20
Absence of defects.....	30
Character.....	30
Total score.....	100

(b) *Definition of flavor and odor*.—"Normal flavor and odor" means that the canned Kadota figs (including the effects of added spices, seasonings, or flavorings) are free from objectionable flavors and objectionable odors of any kind.

§ 52.2829 Ascertaining the rating for the factors which are scored.

The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "18 to 20 points" means "18, 19, or 20 points").

§ 52.2830 Color.

(a) (A) *classification*.—Canned Kadota figs that possess a good color may be given a score of 18 to 20 points. "Good color" means a practically uniform, light amber or light greenish-yellow color that is bright and typical of properly processed canned Kadota figs; that not more than 5 percent, by count, of the figs may possess a reasonably good color; and that none of the figs possess a fairly good color.

(b) (B) *classification*.—If the canned Kadota figs possess a reasonably good color, a score of 16 or 17 points may be given. "Reasonably good color" means a reasonably uniform and reasonably bright light green color that may lack a definite yellow cast but is typical of

properly prepared and properly processed Kadota figs; and that not more than 10 percent, by count, of the figs may possess a fairly good color.

(c) (C) *classification*.—If the canned Kadota figs possess a fairly good color, a score of 14 or 15 points may be given. Canned Kadota figs that fall into this classification shall not be graded above U.S. Grade C or U.S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good color" means a fairly good color that may possess a green, slightly milky, or a light brown color and that the figs may vary moderately in such typical color, but not more than 5 percent, by count, of the figs may be off-color, or one unit in a container is permitted to be off-color if such unit exceeds the 5-percent allowance.

(d) (SStd) *classification*.—Canned Kadota figs that fail to meet the requirements of paragraph (c) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.2831 Uniformity of size.

(a) *General*.—The factor of uniformity of size for other than Style I, Whole, canned Kadota figs is not based on any detailed requirements and is not scored; the other three factors (color, absence of defects, and character) are scored and the total is multiplied by 100 and divided by 80, dropping any fractions to determine the total score.

(b) (A) *classification*.—Canned Kadota figs of Style I, Whole, that are practically uniform in size may be given a score of 18 to 20 points. "Practically uniform in size" means that in containers with less than 20 units the weight of the largest whole fig does not exceed the weight of the smallest whole fig by more than 50 percent; or, that in containers with 20 or more units, in 95 percent, by count, of the units that are most uniform in weight, the weight of the largest whole fig does not exceed the weight of the smallest whole fig by more than 50 percent.

(c) (B) *classification*.—If the canned Kadota figs of Style I, Whole, are reasonably uniform in size, a score of 16 or 17 points may be given. "Reasonably uniform in size" means that in containers

with less than 20 units the weight of the largest whole fig does not exceed the weight of the smallest whole fig by more than 75 percent; or, that in containers with 20 or more units, in 95 percent, by count, of the units that are most uniform in weight, the weight of the largest whole fig does not exceed the weight of the smallest whole fig by more than 75 percent.

(d) (C) *classification*.—If canned Kadota figs of Style I, Whole, are fairly uniform in size, a score of 14 or 15 points may be given. "Fairly uniform in size" means that in containers with less than 20 units the weight of the largest whole fig may be not more than twice the weight of the smallest whole fig; or, that in containers with 20 or more units, in 95 percent, by count, of the units that are most uniform in weight, the weight of the largest whole fig may be not more than twice the weight of the smallest whole fig.

(e) (SStd) *classification*.—Canned Kadota figs that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 13 points and shall not be graded above U.S. Grade C or U.S. Standard, regardless of the total score for the product (this is a partial limiting rule).

§ 52.2832 Absence of defects.

(a) *General*.—The factor of absence of defects refers to the degree of freedom from harmless extraneous material (such as leaves, stems); from split (or broken) figs including severed figs; from figs blemished with scab, scars, bruises, discoloration; from caprified figs; and from figs damaged by mechanical, pathological, insect injury, or similar injury.

(b) *Definitions of defects*.—Figs that are blemished with scab, scars, bruises, discoloration, or other abnormalities or injury are considered under the classification of possessing "insignificant", "minor", or "major" defects.

(1) *Insignificant defects*.—"Insignificant defects" include:

(i) Very light color surface scars of any size that blend with the color of the fig; and

(ii) Surface blemishes that are lighter than dark brown and that in the aggregate, singly or in combination on a unit, are less than the area of a circle one-fourth inch in diameter.

(2) *Minor defects*.—"Minor" defects include:

(i) Surface blemishes that are lighter than dark brown and that equal or exceed in the aggregate, singly or in combination on a unit, the area of a circle one-fourth inch in diameter but do not exceed in the aggregate the area of a circle one-half inch in diameter;

(ii) Dark brown or black surface blemishes which in the aggregate, singly or in combination on a unit, are less than the area of a circle one-fourth inch in diameter; and

(iii) Slight insect injury that is not serious.

(3) *Major defects*.—"Major" defects include:

(i) Caprified figs;

(ii) Surface blemishes that are lighter than dark brown and that exceed in the aggregate, singly or in combination on a unit, the area of a circle one-half inch in diameter;

(iii) Blemishes that extend into the fruit, worm holes, serious insect damage, or similar injury, regardless of the area; and

(iv) Dark brown or black surface blemishes which in the aggregate, singly or in combination on a unit, equal or exceed the area of a circle one-fourth inch in diameter but do not seriously affect the appearance of the unit.

(4) *Split (or broken) fig; severed fig.*—A "split (or broken) fig" is one that is open to such an extent that the seed cavity is exposed, the shape of the fruit may be distorted, and the fruit may or may not be broken apart into entirely separate pieces. A "severed fig" is a split (or broken) fig which has been broken apart into entirely separate pieces. A fig that is only slightly cracked and retains its natural conformation without exposing the interior is not considered a split (or broken) fig.

(5) *Unit.*—A "unit" or "unit of fig" in canned Kadota figs, for the purposes of ascertaining compliance with percentage allowances in this section means a "whole" fig; a split fig (or broken fig) which is not broken apart into entirely separate pieces; or portions of severed figs which are the approximate equivalent of a whole fig.

(c) (A) *classification.*—Canned Kadota figs that are practically free from defects may be given a score of 27 to 30 points.

(1) To score in this classification, not more than 10 percent, by count, of the units may be split (or broken): *Provided*, That none are severed figs.

(2) "Practically free from defects" means that units which possess insignificant, minor, and major defects may be present which do not more than slightly affect the appearance of the product but that there may be present:

(i) Not more than 1 tough woody stem per 30 oz of total contents and no other harmless extraneous material; and

(ii) Not more than a total of 10 percent, by count, of the units may possess "minor" and "major" defects: *Provided*, That not more than 5 percent, by count, of the units may possess "major" defects. One unit in a container is permitted to possess "minor" or "major" defects; if such unit exceeds the respective allowances of 10 percent, or 5 percent, by count: *Provided*, That in all containers comprising the sample such units possessing "minor" and "major" defects do not exceed an average of 10 percent of the total number of units including not more than an average of 5 percent of the total number of units that may possess "major" defects.

(d) (B) *classification.*—If the canned Kadota figs are reasonably free from defects, a score of 24 to 26 points may be given. Canned figs that fall into this

classification shall not be graded above U.S. Grade B, or U.S. Choice, regardless of the total score for the product (this is a limiting rule).

(1) To score in this classification not more than 15 percent, by count, of the units may be split (or broken): *Provided*, That not more than 3 percent, by count, of the units may be severed figs. One unit in a container is permitted to be severed if such unit exceeds the 3 percent allowance: *Provided*, That in all containers comprising the sample such units do not exceed the average of 3 percent of the total number of units.

(2) "Reasonably free from defects" means that units which possess insignificant, minor, and major defects may be present which do not materially affect the appearance of the product but that there may be present:

(i) Not more than 2 tough woody stems per 30 ounces of total contents and not more than 1 piece of other harmless extraneous material per 100 ounces of total contents; and

(ii) Not more than a total of 20 percent, by count, of the units may possess "minor" and "major" defects: *Provided*, That not more than 10 percent, by count, of the units, may possess "major" defects. One unit in a container is permitted to possess "minor" or "major" defects, if such unit exceeds the respective allowances of 20 percent, or 10 percent, by count: *Provided*, That in all containers comprising the sample such units possessing "minor" and "major" defects do not exceed an average of 20 percent of the total number of units including not more than an average of 10 percent of the total number of units that may possess "major" defects.

(e) (C) *classification.*—If the canned Kadota figs are fairly free from defects, a score of 21 to 23 points may be given. Canned Kadota figs that fall into this classification shall not be graded above U.S. Grade C or U.S. Standard, regardless of the total score for the product (this is a limiting rule).

(1) To score in this classification:

(i) In Style I, Whole, not more than 20 percent, by count, of the units may be split (or broken): *Provided*, That not more than 5 percent, by count, of the units may be severed figs. One unit in a container is permitted to be severed if such unit exceeds the 5 percent allowance: *Provided*, That in all containers comprising the sample such units do not exceed an average of 5 percent of the total number of units; or

(ii) In the styles other than Style I, Whole, not more than 10 percent, by count, of the units may be severed figs.

(2) "Fairly free from defects" means that units which possess insignificant, minor, and major defects may be present which do not seriously affect the appearance of the product but that there may be present:

(i) Not more than three tough woody stems and not more than one piece of other harmless extraneous material per 30 oz of total contents; and

(ii) Not more than a total of 40 percent, by count, of the units may possess "minor" and "major" defects: *Provided*, That not more than 20 percent, by count, of the units may possess "major" defects.

(f) (SSd) *classification.*—Canned Kadota figs that fail to meet the requirements of paragraph (e) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.2833 Character.

(a) *General.*—Under the factor of character, consideration is given to the degree of ripeness, the texture and condition of the flesh, the firmness and tenderness of the canned fig, and its tendency to retain its apparent original conformation and size without material disintegration.

(b) (A) *classification.*—Canned Kadota figs that possess a good character may be given a score of 27 to 30 points. "Good character" means that the canned Kadota figs are well matured and fleshy and have a practically uniform, tender texture; that not more than 5 percent, by count, of the figs may possess a reasonably good character; and none possess a fairly good character.

(c) (B) *classification.*—If the canned Kadota figs possess a reasonably good character, a score of 24 to 26 points may be given. "Reasonably good character" means that the canned Kadota figs have a reasonably uniform, reasonably tender texture; and that not more than 10 percent, by count, of the figs may possess a fairly good character.

(d) (C) *classification.*—If the canned Kadota figs possess a fairly good character, a score of 21 to 23 points may be given. Canned Kadota figs that fall into this classification shall not be graded above U.S. Grade C or U.S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good character" means that the canned Kadota figs may be variable in texture from very soft to firm but are not excessively mushy nor excessively firm.

(e) (SSd) *classification.*—Canned Kadota figs that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

LOT INSPECTION AND CERTIFICATION § 52.2834 Ascertaining the grade of a lot.

The grade of a lot of canned Kadota figs covered by these standards is determined by the procedures set forth in the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Products Thereof, and Certain Other Processed Food Products (§§ 52.1 to 52.87).

SCORE SHEET § 52.2835 Score sheet.

Size and kind of container	
Container mark or identification	
Label	
Net weight (ounces)	
Vacuum (inches)	
Drained weight (ounces)	
Brix measurement	
Sirup designation (extra heavy, heavy, etc.)	
Style	
Percent split (or broken)	
Count (in whole style)	

Factors	Score points
Color	20 (A) 15-20 (B) 16-17 (C) 14-15 (SStd) 10-13
Uniformity of size	20 (A) 15-20 (B) 16-17 (C) 14-15 (SStd) 10-13
Absence of defects	30 (A) 27-30 (B) 24-26 (C) 21-23 (SStd) 10-30
Character	30 (A) 27-30 (B) 24-26 (C) 21-23 (SStd) 10-29
Total score	100

Varietal characteristics: () Similar () Dissimilar...
Normal flavor and odor...
Grade

† Limiting rule.
‡ Partial limiting rule.

The U.S. Standards for Grades of Canned Kadota Figs, as herein amended, shall become effective June 20, 1973 and thereupon will supersede the U.S. Standards for Grades of Canned Kadota Figs which have been in effect since August 16, 1957.

Subpart—United States Standards for Grades of Canned Fruits for Salad

PRODUCT DESCRIPTION AND GRADES

- Sec.
52.3831 Product description.
52.3832 Grades.

PROPORTIONS AND FORMS OF FRUIT

- 52.3833 Proportions and forms of fruit.
LIQUID MEDIA, FILL OF CONTAINER, DRAINED WEIGHTS, AND FILL WEIGHTS

- 52.3834 Liquid media and Brix measurements.
52.3835 Recommended fill of container.
52.3836 Recommended minimum drained weights.
52.3837 Recommended minimum fill weights.

FACTORS OF QUALITY

- 52.3838 Ascertaining the grade.
52.3839 Ascertaining the rating for the factors which are scored.
52.3840 Color.
52.3841 Uniformity of count and size.
52.3842 Absence of defects.
52.3843 Character.

LOT INSPECTION AND CERTIFICATION

- 52.3844 Ascertaining the grade of a lot.

SCORE SHEET

- 52.3845 Score sheet.

PRODUCT DESCRIPTION AND GRADES

- 52.3831 Product description.

"Canned fruits for salad" (or "canned salad fruits" or "canned fruit salad") for the purposes of this subpart is the product consisting of units of properly prepared apricots, yellow clingstone peaches,

pears, pineapple, cherries, and/or grapes in the forms (or styles), and proportions as specified in table I of this subpart. The product is packed in a suitable liquid medium with or without the addition of nutritive sweetening ingredients, artificial sweetening ingredients, or other ingredients permissible under the Federal Food, Drug, and Cosmetic Act, and is processed by heat to assure preservation of the product in hermetically sealed containers.

§ 52.3832 Grades.

(a) "U.S. Grade A" (or "U.S. Fancy") is the quality of canned fruits for salad in which each fruit ingredient possesses similar varietal characteristics; in which the fruit ingredients possess a good color, are practically uniform in count and size, are practically free from defects, possess a good character, possess a normal flavor and odor; and that score not less than 85 points when scored in accordance with the scoring system outlined in this subpart.

(b) "U.S. Grade B" (or "U.S. Choice") is the quality of canned fruits for salad in which each fruit ingredient possesses similar varietal characteristics; in which the fruit ingredients possess a reasonably good color, may be irregular in count but are fairly uniform in size, are reasonably free from defects, possess a reasonably good character, possess a normal flavor and odor; and that score not less than 70 points when scored in accordance with the scoring system outlined in this subpart.

(c) "Substandard" is the quality of canned fruits for salad that fail to meet the requirements of U.S. Grade B.

PROPORTIONS AND FORMS OF FRUIT

§ 52.3833 Proportion and forms of fruits.

Canned fruits for salad shall consist of the kinds of fruits in the forms (styles) and proportions as specified in table I of this subpart.

TABLE I

Fruit and forms (or styles)	Proportion (percent) †	
	Not less than—	Not more than—
Apricots: Unpeeled quarters; or unpeeled halves; or peeled quarters; or peeled halves	15	30
Yellow clingstone peaches: Peeled quarters; or peeled slices	23	46
Pears: Peeled quarters; or peeled slices	19	38
Pineapple: Wedge-shaped segments from slices	8	16
Cherries, whole: Artificially colored red; or artificially colored red and artificially flavored	3	8
Grapes, whole: Natural, seedless	6	12

† Percentages of each fruit based on the average drained weight from the containers examined: *Provided*, That the variability is within the range of good commercial practice.

LIQUID MEDIA, FILL OF CONTAINER, DRAINED WEIGHTS, AND FILL WEIGHTS

§ 52.3834 Liquid media and Brix measurements.

Cutout requirements for liquid media in canned fruits for salad are not incorporated in the grades of the finished product since sirup or any other liquid medium, as such, is not a factor of quality for the purposes of these grades. The cutout Brix measurements, as applicable, for the respective designations are as follows:

Designations	Brix measurement
Extra heavy sirup or extra heavy fruit juice sirup	22° or more but less than 35°.
Heavy sirup or heavy fruit juice sirup	18° or more but less than 22°.
Light sirup or light fruit juice sirup	14° or more but less than 18°.
In water	No requirement.
In fruit juice	No requirement.

§ 52.3835 Recommended fill of container.

The recommended fill of container for canned fruits for salad is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purposes of these grades. It is recommended that each container be as full of the fruit ingredients as practicable without impairment of quality and that the product and packing medium occupy not less

than 90 percent of the volume of the container.

§ 52.3836 Recommended minimum drained weight.

(a) *General*.—The minimum drained weight recommendations in table II of this subpart are not incorporated in the grades of the finished product since drained weight, as such, is not a factor of quality for the purposes of these grades.

(b) *Method for ascertaining drained weight*.—The drained weight of canned fruits for salad is determined by emptying the contents of the container upon a U.S. Standard No. 8 circular sieve of proper diameter containing 8 meshes to the inch (0.0937 inch \pm 3 percent, square openings) so as to distribute the product evenly, inclining the sieve slightly to facilitate drainage, and allowing to drain for 2 minutes. The drained weight is the weight of the sieve and fruits less the weight of the dry sieve. A sieve 8 inches in diameter is used for the equivalent of No. 3 size cans (404 x 414) and smaller, and a sieve 12 inches in diameter is used for containers larger than the equivalent of the No. 3 size can.

(c) *Definitions of symbols*.—(1) \bar{X}_a —the average drained weight of all the sample units in the sample.

(2) LL —the lower limit for drained weights of individual sample units.

(d) *Compliance with recommended drained weights*.—A lot of canned fruits

for salad is considered as meeting the minimum drained weight recommendations if the following criteria are met:

(1) The average of the drained weights from all the sample units in the sample meets the recommended minimum average drained weight (designated as " \bar{X}_a " in table II); and

(2) The number of sample units which fail to meet the recommended drained weight lower limit for individuals (designated as " LL " in table II) does not exceed the applicable acceptance number specified in the single sampling plan of table III.

TABLE II.—RECOMMENDED MINIMUM DRAINED WEIGHTS

Container designations (metal, unless otherwise stated)	Container size—overall dimensions		Over-flow capacity (fluid ounces)	In any liquid medium (ounces)	
	Diameter (inches)	Height (inches)		LL	\bar{X}_a
82 tall.....	211	304	4.7	4.7	5.2
8 oz glass.....			8.2	4.7	5.2
No. 300.....	300	407	8.3	8.3	9.0
No. 1 tall.....	301	411	9.3	9.3	10.0
No. 303.....	303	406	9.3	9.3	10.0
No. 308 glass.....			17.0	9.3	10.0
No. 2.....	307	409	11.6	11.6	12.5
No. 214.....	401	411	16.9	16.9	18.0
No. 214 glass.....			28.35	16.9	18.0
No. 10.....	603	700	62.4	62.4	64.8

TABLE III.—SINGLE SAMPLING PLAN FOR DRAINED WEIGHTS

Sample size (number of sample units)	3	6	13	21	29	38	48	60	72
Acceptance No.....	0	1	2	3	4	5	6	7	8

§ 52.3837 Recommended fill weights.

(a) *General*.—The minimum fill weight recommendations specified in

table IV are not incorporated in the grades of the finished product since fill weight, as such, is not a factor of quality for the purposes of the grades.

(b) *Method for ascertaining fill weight*.—Fill weight is determined in accordance with the U.S. Standards for Inspection by Variables and the U.S. Standards for Determination of Fill Weights.

(c) *Definitions of terms and symbols*.—"Subgroup" means a group of sample units representing a portion of a sample.

\bar{X}_{min} means the minimum lot average fill weight.

$LWL_{\bar{X}}$ means the lower warning limit for subgroup averages.

$LRL_{\bar{X}}$ means the lower reject limit for subgroup averages.

LWL means the lower warning limit for individual fill weight measurements.

LRL means the lower reject limit for individual fill weight measurements.

\bar{R} means a specified average range value.

R_{max} means a specified maximum range for a subgroup.

"Sampling allowance code" means a code letter on the Sampling Allowance Chart of the U.S. Standards for Inspection by Variables. This letter identifies the appropriate line which gives the amount of sampling allowance to be applied to the specification average for fill weights in order to determine compliance with requirements for fill weight averages for a sample.

(d) *Compliance with recommended fill weights*.—Compliance with the recommended fill weights shall be in accordance with the acceptance criteria specified in the U.S. Standards for Inspection by Variables and the U.S. Standards for Determination of Fill Weights.

TABLE IV.—RECOMMENDED FILL WEIGHT VALUES FOR CANNED FRUITS FOR SALAD

[Ounces]

Container designation (metal, unless otherwise designated)	\bar{X}_{min}	$LWL_{\bar{X}}$	$LRL_{\bar{X}}$	LWL	LRL	\bar{R}	R_{max}	Sampling allowance code
82 tall.....	5.4	5.0	4.8	4.6	4.2	0.9	2.0	G
8 oz glass.....	5.4	5.0	4.8	4.6	4.2	.9	2.0	G
No. 300.....	9.6	9.1	8.9	8.6	8.1	1.2	2.5	I
No. 1 tall.....	10.6	10.1	9.8	9.5	8.9	1.3	2.7	J
No. 303.....	10.6	10.1	9.8	9.5	8.9	1.3	2.7	J
No. 308 glass.....	10.6	10.1	9.8	9.5	8.9	1.3	2.7	J
No. 2.....	12.8	12.3	11.9	11.5	10.8	1.5	3.2	L
No. 214.....	18.7	18.0	17.7	17.2	16.4	1.7	3.7	N
No. 214 glass.....	18.7	18.0	17.7	17.2	16.4	1.7	3.7	N
No. 10.....	70.5	69.2	68.6	67.7	66.3	3.3	6.9	W

FACTORS OF QUALITY

§ 52.3838 Ascertaining the grade.

(a) *General*.—In addition to considering other requirements outlined in the standards the following quality factors are evaluated:

(1) *Factors not rated by score points*.—(i) Varietal characteristics.

(ii) Flavor and odor.

(2) *Factors rated by score points*.—The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

Factors	Points
(i) Color.....	20
(ii) Uniformity of count and size.....	20
(iii) Absence of defects.....	30
(iv) Character.....	30
Total score.....	100

(b) *Definition of normal flavor and odor*.—"Normal flavor and odor" means that the individual fruits may lack the distinctive flavor and odor of each fruit ingredient but that the product is free from objectionable flavors and objectionable odors of any kind.

§ 52.3839 Ascertaining the rating for the factors which are scored.

The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "17 to 20 points" means "17, 18, 19, or 20 points").

§ 52.3840 Color.

(a) (A) *classification*.—Canned fruits for salad that possess a good color may be given a score of 17 to 20 points. "Good color" means that each fruit ingredient possesses a reasonably uniform typical color that is bright and characteristic of at least reasonably well-matured (or ripened) fruit that has been properly prepared and processed; that the fruit ingredients may be no more than slightly affected by pink staining; that none of the fruit ingredients are dull or off color for reasons other than being slightly affected by pink staining; and that not more than 10 percent, by count, of all the units may possess a fairly good color; *Provided*, That not more than 20 percent, by count, of any one fruit may possess a fairly good color.

(b) (B) *classification*.—If the canned fruits for salad possess a reasonably good color, a score of 14 to 16 points may be given. Canned fruits for salad that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably good color" means that each fruit ingredient possesses a fairly uniform and fairly good typical color that is characteristic of at least fairly well-matured (or ripened) fruit that has been properly prepared and processed; that the fruit ingredients may be more than slightly affected by pink staining but not to the extent that the appearance is materially affected by this cause but none of the fruit ingredients may be off color for reasons other than staining or dullness within these limits; and that not more than 10 percent, by count, of all the units may fail to meet such reasonably good color or may be dull in color; *Provided*, That not more than 20 percent, by count, of any one fruit may be of such color.

(c) (SStd) *classification*.—Canned fruits for salad that fail to meet the requirements of paragraph (b) of this section may be given a score of 0 to 13 points and shall not be graded above substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3841 Uniformity of count and size.

(a) (A) *classification*.—Canned fruits for salad that are practically uniform in count and size may be given a score of 17 to 20 points.

(1) "Practically uniform in count" means the minimum number of units of fruit as specified in table V of this subpart.

(2) "Practically uniform in size" means with respect to the individual fruits within each container; and exclud-

ing cherries or grapes that may be present:

(i) *Apricots*.—Halves or quarters are very symmetrical; and the weight of the largest full-size half does not exceed the weight of the smallest full-size half by more than 75 percent.

(ii) *Pears or peaches (quarters)*.—Quarters are very symmetrical; the weight of the largest full-size quarter does not exceed the weight of the smallest full-size quarter by more than 60 percent.

(iii) *Peaches (slices)*.—Not more than 5 percent, by count, of the units may be partial slices, slivers, and slabs; and any variation in the size and symmetry of normal slices does not affect more than slightly the appearance of the product.

(iv) *Pears (slices)*.—Not more than 10 percent, by count, of the units may vary noticeably from the uniform shape of slices.

(v) *Pineapple (wedges)*.—Not more than a total of 10 percent, by count, of the units may vary noticeably in measurement of the outside arc of the wedges, may be less than five-sixteenths inch or more than one-half inch in thickness, and may be less than eleven-sixteenths inch or more than 1 1/4 inches in length.

(b) *(B) classification*.—If the canned fruits for salad are irregular in count, or fairly uniform in size, a score of 14 to 16 points may be given. Canned fruits for salad that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule).

(1) "Irregular in count" means that the canned fruits for salad (within the container) fail to meet the applicable count requirements of the (A) classification (paragraph (a) of this section).

(2) "Fairly uniform in size" means with respect to the individual fruit within each container; and excluding cherries or grapes that may be present:

(i) *Apricots*.—Units may vary in size and thickness; the weight of the largest full-size half may be not more than twice the weight of the smallest full-size half.

(ii) *Pears or peaches (quarters)*.—Quarters may vary in size and thickness; the weight of the largest full-size quarter may be not more than twice the weight of the smallest full-size quarter.

(iii) *Peaches (slices)*.—Not more than 20 percent, by count, of the units may be partial slices, slivers, and slabs; and the balance of normal slices may vary noticeably in size and thickness.

(iv) *Pears (slices)*.—Not more than 20 percent, by count, of the units may vary noticeably from the uniform shape of slices.

(v) *Pineapple (wedges)*.—Not more than a total of 15 percent, by count, of the units may vary noticeably in measurement of the outside arc of the wedges, may be less than five-sixteenths inch or more than one-half inch in thickness, and may be less than eleven-sixteenths inch or more than 1 1/4 inches in length.

(c) *(SStd) classification*.—Canned fruits for salad that fail to meet the requirements of paragraph (b) of this section with respect to uniformity of size

may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

TABLE V

When the following forms (styles) are present, and excluding grapes as fruit units, if present	8 oz cans or glass	No. 1 tall cans, No. 300 cans, No. 303 cans (or equivalent glass)	No. 2 1/2 cans or glass	No. 10 cans
Halved apricots, quartered peaches, quartered pears.	No less than 2 units each of 5 fruits.	No less than 3 units each of 5 fruits.	No less than 5 units each of 5 fruits.	No less than 30 units of 3 or more fruits.
Halved apricots, sliced or quartered peaches, sliced or quartered pears.	No less than 2 units each of fruits other than those of sliced style(s).	No less than 3 units each of fruits other than those of sliced style(s).	No less than 5 units each of fruits other than those of sliced style(s).	No less than 30 units each of 2 or more fruits other than those of sliced style(s).
Quartered apricots, sliced or quartered peaches, sliced or quartered pears.	No less than 2 units each of fruits other than peaches and/or pears of sliced style and quartered style apricots.	No less than 3 units each of fruits other than peaches and/or pears of sliced style and quartered style apricots.	No less than 5 units each of fruits other than peaches and/or pears of sliced style and quartered style apricots.	No less than 30 units of 2 or more fruits other than peaches and/or pears of sliced style and quartered style apricots.

§ 52.3842 Absence of defects.

(a) *General*.—The factor of defects refers to loose or attached peel from peaches or pears or when peeled apricots are present; blemishes typical for each fruit ingredient; and other defects not specifically mentioned (such as, but not limited to, harmless extraneous material, main stems or portions thereof, capstems from or on grapes, pit or core material, broken or severed units, excessive trimming) that affect the appearance or edibility of the product.

(b) *Definition of blemishes*.—For the purposes of the standards in this subpart, blemishes (or blemished or blemished unit) for the respective fruit ingredient are as follows:

(1) *Apricot*.—(i) *Minor blemishes*.—"Minor blemishes" in unpeeled style include "freckles" and also mean:

(a) Light brown to brown surface areas which, singly or in combination on a unit, exceed in the aggregate the area of a circle one-eighth inch in diameter but do not exceed in the aggregate the area of a circle one-fourth inch in diameter; or

(b) Single dark brown surface areas that do not exceed the area of a circle one-eighth inch in diameter but which, singly or in combination with other "minor blemishes" on a unit, affect materially but not seriously the appearance of the unit. Light-brown to brown surface areas and "freckles" that are insignificant and less than the area of a circle one-eighth inch in diameter and which do not affect materially the appearance of the unit are not considered "blemished".

(ii) *Serious blemishes*.—"Serious blemishes" include units affected by scab, hail injury, discoloration, or other abnormalities in the following degree:

(a) Light-brown to brown surface areas in unpeeled styles which, singly or in combination on a unit, exceed in the aggregate the area of a circle one-fourth inch in diameter;

(b) Blemishes that extend into the fruit tissue regardless of area or depth;

(c) Single dark brown surface areas in unpeeled styles that exceed the area of

a circle one-eighth inch in diameter, whether or not the unit is affected by minor blemishes; or

(d) Any blemish whether or not specifically defined or mentioned in this subparagraph which affects seriously the appearance of the unit but is not a filthy or decomposed substance.

(2) *Cherries*.—(i) "Blemished" or "blemished units" include, but are not necessarily limited to, cherries that are deformed, are damaged by mechanical injury, possess pits or portions thereof; are affected by surface discoloration, rough surface areas, or checks or cracks to the extent that the appearance of the cherry is materially affected.

(ii) "Seriously blemished" or "seriously blemished units" include cherries that are blemished to the extent that the appearance of the cherry is seriously affected or the edibility of the cherry is affected in any way.

(3) *Peach*.—(i) *Blemished*.—"Blemished" or "blemished units" means units that are blemished with scab, hail injury, discoloration, or other abnormality which affects materially the appearance or edibility of the unit.

(ii) *Seriously blemished*.—"Seriously blemished" or "seriously blemished units" means units that are blemished to the extent that the appearance or edibility of the unit is seriously affected.

(4) *Pear*.—(i) *Blemished*.—"Blemished" or "blemished units" means units that are blemished with scab, hail injury, discoloration, or other abnormality covering an aggregate area exceeding the area of a circle one-fourth inch in diameter or units that are partially or improperly cored or stemmed. Units with black or very dark spots or any other damage which materially affect the appearance or edibility of the product are considered as "blemished", regardless of the area of the injury.

(ii) *Seriously blemished*.—"Seriously blemished" or "seriously blemished units" means units that are blemished to the extent that the appearance or edibility of the unit is seriously affected.

(5) *Pineapple*.—(i) *Blemished*.—(a) "Blemishes" include:

(1) Any of the following, if in excess of one-sixteenth inch in the longest dimension on the exposed surface of the unit; eyes, pieces of shell, brown spots.

(2) Deep fruit eyes.

(3) Bruised portions.

(4) Other abnormalities that it is possible to detect in good commercial practice before sealing in the containers.

(c) (A) *classification*.—Canned fruits for salad that are practically free from defects may be given a score of 26 to 30 points. "Practically free from defects" in canned fruits for salad means:

(1) Not more than one-fourth square inch of peel, on an average, per pound of total contents may be present;

(2) Not more than a total of 10 percent, by count, of all the fruit units may be blemished and seriously blemished: *Provided*, That not more than 5 percent, by count, may be seriously blemished; and

(3) The presence of blemished and seriously blemished units, peel, and any other defects, individually or collectively does not materially affect the appearance or edibility of the product.

(d) (B) *classification*.—If the canned fruits for salad are reasonably free from defects, a score of 21 to 25 points may be given. Canned fruits for salad that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" in canned fruits for salad means:

(1) Not more than one-half square inch of peel, on an average, per pound of total contents may be present;

(2) Not more than a total of 20 percent, by count, of all the fruit units may be blemished: *Provided*, That not more than 10 percent, by count, may be seriously blemished; and

(3) The presence of blemished and seriously blemished units, peel, and any other defects, individually or collectively does not seriously affect the appearance or edibility of the product.

(e) (SSd) *classification*.—Canned fruits for salad that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3843 Character.

(a) *General*.—The factor of character, as may be applicable to the respective fruit ingredient, refers to the degree of ripeness, the texture and condition of the flesh, the firmness, the tenderness, and the tendency of the units to retain their apparent original conformation and size without material disintegration.

(b) (A) *classification*.—Canned fruits for salad that possess a good character may be given a score of 25 to 30 points. "Good character" means that not more than 10 percent, by count, of the total number of apricot, peach, pear, and pineapple ingredients may fail to comply with

the following requirements for the individual fruit ingredient, and that the cherries, or grapes if present, are reasonably firm and retain their apparent original conformation.

(1) *Apricot*.—The units possess a reasonably uniform, reasonably tender texture typical of properly ripened canned apricots that are properly processed; the texture is reasonably fleshy, and the units are reasonably thick but the tenderness may be variable within the unit or among the units; and the units may be soft to slightly firm or slightly ragged but are not mushy.

(2) *Peach*.—The units possess a texture typical of mature, properly ripened, properly prepared, and properly processed canned clingstone peaches; the texture is reasonably fleshy, and the units are reasonably tender or the tenderness may be variable within the unit; and the units are reasonably intact with not more than slightly frayed edges and may be slightly firm or slightly soft but are not mushy.

(3) *Pear*.—The units possess a texture typical of properly ripened pears that are properly processed; the units may possess a texture of moderate graininess; the units are reasonably tender or the tenderness may be variable within the unit; and the units may be slightly firm or slightly ragged with slightly frayed edges or slightly soft but are not mushy.

(4) *Pineapple*.—The units are of practically uniform ripeness, the fruitlets appear as a compact structure, and the units are reasonably free from porosity.

(c) (B) *classification*.—If the canned fruits for salad possess a reasonably good character, a score of 21 to 24 points may be given. Canned fruits for salad that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably good character" means that not more than 10 percent, by count, of the total number of apricot, peach, pear, and pineapple ingredients may fail to comply with the following requirements for the individual fruit ingredient, and that the cherries, or grapes if present, may be only fairly firm: *Provided*, That the appearance or edibility of the product is not affected materially by such units:

(1) *Apricot*.—The units possess a texture of properly processed apricots which may be variable but the texture is fairly fleshy and the units are intact; the units may be lacking uniformity of tenderness but are not so firm as to be "not tender"; and the units may be markedly ragged with frayed edges or may be very soft but are not mushy.

(2) *Peach*.—The units possess a texture typical of mature, properly prepared, and properly processed canned clingstone peaches which may be variable but the texture is fairly fleshy; the units may be lacking uniformity of tenderness, but are not so firm as to be "not tender"; and the units may be frayed but not excessively frayed or may be soft but are not mushy.

(3) *Pear*.—The units possess a texture of properly processed pears which may

be variable; the units may possess a texture of marked graininess; and the units may be lacking uniformity of tenderness and may be markedly firm but are not so firm as to be "not tender";

(4) *Pineapple*.—The units are of reasonably uniform ripeness, the fruitlets are reasonably compact in structure, and the units are fairly free from porosity.

(d) (SSd) *classification*.—Canned fruits for salad that fail to meet the requirements of paragraph (c) of this section may be given a score of 0 to 20 points and shall not be graded above substandard, regardless of the total score for the product (this is a limiting rule).

LOT INSPECTION AND CERTIFICATION

§ 52.3844 Ascertaining the grade of a lot.

The grade of a lot of canned fruits for salad covered by these standards is determined by the procedures set forth in the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Products Thereof, and Certain Other Processed Food Products (§§ 52.1 through 52.87).

SCORE SHEET

§ 52.3845 Score sheet.

Size and kind of container.....
Container mark or identification.....
Label.....
Net weight (ounces).....
Vacuum (inches).....
Drained weight (ounces).....
Brix measurement.....
Sirup designation (extra heavy, heavy, etc.).....

Proportions of fruit ingredients:

Fruit	Average		Count	Style
	Ounces	Percent		
Apricot.....
Peach.....
Pear.....
Pineapple.....
Cherry.....
Grape.....
Total.....	100	.....	.....

Factors	Score points	
	(A)	(B)
Color.....	20 (A) 17-20	(B) 14-16
Uniformity of count & size.....	20 (A) 17-20	(B) 14-16
Absence of defects.....	30 (A) 26-30	(B) 21-25
Character.....	30 (A) 26-30	(B) 21-25
Total score.....	100	

Flavor and odor () normal; () off.....
Grade.....

¹ Indicates limiting rule.

The U.S. Standards for Grades of Canned Fruits for Salad as herein amended shall become effective June 20, 1973, and thereupon will supersede the U.S. Standards for Grades of Canned Fruits for Salad which have been in effect since July 5, 1960.

Subpart—United States Standards for Grades of Canned Grapes

PRODUCT DESCRIPTION AND GRADES

Sec.
52.4021 Product description.
52.4022 Grades.

LIQUID MEDIA, FILL OF CONTAINER, DRAINED WEIGHTS, AND FILL WEIGHTS

52.4023 Liquid media and Brix measurements.
52.4024 Recommended fill of container.
52.4025 Recommended minimum drained weights.
52.4026 Recommended minimum fill weights.

FACTORS OF QUALITY

52.4027 Ascertaining the grade.
52.4028 Ascertaining the rating for the factors which are scored.
52.4029 Color.
52.4030 Uniformity of size.
52.4031 Absence of defects.
52.4032 Character.

LOT INSPECTION AND CERTIFICATION

52.4033 Ascertaining the grade of a lot.

SCORE SHEET

52.4034 Score sheet.

PRODUCT DESCRIPTION AND GRADES

§ 52.4021 Product description.

Canned grapes for the purpose of this subpart cover the product prepared from fresh, sound, properly matured grapes of the Thompson Seedless (Sultanina) variety or similar variety of light seedless grapes for canning. The grapes are stemmed, cleaned, and washed; are packed in a suitable packing media with or without the addition of nutritive sweetening ingredient(s), artificial sweetening ingredient(s), or other ingredient(s) permissible under the Federal Food, Drug, and Cosmetic Act; and are sufficiently processed by heat to assure preservation of the product in hermetically sealed containers.

§ 52.4022 Grades.

(a) "U.S. Grade A" (or "U.S. Fancy") is the quality of canned grapes that possess similar varietal characteristics; that possess a normal flavor; that possess a good color; that are practically uniform in size; that are practically free from defects; that possess a good character; and that for those factors which are rated in accordance with the scoring system outlined in this subpart, the total score is not less than 85 points: *Provided*, That the canned grapes may possess a reasonably uniform and reasonably bright typical color and may be reasonably uniform in size, if the total score is not less than 85 points.

(b) "U.S. Grade B" (or "U.S. Choice") is the quality of canned grapes that possess similar varietal characteristics; that possess a normal flavor; that possess a reasonably good color; that are reasonably uniform in size; that are reasonably free from defects; that possess a reasonably good character; and that for those factors which are rated in accordance with the scoring system outlined in this

subpart, the total score is not less than 70 points: *Provided*, That the canned grapes may fall to be reasonably uniform in size, if the total score is not less than 70 points.

(c) "Substandard" is the quality of canned grapes that fail to meet the requirements of U.S. Grade B.

LIQUID MEDIA, FILL OF CONTAINER, DRAINED WEIGHTS, AND FILL WEIGHTS

§ 52.4023 Liquid media and Brix measurements.

"Cut-out" requirements for liquid media in canned grapes are not incorporated in the grades of the finished product since sirup or any other liquid medium, as such, is not a factor of quality for the purposes of these grades. The "cut-out" Brix measurements, as applicable, for the respective designations are as follows:

Designations:	Brix measurement
"Extra heavy sirup"-----	22° or more but not more than 35°.
"Heavy sirup"-----	18° or more but less than 22°.
"Light sirup"-----	14° or more but less than 18°.
"Slightly sweetened water"-----	Less than 14°.
"In water"-----	(No requirement.)
"In grape juice"-----	(No requirement.)

§ 52.4024 Recommended fill of container.

The recommended fill of container for canned grapes is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purposes of these grades. It is recommended that each container be as full of grapes as practicable without impairment of quality and that the product and packing medium occupy not less than 90 percent of the volume of the container.

§ 52.4025 Recommended minimum drained weights.

(a) *General*.—(1) The minimum drained weight recommendations in table I of this subpart are not incorporated in the grades of the finished product since drained weight, as such, is not a factor of quality for the purposes of these grades.

(2) The recommended minimum drained weights are based on equalization of the product 30 days or more after the product has been canned.

(b) *Method for ascertaining drained weight*.—The drained weight of canned grapes is determined by emptying the contents of the container upon and U.S. Standard No. 8 circular sieve of proper diameter containing 8 meshes to the inch (0.0937-in. \pm 3 percent, square openings) so as to distribute the product evenly, inclining the sieve slightly to facilitate drainage, and allowing to drain for 2 minutes. The drained weight is the weight of the sieve and grapes less the weight of the dry sieve. A sieve 8 in in diameter is used for the equivalent of No.

3 size cans (404 x 414) and smaller and a sieve 12 in in diameter is used for containers larger than the equivalent of the No. 3 size can.

(c) *Definitions of symbols*.—(1) \bar{X}_d .—The average drained weights of all the sample units in the sample.

(2) LL .—Lower limit for drained weights of individual sample units.

(d) *Compliance with recommended drained weights*.—A lot of canned grapes is considered as meeting the minimum drained weight recommendations if the following criteria are met:

(1) The average of the drained weights from all the sample units in the sample meets the recommended minimum average drained weight (designated as \bar{X}_d in table I); and

(2) The number of sample units which fail to meet the recommended drained weight lower limit for individuals (designated as LL in table I) does not exceed the applicable acceptance number specified in the single sampling plan of table II.

TABLE I.—RECOMMENDED MINIMUM DRAINED WEIGHTS FOR CANNED GRAPES

Container designations (metal, unless otherwise stated)	Container size—overall dimensions		Over-flow capacity (fluid ounces)	In any liquid medium (ounces)	
	Diameter (inches)	Height (inches)		LL	\bar{X}_d
SZ Tall.....	211	304	4.7	5	5
8 oz glass.....	300	407	8.2	4.7	5
No. 300.....	300	407	8.6	9	9
No. 1 tall.....	301	411	9.4	10	10
No. 303.....	303	406	9.4	10	10
No. 303 glass.....	303	406	17.0	9.4	10
No. 2.....	307	409	11.4	12	12
No. 2½.....	401	411	16.1	17	17
No. 2½ glass.....	401	411	28.35	16.1	17
No. 10.....	603	700	60.3	62	62

TABLE II.—SINGLE SAMPLING PLAN FOR DRAINED WEIGHTS

Sample size (number of sample units)...	3	6	13	21	29	38	48	60	72
Acceptance No.....	0	1	2	3	4	5	6	7	8

§ 52.4026 Recommended minimum fill weights.

(a) *General*.—The minimum fill weight recommendations specified in Table III are not incorporated in the grades of the finished product since fill weight, as such, is not a factor of quality for the purposes of these grades.

(b) *Method for ascertaining fill weight*.—Fill weight is determined in accordance with the United States Standards for Inspection by Variables and the United States Standards for Determination of Fill Weights.

(c) *Definitions of terms and symbols*.—"Subgroup" means a group of sample units representing a portion of a sample.

\bar{X}'_{min} means the minimum lot average fill weight.

$LWL_{\bar{X}}$ means the lower warning limit for subgroup averages.

$LRL_{\bar{x}}$ means the lower reject limit for subgroup averages.

LWL means the lower warning limit for individual fill weight measurements.

LRL means the lower reject limit for individual fill weight measurements.

\bar{R} means a specified average range value.

R_{max} means a specified maximum range for a subgroup.

"Sampling allowance code" means a code letter on the sampling allowance chart of the U.S. Standards for Inspection by Variables. This letter identifies

the appropriate line which gives the amount of sampling allowance to be applied to the specification average for fill weights in order to determine compliance with requirements for fill weight averages for a sample.

(f) *Compliance with recommended fill weights*—Compliance with the recommended fill weights shall be in accordance with the acceptance criteria specified in the U.S. Standards for Inspection by Variables and the U.S. Standards for Determination of Fill Weights.

TABLE III.—RECOMMENDED FILL WEIGHT VALUES FOR CANNED GRAPES

Container designation (metal, unless otherwise designated)	\bar{X}_{min}	$LWL_{\bar{x}}$	$LRL_{\bar{x}}$	LWL	LRL	\bar{R}	R_{max}	Sampling allowance code
8 oz tall.....	6.0	5.8	5.7	5.6	5.4	0.50	1.0	C
8 oz glass.....	5.9	5.7	5.6	5.5	5.3	.50	1.0	C
No. 300.....	10.3	10.0	9.9	9.7	9.4	.70	1.50	E
No. 1 tall.....	11.2	10.9	10.7	10.5	10.1	.80	1.70	F
No. 303.....	11.4	11.1	10.9	10.7	10.3	.80	1.70	F
No. 308 glass.....	12.0	11.7	11.5	11.3	10.9	.80	1.70	F
No. 2.....	14.0	13.6	13.4	13.2	12.8	.90	2.00	G
No. 2 1/2.....	20.3	19.8	19.6	19.3	18.8	1.20	2.50	I
No. 2 1/2 glass.....	20.1	19.6	19.4	19.1	18.6	1.20	2.50	I
No. 10.....	74.5	73.5	73.0	72.3	71.2	2.60	5.40	T

FACTORS OF QUALITY

§ 52.4027 Ascertaining the grade.

(a) *General*.—In addition to considering other requirements outlined in the standards the following quality factors are evaluated:

(1) *Factors not rated by score points*.—(i) Varietal characteristics.

(ii) Flavor.

(2) *Factors rated by score points*.—The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

	Points
(i) Color.....	20
(ii) Uniformity of size.....	20
(iii) Absence of defects.....	30
(iv) Character.....	30
Total score.....	100

(b) *Definition of normal flavor*.—"Normal flavor" means that the canned grapes are free from objectionable flavors and objectionable odors of any kind.

§ 52.4028 Ascertaining the rating for the factors which are scored.

The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "17 to 20 points" means "17, 18, 19, or 20 points").

§ 52.4029 Color.

(a) *General*.—The factor of color does not apply to canned grapes which are artificially colored and spiced grapes and is not scored on such grapes but the other three factors (uniformity of size, absence of defects, and character) are scored and the total is multiplied by 100 and divided by 80, dropping any fractions to determine the total score.

(b) (A) *classification*.—Canned grapes that possess a good color may be given a score of 17 to 20 points. "Good color" means that the grapes possess a practically uniform and bright, light green to greenish-yellow color, typical of well-developed Thompson seedless grapes that have been properly prepared and processed; and that not more than 10 percent, by weight, of the drained grapes may possess a noticeably dull color, or a light tan cast.

(c) (B) *classification*.—If the canned grapes possess a reasonably good color, a score of 14 to 16 points may be given. Canned grapes that fall into this classification due to a noticeably dull color or a brownish cast shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a partial limiting rule). "Reasonably good color" means that the grapes possess a reasonably uniform and reasonably bright color typical of Thompson seedless grapes that have been properly prepared and processed; and that the presence of grapes with a noticeably dull color or a brownish cast does not seriously affect the appearance or edibility of the product.

(d) (SStd) *classification*.—Canned grapes that fail to meet the requirements of paragraph (c) of this section may be given a score of 0 to 13 points and shall not be graded above substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.4030 Uniformity of size.

(a) (A) *classification*.—Canned grapes that are practically uniform in size may be given a score of 17 to 20 points. "Practically uniform in size" means that the weight of the 5 percent, by count, consisting of the largest intact grapes in the sample unit is not more than twice the weight of the 5 percent, by count, consisting of the smallest intact grapes in the sample unit.

(b) (B) *classification*.—If the canned grapes are reasonably uniform in size, a score of 14 to 16 points may be given. "Reasonably uniform in size" means that the grapes may vary in size as to appearance and weight provided such variation in size does not seriously affect the appearance of the product.

(c) (SStd) *classification*.—Canned grapes that fail to meet the requirements of paragraph (b) of this section may be given a score of 0 to 13 points and shall not be graded above "U.S. Grade B," regardless of the total score for the product (this is a partial limiting rule).

§ 52.4031 Absence of defects.

(a) *General*.—The factor of absence of defects refers to the degree of freedom from main stems (or portions thereof), harmless extraneous vegetable material, attached or loose capstems, mutilated grapes, and any other defects not specifically mentioned that affect the appearance or edibility of the product.

(b) *Definition of defects*.—(1) "Blemished" means any discolored area on or in the grape, which singly or in the aggregate, materially affects the appearance of the grape. Cracks without discoloration are considered processing cracks and are not scored as defects. (See section 52.4032.)

(2) "Seriously blemished" means any blemished area on or in the grape (such as scab, scar tissue, and discolored cracks), which singly or in combination with other defects, seriously affects the appearance or edibility of the grape.

(3) "Mutilated" means that the grape is so spread open beyond the center or crushed or broken that it cannot be restored to its original shape or that the grape is severed into two or more separate parts.

(c) (A) *classification*.—Canned grapes that are practically free from defects may be given a score of 26 to 30 points. "Practically free from defects" means that:

(1) There may be present not more than 1 main stem (or portion thereof) or one piece of other harmless extraneous vegetable material for each 100 oz, on an average, of total contents;

(2) There may be present not more than one capstem (either attached or loose) for each 4 ounces of total contents;

(3) Not more than a total of 5 percent, by weight, of the drained grapes may be mutilated, blemished, or seriously blemished: *Provided*, That not more than 3 percent, by weight, of the drained grapes may be seriously blemished; and

(4) The presence of main stems (or portions thereof), other harmless extraneous vegetable material, loose or attached capstems, mutilated grapes, blemished or seriously blemished grapes, and any other defects, individually or collectively does not materially affect the appearance or edibility of the product.

(d) (B) *classification*.—Canned grapes that are reasonably free from defects may be given a score of 21 to 25 points. Canned grapes that fall into this classification shall not be graded above

U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that:

(1) There may be present not more than a total of three main stems (or portions thereof) or pieces of other harmless extraneous vegetable material for each 100 ounces, on an average, of total contents;

(2) There may be present not more than one capstem (either attached or loose) for each 2 ounces of total contents;

(3) Not more than a total of 10 percent, by weight, of the drained grapes may be mutilated, blemished, or seriously blemished: *Provided*, That not more than 5 percent, by weight, of the drained grapes may be seriously blemished; and

(4) The presence of main stems (or portions thereof), other harmless extraneous vegetable material, loose or attached capstems, mutilated grapes, blemished or seriously blemished grapes, and any other defects, individually or collectively does not seriously affect the appearance or edibility of the product.

(e) *(SStd) classification.*—Canned grapes that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.4032 Character.

(a) *General.*—The factor of character refers to the fleshiness and texture of the canned grapes and to the presence of serious processing cracks.

(1) "Serious processing crack" means a crack without any discoloration that is split to or beyond the approximate center of the grape but is not a mutilated grape. Processing cracks that are not serious are not scored.

(b) (A) *classification.*—Canned grapes that possess a good character may be given a score of 25 to 30 points. "Good character" means that the grapes are reasonably uniform in texture and are generally thick-fleshed and tender but not soft or flabby; and that not more than 5 percent, by weight, of the drained grapes may be affected by serious processing cracks.

(c) (B) *classification.*—If the canned grapes possess a reasonably good character, a score of 21 to 24 points may be given. Canned grapes that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably good character" means that the grapes are fairly uniform in texture and may be slightly soft but are not flabby; and that no more than 10 percent, by weight, of the drained grapes may be affected by serious processing cracks.

(d) *(SStd) classification.*—Canned grapes that fail to meet the requirement

of paragraph (c) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

LOT INSPECTION AND CERTIFICATION

§ 52.4033 Ascertaining the grade of a lot.

The grade of a lot of canned grapes covered by these standards is determined by the procedures set forth in the regulations governing inspection and certification of processed fruits and vegetables, processed products thereof, and certain other processed food products (7 CFR 52.1 to 52.87).

SCORE SHEET

§ 52.4034 Score sheet.

Size and kind of container.....
 Container mark or identification.....
 Label.....
 Net weight (ounces).....
 Vacuum (inches).....
 Drained weight (ounces).....
 Brin measurement.....
 Strap designation (extra heavy, heavy, etc.).....

Factors	Score points
Color.....	20 (A) 17-20 (B) 14-16 (SStd) 0-13
Uniformity of size.....	20 (A) 17-20 (B) 14-16 (SStd) 0-13
Absence of defects.....	30 (A) 25-30 (B) 21-25 (SStd) 0-20
Character.....	30 (A) 25-30 (B) 21-24 (SStd) 0-20
Total score.....	100

Flavor () normal () off.....
 Grade.....

¹ Indicates limiting rule.

² Indicates partial limiting rule.

These U.S. Standards for Grades of Canned Grapes as herein amended, shall become effective June 20, 1973, and thereupon will supersede the U.S. Standards for Grades of Canned Grapes which have been in effect since September 6, 1960.

(Sec. 205, 60 Stat. 1090, as amended, 7 U.S.C. 1624.)

Dated May 10, 1973.

E. L. PETERSON,

Administrator,

Agricultural Marketing Service.

[FR Doc.73-9804 Filed 5-18-73; 8:45 am]

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

[Valencia Orange Reg. 431, Amdt. 1]

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

Limitation of Handling

This regulation increases the quantity of California-Arizona Valencia oranges

that may be shipped to fresh market during the weekly regulation period May 11-May 17, 1973. The quantity that may be shipped is increased due to improved market conditions for California-Arizona Valencia oranges. The regulation and this amendment are issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 908.

(a) *Findings.*—(1) Pursuant to the marketing agreement, as amended, and order No. 908, as amended (7 CFR pt. 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674) and upon the basis of the recommendation and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for an increase in the quantity of oranges available for handling during the current week results from changes that have taken place in the marketing situation since the issuance of Valencia Orange Regulation 431 (38 FR 12321). The marketing picture now indicates that there is a greater demand for Valencia oranges than existed when the regulation was made effective. Therefore, in order to provide an opportunity for handlers to handle a sufficient volume of Valencia oranges to fill the current demand thereby making a greater quantity of Valencia oranges available to meet such increased demand, the regulation should be amended, as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this amendment until June 20, 1973, because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restrictions on the handling of Valencia oranges grown in Arizona and designated part of California.

(b) *Order, as amended.*—The provisions in paragraph (b) (1) (i) and (iii) of § 908.731 (Valencia Orange Reg. 431 (38 FR 12321)) are hereby amended to read as follows:

- "(i) District 1: 289,000 cartons;
 "(iii) District 3: 154,000 cartons."

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

Dated May 16, 1973.

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

[FR Doc.73-10057 Filed 5-18-73;8:45 am]

PART 953—IRISH POTATOES GROWN IN THE SOUTHEASTERN STATES

Expenses and Rate of Assessment

Notice was published in the May 7, 1973, issue of the FEDERAL REGISTER (38 FR 11353) regarding proposed expenses and rate of assessment of the Southeastern Potato Committee for the 1973-74 fiscal period. The budget was unanimously recommended by the Southeastern Potato Committee, established pursuant to Marketing Agreement No. 104 and order No. 953, both as amended, regulating the handling of Irish potatoes grown in designated counties of Virginia and North Carolina. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The notice afforded interested persons opportunity to submit written data, views, or arguments with respect to the proposal not later than May 14, 1973. None was received.

After consideration of all relevant matter presented, including the proposals set forth in the aforesaid notice, it is hereby found that the expenses and rate of assessment as hereinafter set forth will tend to effectuate the declared policy of the act. The expenses and rate of assessment are as follows:

§ 953.210 Expenses and rate of assessment.

(a) The expenses the Secretary finds may be necessary to be incurred by the Southeastern Potato Committee to carry out its functions pursuant to provisions of the aforesaid amended marketing agreement and order, during the fiscal period ending March 31, 1974, will amount to \$11,125.

(b) The rate of assessment to be paid by each handler in accordance with this part shall be \$0.0025 per hundredweight of potatoes handled by him as the first handler thereof during the said fiscal period: *Provided*, That potatoes for canning, freezing, and other processing shall be exempt.

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

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

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) The relevant provisions of said amended marketing agreement and this part require that the rate of assessment fixed for a particular fiscal period shall be applicable to all assessable potatoes from the beginning of such fiscal period, and (2) the current fiscal period began on April 1, 1973, and the rate of assessment herein fixed will automatically apply to all assessable potatoes beginning with such date.

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

Dated May 15, 1973.

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

[FR Doc.73-10001 Filed 5-18-73;8:45 am]

Title 13—Business Credit and Assistance

CHAPTER I—SMALL BUSINESS ADMINISTRATION

[Rev. 12]

PART 121—SMALL BUSINESS SIZE STANDARDS

Definition of "Concern"; Correction

In FEDERAL REGISTER published on November 30, 1972 (37 FR 25340), a line was inadvertently left out in the definition of the term "Concern" (§ 121.3-2(i)).

Section 121.3-2(i) should read as follows:

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

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

Dated May 7, 1973.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.73-9985 Filed 5-18-73;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 73-80-29; Amdt. 39-1639]

PART 39—AIRWORTHINESS DIRECTIVES

Piper Model PA-34-200 Airplanes

There have been failures of the main landing gear support structure on Piper PA-34-200 airplanes, that could result in collapse of the main landing gear. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive (AD) is being issued to require inspection of the main landing gear support structure, and repair if necessary on Piper PA-34-200 airplanes.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of part 39 of the Federal Aviation Regulations, is amended by adding the following new airworthiness directive:

Prva: Applies to all model PA-34-200 airplanes certificated in all categories.

Compliance required within the next 10 hours time in service after the effective date of this AD and thereafter at intervals not to exceed 10 hours time in service from the last inspection.

To detect weakening of the main landing gear support structure, accomplish the following:

(a) Visually check both left and right wing lower surface skins for wrinkling immediately outboard of the wheel well openings.

(b) If wrinkles are present, visually check the wing ribs located at the outer end of the wheel wells (wing station 89.24), for cracks and/or wrinkles in the web. These cracks or wrinkles emanate from the forward lower corner where the rib attaches to the main spar and may propagate toward the aft upper corner of the web.

(c) If wrinkles are present and aft wing modification kit, Piper part No. 780 696V, has not been installed, check the area where the main landing gear aft trunnion fitting attaches to the aft false spar for cracks.

(d) If cracks or wrinkles are present in the areas described in (b) or (c), replace affected parts with serviceable parts of the same part number or make an FAA-approved repair before further flight.

The checks required by paragraphs (a), (b), and (c), should also be accomplished after unusually fast and/or hard landings.

Piper service bulletin No. 369 pertains to this subject.

The initial inspection and repetitive inspections at 10 hour intervals are still required after compliance with Piper service bulletin No. 369, and/or after repair/replace-ment of the rib, has been accomplished.

This amendment becomes effective May 21, 1973.

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

Issued in East Point, Ga., on May 7, 1973.

P. M. SWATEK,
Director, Southern Region.

[FR Doc.73-10104 Filed 5-18-73; 8:45 am]

[Docket No. 12814; Amdt. 39-1645]

PART 39—AIRWORTHINESS DIRECTIVES

Israeli Aircraft Industries Model 1121 Airplanes

Pursuant to the authority delegated to me by the Administrator, an airworthiness directive (AD) was adopted on April 27, 1973, and made effective upon receipt of the airmail letter AD as to all known U.S. operators of Israeli Aircraft Industries (IAI) model 1121 airplanes because of the reported finding of main landing gear legs with cracks in the manufacturer's new parts inventory. The AD requires an inspection of the main landing gear for cracks and replacement, if necessary.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known U.S. operators of IAI model 1121 airplanes by airmail letter dated April 27, 1973. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of part 39 of the Federal Aviation Regulations to make it effective as to all persons.

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

ISRAELI AIRCRAFT INDUSTRIES.—Applies to model 1121 series airplanes, S/N's 3 through 150, excluding S/N 107.

Compliance required prior to next takeoff. To prevent the possible failure of a main landing gear—

(a) Visually inspect the trunnion bosses of the main landing gear upper body, P/N ES 12845, for cracks using a mirror and flashlight.

(b) If a crack is found in a main landing gear, before further flight, except that the airplane may be flown in accordance with FAR 21.197 to a base where the repair can be performed, replace that main landing gear with a serviceable part of the same part number or an FAA-approved equivalent, and report the finding of the crack on FAA Form 8330-2 to the Chief, Aircraft Certification Staff, Federal Aviation Administration (AEU-100), c/o U.S. Embassy, APO New York, N.Y. 09667. (Reporting approved by the Bureau of the Budget under BOB No. 04-R0174.)

NOTE.—During the inspection required by paragraph (a), particular attention should be directed to the top of the trunnion boss along the forging flash or seam extending from the bushing face.

This amendment is effective upon publication in the FEDERAL REGISTER as to all persons except those persons to whom it was made immediately effective upon re-

ceipt of the airmail letter dated April 27, 1973, which contained this amendment.

Issued in Washington, D.C., on May 14, 1973.

C. R. MELUGIN, Jr.,
Acting Director,
Flight Standards Service.

[FR Doc.73-9979 Filed 5-18-73; 8:45 am]

[Docket No. 12030; Amdt. 39-1644]

PART 39—AIRWORTHINESS DIRECTIVES

SIAM Marchetti Models S.205-18R, S.205-20R, and S.205-22R Airplanes

A proposal to amend part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring a modification to provide a means for periodic lubrication to prevent seizing of the drag link attaching bolts on SIAM Marchetti models S.205-18R, S.205-20R, and S.205-22R airplanes was published on June 30, 1972, in the FEDERAL REGISTER (37 FR 12969).

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

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

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

SIAM MARCHETTI: Applies to SIAM Marchetti models S.205-18R, S.205-20R, and S.205-22R airplanes. Serial Nos. 001 through 003, and 101 through 399.

Compliance is required within the next 100 hours' time in service after the effective date of this AD unless already accomplished.

To provide a means for periodic lubrication to prevent seizing of the eyebolts, P/N 205-9-047-11, connecting the articulated drag braces to the main landing gear crossmembers, install grease fittings and washers, P/N MS15720-1 and P/N 205-9-012-15, respectively, in the attachments for the eyebolts, P/N 205-9-047-11, to the main landing gear crossmembers in accordance with SIAM Marchetti Service Bulletin No. 205B32 dated November 19, 1971, or an FAA-approved equivalent.

This amendment becomes effective June 20, 1973.

Issued in Washington, D.C., on May 11, 1973.

C. R. MELUGIN, Jr.,
Acting Director,
Flight Standards Service.

[FR Doc.73-9980 Filed 5-18-73; 8:45 am]

[Airspace Docket No. 73-RM-7]

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

Alteration of Transition Area

On March 26, 1973, a notice of proposed rulemaking was published in the FEDERAL

REGISTER (38 FR 7813) 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 Logan, Utah, transition area. On April 13, 1973, a correction was published in the FEDERAL REGISTER (38 FR 9292) correcting the 344° radial to the 352° radial.

Interested persons were given 30 days in which to submit written comments, suggestions, or objections. No objections have been received. Further review disclosed the need for the following revisions which are editorial in nature and constitute no substantive change to the area:

1. Delete "and parallel to".
2. Substitute "Logan VOR" in lieu of "5-mile radius".

Therefore, the proposed amendment is adopted as follows:

LOGAN, UTAH

That airspace extending upward from 700 ft above the surface within a 5-mile radius of the Logan-Cache Airport (lat. 41°47'09" N., long. 111°50'53" W.) and within 4.5 miles east and 9.5 miles west of the Logan VOR 352° radial, extending from the Logan VOR to 11 miles north of the Logan VOR; that airspace extending upward from 1,200 ft above the surface bounded on the north by the south edge of V4, on the east by longitude 111°40'30" W., on the south by the north edge of V288, on the west by the east edge of V21; and that airspace extending upward from 10,500 ft m.s.l. bounded on the northeast by the southwest edge of V48, on the west by longitude 111°40'30" W., and on the south by the north edge of V288.

(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).)

Effective date.—This amendment shall be effective 0901 G.m.t. July 19, 1973.

Issued in Aurora, Colo., on May 8, 1973.

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

LOGAN, UTAH

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Logan-Cache Airport (latitude 41°47'09" N., longitude 111°50'53" W.) and within 4.5 miles east and 9.5 miles west of and parallel to the Logan VOR 344° radial, extending from the 5-mile radius to 11 miles north of the Logan VOR; that airspace extending upward from 1,200 feet above the surface bounded on the north by the south edge of V4, on the east by longitude 111°40'30" W., on the south by the north edge of V288, on the west by the east edge of V21; and that airspace extending upward from 10,500 feet MSL bounded on the northeast by the southwest edge of V48, on the west by longitude 111°40'30" W., and on the south by the north edge of V288.

[FR Doc.73-9977 Filed 5-18-73;8:45 am]

[Airspace Docket No. 73-WE-8]

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

Designation of Control Zone

On March 12, 1973, a notice of proposed rulemaking was published in the

FEDERAL REGISTER (38 FR 6689) stating that the Federal Aviation Administration was considering an amendment to part 71 of the Federal Aviation regulations that would designate a control zone at General William J. Fox Airfield, Lancaster, Calif.

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

Effective date.—This amendment shall be effective 0901 G.m.t., July 9, 1973.

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

Issued in Los Angeles, Calif., on May 7, 1973.

ARVIN O. BASNIGHT,
Director, Western Region.

In § 71.171 (38 FR 351) the following control zone is added:

FOX FIELD, LANCASTER, CALIF.

Within a 5-mile radius of General William J. Fox Airfield (lat. 34°44'26" N., long. 118°13'04" W.), and within 2 miles each side of the Palmdale VORTAC 311° radial extending from the 5-mile-radius zone to the Palmdale, Calif., 5-mile-radius zone. This control zone is effective during the specific dates and times established in advance by a notice to airmen. The effective date and time will thereafter be continuously published in the "Airmen's Information Manual."

[FR Doc.73-9975 Filed 5-18-73;8:45 am]

[Airspace Docket No. 73-WA-32]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Designation of Area High Routes

On December 1, 1972, a notice of proposed rulemaking was published in the FEDERAL REGISTER (37 FR 25531) stating that the Federal Aviation Administration (FAA) was considering an amendment to part 75 of the Federal Aviation regulations that would designate three area navigation (RNAV) high routes to provide for north and south operations between certain southern Florida terminals and east/northeastern terminals.

These routes have been successfully flight inspected and are being designated in this rule. Interested persons were afforded an opportunity to participate in the proposed rulemaking through the submission of comments. All comments received were favorable.

Subsequent to publishing the notice, it was determined that northeast bound departure operations from Jacksonville, Fla., on present route J957R, could be improved by realigning the portion of proposed J994R between Charleston, S.C., and Jacksonville to the west to intercept and follow present route J958R. The maximum displacement distance involved would be 20 nmi in the vicinity of Charleston where the proposed route would move westward to the "Ritter" waypoint on present route J958R. This realignment would add approximately 7 nmi route distance to J994R. However,

between Jacksonville and Charleston parallel segregated RNAV route segments would be created; thus, significantly enhancing northeast bound departure operations from Jacksonville and improving north-south traffic flow in the Jacksonville terminal area. Consequently, action is taken herein to effect the realignment involved. Alignments of the other two routes will be the same as proposed in the notice.

In consideration of the foregoing, part 75 of the Federal Aviation regulations is amended, effective 0901 G.m.t., July 19, 1973, as hereinafter set forth.

In § 75.400 (38 FR 700) the following area high routes are added:

Waypoint name	Location North Latitude/ West longitude	Reference facility
J993R (JOHN F. KENNEDY AIRPORT, N.Y., TO MIAMI, FLA.)		
Boundary, Md.	38°06'45"/78°26'05"	Richmond, Va.
Rescue, Va.	36°47'30"/76°25'30"	Do.
Topsail, N.C.	34°00'00"/78°00'00"	Raleigh-Durham, N.C.
Azalea	32°23'00"/78°15'00"	Charleston, S.C.
Gateway	30°24'00"/78°34'00"	Ormond Beach, Fla.
Saltfish	30°00'00"/78°38'00"	Do.
Tarpon	28°00'00"/79°30'00"	Vero Beach, Fla.
Pike	26°17'31"/79°54'40"	Palm Beach, Fla.
J994R (JOHN F. KENNEDY AIRPORT, N.Y., TO ORLANDO, FLA.)		
Boundary, Md.	38°06'45"/78°26'05"	Richmond, Va.
Rescue, Va.	36°47'30"/76°25'30"	Do.
Clarkton, N.C.	34°20'30"/78°57'30"	Raleigh-Durham, N.C.
Ritter, S.C.	32°47'00"/80°37'30"	Charleston, S.C.
Chester, Fla.	30°52'28"/81°28'52"	Jacksonville, Fla.
Jacksonville, Fla.	30°27'00"/81°33'52"	Do.
Orlando, Fla.	28°33'33"/81°30'07"	Orlando, Fla.
J995R (DULLES INTERNATIONAL AIRPORT, VA., TO MIAMI, FLA.)		
Casanova, Va.	38°38'28"/77°51'57"	Gordonsville, Va.
Flat Rock, Va.	37°31'42"/77°49'43"	Do.
Topsail, N.C.	34°00'00"/78°00'00"	Raleigh-Durham, N.C.
Azalea	32°23'00"/78°15'00"	Charleston, S.C.
Gateway	30°24'00"/78°34'00"	Ormond Beach, Fla.
Saltfish	30°00'00"/78°38'00"	Do.
Halibut	28°41'00"/79°07'00"	Vero Beach, Fla.
Bonefish	26°03'28"/79°46'14"	Palm Beach, Fla.

(Secs. 307(a) and 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1510), Executive Order 10854 (24 FR 9565); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c).)

Issued in Washington, D.C., on May 10, 1973.

CHARLES H. NEWPOL,
Acting Chief, Airspace and
Air Traffic Rules Division.

[FR Doc.73-9978 Filed 5-18-73;8:45 am]

[Airspace Docket No. 73-WE-5]

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

Designation of Control Zone and Alteration of Transition Area; Correction

On April 23, 1973 FR Doc. 73-7770 was published in the FEDERAL REGISTER

(38 FR 9991) that amended part 71 of the Federal Aviation Regulations by designating a new control zone at Grand Canyon National Airport, Ariz. and altered the description of the Grand Canyon, Ariz., transition area. A review of the document revealed that a portion of the control zone description had been omitted. Action is taken herein to correct this error.

Since this change is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon is unnecessary.

In view of the foregoing FR Doc. 73-7770 (38 FR 9991) is amended by correcting the description of the Grand Canyon, Ariz., control zone in part as follows.

Delete all before "This control zone * * *" and substitute therefore: "Within a 5-mile radius of Grand Canyon National Airport (lat. 35°57'16" N., long. 112°08'37" W.) and within 3 miles each side of the Grand Canyon VOR 211° radial, extending from the 5-mile-radius zone to 6 miles southwest of the VOR * * *"

Effective date.—The effective date as originally established may be retained.

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

Issued in Los Angeles, Calif., on May 7, 1973.

ARVIN O. BASNIGHT,
Director, Western Region.

[FR Doc. 73-9976 Filed 5-18-73; 8:45 am]

Title 19—Customs Duties CHAPTER I—BUREAU OF CUSTOMS [T.D. 73-135]

IMPORTATION AND EXPORTATION OF ARTICLES BY MAIL—CUSTOMS REGU- LATIONS REVISED

On December 20, 1972, a notice of proposed rulemaking pertaining to a revision of the Customs regulations relating to importations and exportations of articles by mail (19 CFR pt. 9), was published in the FEDERAL REGISTER (37 FR 28060). Interested persons were given 60 days in which to submit written comments, suggestions, or objections, regarding the proposed revision. One comment from the public was received in response to the notice of proposed rulemaking.

This revision is part of the general revision of the Customs regulations which includes a rearrangement of the sequence of parts in chapter I, title 19, of the Code of Federal Regulations. As part of this rearrangement, part 9 is being redesignated as part 145, and the text has been rewritten into a more logical sequence.

After consideration of all comments received, the following changes have been made:

After the notice on part 145 was published, T.D. 73-27 was published in the FEDERAL REGISTER, January 26, 1973 (38 FR 2448), to incorporate certain portions of part 10 into a new part 148, entitled Personal Declarations and Ex-

emptions. Therefore, certain cross-references in part 145 then had to be changed. All such changes are set forth below.

Accordingly, new part 145, and the conforming changes in parts 8, 11, 12, 18, 54, and 134 of the Customs regulations, chapter I, title 19, of the Code of Federal Regulations, are hereby adopted as set forth below.

Effective date.—These amendments shall become effective June 20, 1973.

EDWIN F. RAINS,
Acting Commissioner of Customs.

Approved May 11, 1973.

EDWARD L. MORGAN,
Assistant Secretary
of the Treasury.

PART 8—LIABILITY FOR DUTIES; ENTRY OF IMPORTED MERCHANDISE

§ 8.3 [Amended]

In § 8.3, paragraph (a) is amended by substituting "§ 8.52 and subpart D of part 145" for "§§ 8.52, 9.3(b), and 9.6".

§ 8.4 [Amended]

In § 8.4, paragraph (e) is amended by substituting "145.12 (b) and (c)" for "9.3(d)".

§ 8.45 [Amended]

Section 8.45 is amended by substituting "145.71" for "9.11".

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624.)

PART 9—IMPORTATIONS BY MAIL

Chapter I of title 19 of the Code of Federal Regulations is amended by deleting Part 9—Importations by Mail.

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624.)

PART 11—PACKING AND STAMPING; MARKING

§ 11.2a [Amended]

Section 11.2a is amended by substituting "145.13(b)" for "9.8(a) (2)".

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624.)

PART 12—SPECIAL CLASSES OF MERCHANDISE

§ 12.51 [Amended]

In § 12.51, paragraph (a) is amended by substituting, in the first sentence, "§§ 145.12 and 145.41" for "§ 9.3", and by substituting, in the second sentence, "145.12(a)" for "9.4".

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624.)

PART 18—TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT

§ 18.25 [Amended]

In § 18.25, paragraph (a) is amended by substituting "subpart F of part 145" for "§ 9.11(a)".

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624.)

PART 54—CERTAIN IMPORTATIONS TEMPORARILY FREE OF DUTY

§ 54.3 [Amended]

In § 54.3, paragraph (e) is amended by substituting "145.11" for "9.1".

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624.)

PART 134—COUNTRY OF ORIGIN MARKING

§ 134.32 [Amended]

In § 134.32, paragraph (n) is amended by substituting "8.3, 145.31 or 145.32" for "8.3 or 9.6".

(R.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624.)

PART 145—MAIL IMPORTATIONS

Chapter I of title 19 of the Code of Federal Regulations is amended by adding part 145 entitled "Mail Importations" to read as follows:

PART 145—MAIL IMPORTATIONS

Sec.

145.0 Scope.

Subpart A—General Provisions

145.1 Definitions.

145.2 Mail subject to Customs examination.

145.3 Reading of correspondence prohibited.

145.4 Dutiable merchandise without declaration or invoice, prohibited merchandise, and merchandise imported contrary to law.

145.5 Undeliverable packages.

Subpart B—Requirements and Procedures

145.11 Declarations of value and invoices.

145.12 Entry of merchandise.

145.13 Internal revenue tax on mail entries.

145.14 Marking requirements.

Subpart C—Administrative Review of Mail Entries

145.21 Administrative review.

145.22 Procedures for obtaining administrative review.

145.23 Time limits.

145.24 Amendment of entry.

145.25 Entry correct.

145.26 Rates of duty not binding.

Subpart D—Special Classes of Merchandise

145.31 Importations not over \$1 in value.

145.32 Bona fide gifts not over \$10 in value.

145.33 Bona fide gifts from military personnel in a combat zone.

145.34 Personal and household effects and tools of trade.

145.35 United States products returned.

145.36 Articles for institutions.

145.37 Articles for the U.S. Government.

145.38 Diplomatic pouches.

145.39 Articles for diplomatic officers, representatives of international organizations, and foreign military personnel.

145.40 Plant material imported for immediate exportation.

145.41 Other conditionally and unconditionally free merchandise.

145.42 Proof for conditionally free merchandise.

Subpart E—Restricted and Prohibited Merchandise

145.51 Articles prohibited by section 305, Tariff Act of 1930.

- Sec.
 145.52 Literature concerning devices for unlawful abortion, and unsolicited contraceptive matter and advertisements.
 145.53 Firearms and munitions of war.
 145.54 Alcoholic beverages.
 145.55 Trademarks, trade names, and copyrights.
 Sec.
 145.56 Foreign Assets Control.
 145.57 Regulations of other agencies.
 145.58 Other restricted and prohibited merchandise.
 145.59 Seizures.

Subpart F—Exportation by Mail

- 145.71 Exportation from continuous Government custody.
 145.72 Delivery to Customs custody for exportation.

AUTHORITY: R.S. 251, as amended, 77A Stat. 14, sec. 624, 46 Stat. 759; 19 U.S.C. 68, 1202 (general headnote 11, Tariff Schedules of the United States), 1624. Additional authority and statutes interpreted or applied are cited in the text or in parentheses following the sections affected.

§ 145.0 Scope.

This part contains regulations pertaining specifically to the importation of merchandise through the mails but does not contain all the regulations applicable to mail importations. Importations by mail are subject to the same requirements and restrictions as importations by any other means, except where more specific procedures for mail importations are set forth in this part.

Subpart A—General Provisions

§ 145.1 Definitions.

The following are general definitions for the purposes of part 145:

(a) *Mail*.—"Mail" or "international mail" means both Postal Union mail and parcel post, as those terms are construed in 39 CFR Part 12.

(b) *Letter mail*.—"Letter mail" means letters and letter packages in Postal Union mail.

(c) *Package*.—"Package" means any parcel, packet, envelope, or other similar container, whether sealed or unsealed, arriving in the international mail.

§ 145.2 Mail subject to Customs examination.

All mail originating outside the Customs territory of the United States, whether sealed or unsealed, is subject to Customs examination, except:

(a) Mail known or believed to contain only official documents addressed to officials of the U.S. Government;

(b) Mail addressed to Ambassadors and Ministers (Chiefs of Diplomatic Missions) of foreign countries; and

(c) Letter mail known or believed to contain only correspondence or documents addressed to diplomatic missions or the officers thereof, or to international organizations designated by the President as public international organizations pursuant to the International Organizations Act (see § 148.87(b) of this chapter). Mail, other than letter mail, addressed to such designated international organizations is subject to Customs

examination except where the organization certifies under its official seal that such mail contains no dutiable or prohibited articles. Any Customs examination made shall, upon request of the addressee international organization, take place in the presence of an appropriate representative of that organization.

§ 145.3 Reading of correspondence prohibited.

No Customs officer or employee shall read or authorize or allow any other person to read any correspondence contained in sealed letter mail of foreign origin unless a search warrant has been obtained in advance from an appropriate judge or U.S. magistrate which authorizes such action.

§ 145.4 Dutiable merchandise without declaration or invoice, prohibited merchandise, and merchandise imported contrary to law.

(a) *Subject to seizure and forfeiture*.—When, upon Customs examination, a package from abroad is found to contain merchandise subject to duty or tax, and the package is not accompanied by an appropriate Customs declaration and invoice or statement of value required by § 145.11, or is found to contain material prohibited importation or imported contrary to law, the merchandise is subject to seizure and forfeiture.

(b) *Mitigation of forfeiture*.—Under the authority contained in section 618, Tariff Act of 1930, as amended (19 U.S.C. 1618), any forfeiture of merchandise subject to duty or tax (other than material prohibited importation) so incurred is hereby mitigated to an amount equal to 10 percent of the loss of revenue which was or might have been sustained, provided there is no evidence indicating to the district director that failure to properly declare the merchandise was due to willful negligence or an intent to defraud the revenue. If there is any such evidence, or if for any other reason the district director believes that it would not be in the interest of the United States to grant this relief, the matter shall be reported to the Commissioner of Customs for instructions.

(c) *Collection of mitigated forfeiture*.—When the shipment does not exceed \$250 in value, Customs Form 3419 or 5119-A shall be used for the entry of the merchandise, and the duty, any tax, and the amount of the mitigated forfeiture shall be entered as separate items thereon. If a package for which a mail fine entry has been issued in accordance with this paragraph is undeliverable, it will be returned to the district director at the port where the entry was issued, for disposition in accordance with § 145.59 relating to articles subject to seizure.

(d) *Petition for relief*.—The addressee or sender may file a petition with the district director at the port where the mail fine entry was issued in accordance with part 171 of this chapter for relief from the forfeiture incurred and for release of the seized merchandise, or for additional relief from a mitigated forfeiture.

(62 Stat. 716, as amended, sec. 618, 46 Stat. 757, as amended; 18 U.S.C. 545, 19 U.S.C. 1618.)

Packages which are refused or undeliverable, except packages for which a mail fine entry has been issued in accordance with § 145.4(c), will be marked by the postmaster to show why delivery was not made, and will be forwarded to the proper exchange post office for return to the country of origin. Mail entries will be removed from the packages and returned to Customs for cancellation. If, for any reason, an undeliverable package known or supposed to be dutiable is not returned to the country of origin or forwarded to another country in accordance with the Postal regulations, it will be delivered to Customs for disposition under the Customs laws and regulations governing seized or unclaimed merchandise.

Subpart B—Requirements and Procedures

§ 145.11 Declarations of value and invoices.

(a) *Customs declaration*. A clear and complete Customs declaration on the form provided by the foreign post office, giving a full and accurate description of the contents and value of the merchandise, shall be securely attached to at least one package of each shipment, including shipments of special classes of merchandise treated in subpart D of this part. Although a Customs declaration is required to be attached to only one package of each shipment, examination and release of the merchandise will be expedited if such a declaration is attached to each individual package.

(b) *Invoice or statement of value*.—Each shipment of merchandise shall have an invoice or bill of sale (or, in the case of merchandise not purchased or consigned for sale, a statement of value), giving an accurate description and the value of the merchandise, securely attached to the outside of the package, or enclosed therein. If the shipment consists of more than one package, a copy of the invoice should accompany each package, or else the invoice shall accompany the package bearing the declaration, and that package shall be marked "Invoice enclosed."

(c) *Special Customs invoice*.—When the aggregate value of a mail shipment exceeds \$500, a special Customs invoice shall accompany the shipment when required by § 8.15 of this chapter. If a special Customs invoice accompanies the shipment, no other invoice or statement of value is required, although a Customs declaration is required in accordance with paragraph (a) of this section.

(d) *Shipments without declaration and invoice*.—Shipment of merchandise which are not accompanied by a Customs declaration and invoice in accordance with paragraphs (a)–(c) of this section may be subject to seizure and forfeiture in accordance with § 145.4.

(Secs. 481, 485, 498, 46 Stat. 719, 724, as amended, 728, as amended; 19 U.S.C. 1481, 1485, 1498.)

§ 145.12 Entry of merchandise.

(a) *Formal entries.*—(1) *Discretionary.*—The district director may require formal entry of any mail shipment regardless of value if in his opinion it is necessary to protect the revenue.

(2) *Required.* Formal entry at the customhouse shall be required for every importation in the mails which exceeds \$250 in value, except for special classes of merchandise which can be released without entry (see subpart D of this part), and except as provided in §§ 8.50, 8.51, and 10.1 of this chapter.

(3) *Separate shipments.*—Separate shipments not exceeding \$250 in value, if mailed abroad at different times (as shown by the declaration or other mailing indicia), shall not be combined for the purpose of requiring formal entry, even though they reach Customs at the same time and are covered by a single order or contract in excess of \$250, unless there was a splitting of shipments in order to avoid the payment of Customs duty.

(4) *Notice of formal entry requirement.*—When a formal entry is required, the addressee shall be notified of the arrival of the shipment and of the place at which entry is to be made. If the shipment is addressed to a point which is not a Customs port or station, the port of entry specified in the notice shall be the port nearest the destination of the shipment.

(b) *Mail and informal entries.*—(1) *Preparation of entry form.*—Except as provided in paragraph (c) of this section, Customs officers shall prepare and attach a mail entry (Customs Form 3419) for each shipment not exceeding \$250 in value which is to be delivered by the Postal Service, and return the shipment to the Postal Service for delivery and collection of duty. If the addressee has arranged to pick up such a shipment at the Customs office where it is being processed, the Customs officer shall prepare an informal entry (Customs Form 5119-A) and collect the duty in accordance with § 8.51 of this chapter.

(2) *Rates of duty.*—Merchandise released under a mail or informal entry shall be dutiable at the rates of duty in effect when the preparation of the entry is completed by a Customs employee, ready for transmittal with the merchandise to the addressee.

(c) *Dutiable shipments not over \$250 for Government agencies.*—When a dutiable shipment not exceeding \$250 in value is addressed to a U.S. Government department or agency, the district director may release the merchandise prior to the payment of duties under an entry on Customs Form 5119-A, upon the receipt of a stipulation in the form set forth in § 8.28(c) of this chapter. If the stipulation does not accompany the shipment, the district director shall notify the Government department or agency of the arrival of the shipment and request the stipulation. Upon receipt of the completed stipulation and preparation of the entry form, the district director shall stamp all packages in the shipment to show that they have received Customs

treatment and shall return the shipment to the Postal Service for delivery, unless the addressee has arranged to pick up the shipment at the Customs office where it is being processed. The proper Government department or agency shall be billed later for any duties and taxes due.

(d) *Release without entry.*—Certain types of merchandise may be passed free of duty without issuing an entry (see Subpart D of this part).

(Secs. 315, 484, 498, 46 Stat. 695, as amended, 722, as amended, 728, as amended; 19 U.S.C. 1315, 1484, 1498.)

§ 145.13 Internal revenue tax on mail entries.

(a) *Method of collection.*—Any internal revenue tax assessed on a mail entry shall be shown as a separate item on the entry, and collected in the same manner as Customs duties.

(b) *Release without payment of tax.*—A mail entry may not be used to release a shipment of cigars, cigarettes, or cigarette papers or tubes for a manufacturer without payment of tax as provided for in 26 CFR Part 275 and § 11.2a of this chapter. If a claim for release without payment of tax is made by the addressee at the time of delivery, the shipment will be returned by the Postal Service to the port of entry or sent to the nearest Customs office at which appropriate release as claimed may be arranged by the addressee.

§ 145.14 Marking requirements.

(a) *Country of origin.*—Merchandise imported by mail shall be marked with the country of origin in accordance with part 134 of this chapter. If merchandise without the required marking is to be delivered from the post office where it has been given Customs examination, the Customs officer shall require compliance with the marking law and regulations. If it is to be delivered from another post office, the Customs officer shall place in the envelope containing the mail entry a copy of Customs Form 3475, containing instructions to the postmaster concerning the marking to be required before delivery.

(b) *Other marking requirements.*—Certain types of merchandise are subject to special marking requirements, such as those contained in the Textile Fiber Products Identification Act, the Wool Products Labeling Act, and the Trademark Act. Since there is no provision for post office supervision of these types of marking, the district director shall require compliance with the law and regulations (see parts 11 and 133 of this chapter).

(c) *Failure to mark.*—If the addressee fails to comply with the marking requirements, the package will be treated as undeliverable in accordance with § 145.5.

Subpart C—Administrative Review of Mail Entries

§ 145.21 Administrative review.

Requests for adjustment of the amount of duty assessed under mail entries shall be handled as requests for administrative review in accordance with this subpart.

§ 145.22 Procedures for obtaining administrative review.

If an addressee is dissatisfied with the amount of duty assessed under a mail entry, he may obtain administrative review in the following ways:

(a) He may pay the assessed duty, take delivery of the merchandise, and send a copy of the mail entry to the issuing Customs office indicated on the mail entry, together with a statement of the reason it is believed the duty assessed is incorrect. Any invoices, bills of sale, or other evidence should be submitted with the statement. The addressee may show the mail entry number and date on his statement instead of sending a copy of the mail entry, but this may result in delay since a copy of the entry will have to be obtained from the Regional Commissioner of Customs, New York, N.Y., before the entry can be amended.

(b) He may postpone acceptance of the shipment, and within the time allowed by the Postal regulations provide the postmaster with a written statement of his objections. The postmaster will forward the mail entry together with the addressee's statement and any invoices, bills of sale, or other evidence submitted by the addressee to the district director who issued the entry, and retain custody of the shipment until advice is received from the district director as to the disposition to be made. If the addressee is located near one of the ports listed in § 61.3(e) of the Postal regulations (39 CFR 61.3(e)), the postmaster may send the mail entry to that port, together with the addressee's statement and evidence, for reconsideration by the district director.

(c) He may pay the assessed duty and take delivery of the merchandise, and file a protest under section 514, Tariff Act of 1930, as amended (19 U.S.C. 1514), in the form and manner prescribed in Part 174 of this chapter.

(Secs. 501, 514, 46 Stat. 730, as amended, 734, as amended; 19 U.S.C. 1501, 1514.)

§ 145.23 Time limits.

A mail entry may be amended under section 520(c), Tariff Act of 1930, as amended (19 U.S.C. 1520(c)), only if the addressee requests such amendment within the time limits prescribed therein (see §§ 173.4 and 173.5 of this chapter), and the claim is allowable under section 520(c). Requests for adjustment in the amount of duty assessed under mail entries made under § 145.22(a) shall be made in such time that the request can be acted upon by the district director within 90 days after receipt of the package and payment of the duties by the addressee. Protests under § 145.22(c) must be filed not later than 90 days after payment of the duties by the addressee, but may be acted upon after the expiration of that 90-day period.

(Secs. 501, 514, 46 Stat. 730, as amended, 734, as amended; 19 U.S.C. 1501, 1514.)

§ 145.24 Amendment of entry.

If the district director is satisfied that the objection is valid and timely, he shall amend the mail entry. If the duty has

already been paid, the Regional Commissioner shall issue an appropriate refund of duty.

§ 145.25 Entry correct.

If the district director believes the duty originally assessed was correct, he shall send the addressee a notice in writing that the request for refund of duty has been denied. If the duty has not been paid, the mail entry shall be returned to the postmaster concerned, together with a copy of the notice sent to the addressee. The postmaster will then collect the duty and deliver the shipment, or, if the addressee refuses to pay the duty, will treat the shipment as undeliverable.

§ 145.26 Rates of duty not binding.

Rates of duty assessed on a mail entry, whether assessed on the original entry or as amendments under § 145.24, are not binding for future importations. A binding ruling on tariff classification may be obtained in accordance with the procedures set forth in § 16.10a of this chapter.

Subpart D—Special Classes of Merchandise

§ 145.31 Importations not over \$1 in value.

The district director shall pass free of duty and tax, without issuing an entry, packages containing merchandise having an aggregate fair retail value in the country of shipment of not over \$1, subject to the requirements set forth in § 8.3 of this chapter.

(Sec. 7, 52 Stat. 1081, as amended; 19 U.S.C. 1321.)

§ 145.32 Bona fide gifts not over \$10 in value.

The district director shall pass free of duty and tax, without issuing an entry, packages containing bona fide gifts from a person in a foreign country to a person in the United States having an aggregate fair retail value in the country of shipment not exceeding \$10, subject to the requirements set forth in § 8.3 of this chapter.

(Sec. 7, 52 Stat. 1081, as amended; 19 U.S.C. 1321.)

§ 145.33 Bona fide gifts from military personnel in a combat zone.

The importation by mail of bona fide gifts from members of the Armed Forces of the United States serving in a combat zone is governed by § 54.3 of this chapter which sets forth specific procedures for claiming exemption from duty under item 915.25, Tariff Schedules of the United States (19 U.S.C. 1202).

§ 145.34 Personal and household effects and tools of trade.

(a) *U.S. military and civilian personnel returning from extended duty abroad.*—Section 148.74 of this chapter sets forth specific requirements for exemptions from duty under item 817.00, Tariff Schedules of the United States (19 U.S.C. 1202), for personal and household effects of military and civilian personnel

of the United States returning upon the completion of extended duty abroad. A copy of the official travel orders shall be attached to or enclosed in each package, and the outside of each package shall be clearly marked to show that exemption from duty is being claimed.

(b) *Other personal and household effects, and tools of trade.*—Certain personal and household effects and tools of trade may be passed free of duty without issuing an entry, in accordance with § 148.53 of this chapter.

§ 145.35 United States products returned.

Products of the United States returned after having been exported, which have not been advanced in value or improved in condition while abroad, may be passed free of duty without issuing an entry and without an importer's declaration on Customs Form 3311, provided the shipment is valued at not over \$250 and the district director is satisfied that the merchandise is free of duty under item 800.00, Tariff Schedules of the United States (19 U.S.C. 1202).

(Sec. 498, 46 Stat. 728, as amended; 19 U.S.C. 1498.)

§ 145.36 Articles for institutions.

Books and other articles classifiable under items 270.25, 273.10, 273.35, 765.03, 850.10, or 851.10, Tariff Schedules of the United States (19 U.S.C. 1202), imported by and addressed directly to a library or other institution described in item 850.10 or 851.10 may be passed free of duty without issuing an entry, if the district director is satisfied that the merchandise is entitled to free entry. A declaration on Customs Form 3321 may be required in accordance with § 10.43 of this chapter under the procedure specified in § 145.42.

(Sec. 498, 46 Stat. 728, as amended; 19 U.S.C. 1498.)

§ 145.37 Articles for the U.S. Government.

(a) *Packages for copyright.* Packages marked for copyright which are addressed to the Library of Congress, to the Copyright Office, or to the office of the Register of Copyrights, Washington, D.C., shall be passed free of duty without issuing an entry.

(b) *Books, engravings, and other articles.*—Books, classifiable under item 270.25, Tariff Schedules of the United States (19 U.S.C. 1202), and engravings, etchings, and other articles enumerated in item 830.00, shall be passed free of duty without issuing an entry when they are addressed to the Library of Congress or any department or agency of the U.S. Government.

(c) *Official Government documents.*—Other packages addressed to offices or officials of the U.S. Government, believed to contain only official documents, shall be passed free of duty without issuing an entry. Such packages, when believed to contain merchandise, shall be treated in the same manner as other packages of merchandise so addressed.

(Sec. 498, 46 Stat. 728, as amended; 19 U.S.C. 1498.)

§ 145.38 Diplomatic pouches.

Packages bearing the official seal of a foreign government with which the United States has diplomatic relations, accompanied by certificates bearing such seal to the effect that they contain only official communications or documents, shall be admitted free of duty without Customs examination.

(Sec. 498, 46 Stat. 728, as amended; 19 U.S.C. 1498.)

§ 145.39 Articles for diplomatic officers, representatives of international organizations, and foreign military personnel.

Free entry of articles in packages addressed to diplomatic officers, representatives of certain international organizations, and similar persons is governed by subpart I of part 148 and section 10.31c of this chapter.

§ 145.40 Plant material imported for immediate exportation.

Plant material may be imported by mail free of duty for immediate exportation by mail subject to the following regulations, which have been approved by the Department of Agriculture and the Postal Service. This procedure shall not affect the movement of plant material in the international mails through the United States:

(a) *Permit for entry.* Each shipment shall be dispatched in the mails from abroad, accompanied by a yellow and green special mail tag bearing the serial number of the permit for entry for immediate exportation or immediate transportation and exportation, issued by the U.S. Department of Agriculture, and also by the postal form of Customs declaration.

(b) *Place of inspection.*—Upon arrival the shipment shall be detained by or dispatched to the postmaster at Washington, D.C., Brownsville, Tex., Hoboken, N.J., Honolulu, Hawaii, Laredo, Tex., Miami, Fla., San Francisco, Calif., San Juan, P.R., San Pedro, Calif., or Seattle, Wash., as may be appropriate, according to the address on the green and yellow tag, and there submitted to the Customs officer and the Federal quarantine inspector. The merchandise shall be accorded special handling only at these cities, and under no circumstances shall it be permitted to enter the commerce of the United States.

(c) *Special handling.*—After inspection by the Customs and quarantine officers, and with their approval, the addressee or his authorized agent shall repack and readdress the mail package under Customs supervision; endorse and sign on the package a waiver of the addressee's right to withdraw the package from the mails; affix to the package the necessary postage; and comply with any other mailing and export requirements, after which the package shall be delivered under Customs supervision to the postmaster for exportation by mail in accordance with § 145.71.

(d) *Entry not required.*—It will not be necessary to issue a Customs mail entry nor to require a formal entry of the shipment.

§ 145.41 Other conditionally and unconditionally free merchandise.

Shipments of conditionally or unconditionally free merchandise not specifically treated elsewhere in this part may be passed free of duty and tax without issuing an entry, if the value is not over \$250 and the district director is satisfied that the merchandise is entitled to free entry.

(Sec. 498, 46 Stat. 728, as amended; 19 U.S.C. 1498.)

§ 145.42 Proof for conditionally free merchandise.

The district director may, at his discretion, require appropriate proof of duty-free status before releasing conditionally free merchandise. This proof may be obtained by either of the following methods:

(a) *Retain shipment and request proof.*—The shipment may be retained by the district director while the necessary proof is requested from the addressee. If the requested proof is not received within 30 days, a mail entry shall be issued at the ordinary rate of duty which would apply if the merchandise were not conditionally free, and the mail entry shall be forwarded with the shipment for collection of duties.

(b) *Send shipment with form and entry.*—If the only proof required for free entry is a declaration signed by the addressee, the district director may issue a mail entry at the ordinary duty which would apply if the merchandise were not conditionally free. The shipment shall then be forwarded together with the mail entry, a copy of the appropriate declaration form, and instructions to the postmaster to deliver the shipment free of duty if the importer executes the declaration, and to collect the full duty shown on the mail entry if the importer does not execute the declaration.

Subpart E—Restricted and Prohibited Merchandise

§ 145.51 Articles prohibited by section 305, Tariff Act of 1930.

(a) *Types of articles.*—Various articles, as described in section 305, Tariff Act of 1930, as amended (19 U.S.C. 1305), and in part 12 of this chapter, are prohibited from importation. This prohibition includes the following types of articles:

- (1) Obscene matter;
- (2) Articles for causing unlawful abortion (see § 145.52 for the treatment of literature pertaining to such articles);
- (3) Matter advocating treason or insurrection against the United States or forcible resistance to any law of the United States;
- (4) Matter containing any threat to take the life of or inflict bodily harm upon any person in the United States; and
- (5) Lottery matter.

(b) *Disposition of articles.*—Mail found to contain lottery matter shall be disposed of by the Postal Service under the postal laws and regulations. Mail found to contain any of the other prohibited articles described in paragraphs

(a) (1) through (a) (4) of this section shall be given appropriate treatment by Customs under the Customs laws and regulations (see § 12.40 of this chapter).

(Sec. 305, 46 Stat. 688, as amended; 19 U.S.C. 1305.)

§ 145.52 Literature concerning devices for unlawful abortion, and unsolicited contraceptive matter and advertisements.

Packages containing literature or advertisements concerning devices to produce unlawful abortion, or containing certain unsolicited matter for preventing conception or unsolicited advertisements concerning matter for preventing conception, are prohibited from the mails by 18 U.S.C. 1461, and shall be retained by, or delivered to, the Postal Service for disposition under the postal laws and regulations. If the Postal Service shall determine in any case that it is proper to release such material to the addressee, it shall be submitted for Customs treatment before delivery.

§ 145.53 Firearms and munitions of war.

Importations of firearms, munitions of war, and related articles are subject to the import permit requirements and other restrictions set forth in 26 CFR parts 178-180.

§ 145.54 Alcoholic beverages.

(a) *Nonmailable.*—Alcoholic beverages are nonmailable, with certain exceptions (see 18 U.S.C. 1716 and the postal regulations), and when imported in the mails are subject to seizure and forfeiture under 18 U.S.C. 545.

(b) *Seizure.* When alcoholic beverages are received in the mails, they shall be seized, and the addressee shall be advised that they are subject to forfeiture and that he has a right to file a petition for their release (see part 171 of this chapter).

(c) *Conditions for release.*—If the district director is satisfied that there was no fraudulent intent involved, he may release the alcoholic beverages to the addressee upon the following conditions:

- (1) Applicable duty and internal revenue tax shall be paid.
- (2) The addressee shall comply with the alcoholic beverage laws of the State to which the shipment is destined.
- (3) Any other conditions the district director may impose under his authority to remit or mitigate fines, penalties, and forfeitures shall be complied with.
- (4) The addressee, his representative, or a common carrier shall pick up the merchandise at the Customs office where it is being held. Since the merchandise is nonmailable, it cannot be delivered by the Postal Service.

(Sec. 618, 46 Stat. 757, as amended; 19 U.S.C. 1618.)

§ 145.55 Trademarks, trade names, and copyrights.

Merchandise bearing a trademark or trade name entitled to protection against imports, merchandise bearing a mark or name that copies or simulates such a trademark or trade name, and merchan-

dise which is in violation of copyright law is subject to the restrictions and prohibitions set forth in part 133 of this chapter.

§ 145.56 Foreign Assets Control.

Merchandise subject to regulations of the Office of Foreign Assets Control of the Treasury Department prohibiting or restricting entry of unlicensed importations of articles directly or indirectly from North Korea, North Vietnam, Cuba, or Rhodesia shall be detained until licensed or the question of its release, seizure, or other disposition has been determined under the Foreign Assets Control or Cuban Assets Control regulations (31 CFR parts 500 and 515).

§ 145.57 Regulations of other agencies.

Certain types of plants and plant products, food, drugs, cosmetics, hazardous or caustic and corrosive substances, viruses, serums, and various harmful articles are subject to examination and clearance by appropriate agencies before release to the addressee (see part 12 of this chapter).

§ 145.58 Other restricted and prohibited merchandise.

Other restrictions and prohibitions pertaining to certain types of imported merchandise are set forth in part 12 of this chapter and are applicable to importations by mail.

§ 145.59 Seizures.

(a) *Articles prohibited and contrary to law.*—All mail shipments containing articles the importation of which is prohibited, or articles imported into the United States in any manner contrary to law, shall be seized or detained as appropriate and held by Customs officers for appropriate treatment, except for certain articles which will be handled by the Postal Service as specified in §§ 145.51 and 145.52.

(b) *Notification of seizure or detention.*—In all cases where articles are seized or detained by Customs officers, the addressee shall be notified of the seizure or detention, of the reason for such action, and, if appropriate, of his right to petition for relief (see part 171 of this chapter).

Subpart F—Exportation by Mail

§ 145.71 Exportation from continuous Government custody.

(a) *Relief from duties.*—Merchandise imported into the United States, unless nonmailable, may be exported by any class of mail without the payment of duties, if:

- (1) The merchandise has remained continuously in the custody of the Government (Customs or postal authorities); and
- (2) The packages containing such merchandise are inspected and mailed under Customs supervision.

(b) *Waiver of right to withdraw.*—Waiver of the right to withdraw the package from the mails shall be endorsed on each package to be so exported and signed by the exporter.

(c) *Export entry or withdrawal required.*—An export entry in accordance with § 18.25 of this chapter or a warehouse withdrawal for exportation in accordance with § 8.41 of this chapter, whichever is appropriate, shall be filed for merchandise being exported under this section, except for merchandise imported by mail which is either:

(1) Unclaimed or refused and being returned by the Postal Service to the country of origin as undeliverable mail; or

(2) For which a formal entry has not been filed and which is being remailed from continuous Customs or postal custody to Canada.

§ 145.72 Delivery to Customs custody for exportation.

In certain cases where merchandise has not been in continuous Government custody, delivery to Customs custody is appropriate before exportation by mail, as set forth in the following sections of this chapter:

(a) Section 10.8 (articles exported for repairs or alterations).

(b) Section 10.9 (articles exported for processing).

(c) Section 148.33 (merchandise which was imported free of duty under a personal exemption, found to be unsatisfactory, and is being exported for replacement).

(d) Section 10.38 (exportation of imported merchandise which was entered under a temporary importation bond).

(e) Section 22.33 (exportation of rejected imported merchandise, with drawback of duties).

PARALLEL REFERENCE TABLE

(This table shows the relation of sections in revised Part 145 to superseded 19 CFR part 9.)

Revised Section	Superseded Section
145.0	New
145.1(a)-(c)	9.0
145.2(a)-(c)	New
145.3	9.13
145.4(a)-(d)	9.5
145.5	9.10(d)
145.11(a) and (b)	9.1(a)
145.11(c)	9.1(b)
145.11(d)	New
145.12(a)	9.4
145.12(b)	9.3(a) and (d)
145.12(c)	New
145.12(d)	9.3(b) and (c)
145.13(a) and (b)	9.8(a)
145.14(a)-(c)	New
145.21	New
145.22	9.10(a) and (b)

Revised Section	Superseded Section
145.23	9.10(b)
145.24	9.10(b)
145.25	New
145.26	New
145.31	9.6(a)
145.32	9.6(b)
145.33	New
145.34(a)	New
145.34(b)	9.4
145.35	9.3(b)
145.36	9.3(c), 9.9(a) and (b)
145.37(a)	9.7(c)
145.37(b)	9.7(b)
145.37(c)	9.7(a)
145.38	New
145.39	New
145.40(a)-(d)	9.11(b)
145.41	9.3(b), 9.9(a) and (b)
145.42(a) and (b)	9.9(a)
145.51(a) and (b)	9.12(d) and (e)
145.52	New
145.53	9.12(a)
145.54(a)-(c)	New
145.55	New
145.56	New
145.57	9.12(c)
145.58	New
145.59	9.12(d)
145.71(a)-(c)	9.11(a)
145.72	9.11(a)

[FR Doc.73-10040 Filed 5-18-73; 8:45 am]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-130]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of part 1914 of subchapter B of chapter X of title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the last column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
Florida	Wakulla	St. Marks, town of				May 21, 1973. Emergency.
Louisiana	Richland Parish	Unincorporated areas				May 14, 1973. Emergency.
Do.	do.	Rayville, town of				Do.
Do.	Tensas Parish	Waterproof, town of				Do.
Michigan	Tuscola	Wilder, township of				May 21, 1973. Emergency.
Do.	Wayne	River Rouge, city of				Do.
Mississippi	Bolivar	Benoit, town of				May 14, 1973. Emergency.
Do.	do.	Boyle, town of				Do.
Do.	do.	Gunnison, town of				Do.
Do.	do.	Rosedale, city of				Do.
Do.	Sharkey	Unincorporated areas				Do.
Do.	do.	Anguilla, town of				Do.
Do.	do.	Cary, town of				Do.
Do.	do.	Rolling Fork, city of				Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
Do.	Sunflower	Inverness, town of				Do.
Do.	do	Ruleville, town of				Do.
Do.	do	Sunflower, town of				Do.
Do.	Washington	Arcola, town of				Do.
Do.	Yazoo	Unincorporated areas				Do.
New York	Niagara	Wilson, town of				May 21, 1973.
Pennsylvania	Allegheny	Millvale, borough of				Emergency.
Virginia	Fairfax	Herdson, town of				Do.
Wisconsin	Oconto	Unincorporated areas				Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2080, Feb. 27, 1969.)

Issued May 14, 1973.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc. 73-9971 Filed 5-18-73; 8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

PART 130—STATE CONTINUING PLANNING PROCESS

Interim Regulations; Extension of Comment Period

The Environmental Protection Agency published interim regulations to implement section 303(e) of the Federal Water Pollution Control Act Amendments of 1972 in a notice of interim regulations, 40 CFR part 130, which was published in the FEDERAL REGISTER on March 27, 1973, 38 FR 8034.

Part 130 describes the State continuing planning process required by section 303(e) of the act. A companion regulation to describe preparation of plans pursuant to State continuing planning process, 40 CFR part 131, has not yet been published. Because of the interrelationship of parts 130 and 131, it is believed that opportunity should be provided for the public to comment on each of these regulations after review of both.

Therefore, the Environmental Protection Agency will consider all comments on this notice of interim regulation, part 130, received on or before the day 30 days after the date of publication of 40 CFR part 131.

Dated May 16, 1973.

ROBERT L. SANSOM,
Assistant Administrator
for Air and Water Programs.

[FR Doc. 73-10065 Filed 5-18-73; 8:45 am]

SUBCHAPTER E—PESTICIDE PROGRAMS

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

Nicotine

A petition (PP 1F1107) was filed by Black Leaf Products Co., P.O. Box 868,

Highland Park, Ill. 60035, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing establishment of tolerances for residues of the insecticide nicotine (3-(1-methyl-2-pyrrolidyl)pyridine) in the raw agricultural commodities eggs and the meat, fat, and meat byproducts of poultry at 1 part per million.

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

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

2. Residues of this insecticide in eggs and the meat, fat, and meat byproducts of poultry will not exceed the proposed tolerances.

3. There is no reasonable expectation of residues in milk and meat (except poultry) and § 180.6(a)(3) applies.

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

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (36 FR 9038), part 180 is amended by adding to subpart C the following new section:

§ 180.167a Nicotine; tolerances for residues.

Tolerances of 1 part per million are established for residues of the insecticide nicotine (3-(1-methyl-2-pyrrolidyl)pyridine) in the raw agricultural commodities eggs and the meat, fat, and meat byproducts of poultry.

Any person who will be adversely affected by the foregoing order may at any time on or before June 20, 1973, file with the Hearing Clerk, Environmental Pro-

tection Agency, room 3902A, Fourth and M Streets SW., Waterside Mall, Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date.—This order shall become effective May 21, 1973.

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

Dated May 16, 1973.

HENRY J. KOPP,
Deputy Assistant Administrator
for Pesticide Programs.

[FR Doc. 73-10063 Filed 5-18-73; 8:45 am]

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

Paraquat

Two petitions (PPs 3F1335 and 3F1336) were filed by Chevron Chemical Co., 940 Hensley Street, Richmond, Calif. 94804, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a) proposing establishment of tolerances for residues of the desiccant, defoliant, and herbicide paraquat (1,1'-dimethyl-4,4'-bipyridinium) derived from application of either the dichloride or bis(methylsulfate) salt (calculated in both instances as the cation) in or on the raw agricultural commodities passion fruit at 0.2 p/m and guava at 0.05 p/m (negligible residue).

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

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

2. There is no reasonable expectation of residues in eggs, meat, milk, or poultry and § 180.6(a) (3) applies.

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

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)), and the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (36 FR 9038), § 180.205 is amended by adding the new paragraph "0.2 part per million * * *" after the paragraph "0.5 part per million * * *" and by revising the paragraph "0.05 part per million * * *" to read as follows:

§ 180.205 Paraquat; tolerances for residues.

0.2 p/m in or on passion fruit.

0.05 p/m (negligible residue) in or on almonds, apples, apricots, avocados, bananas, barley grain, cherries, citrus fruit, coffee beans, fresh corn including sweet corn (kernels plus cob with husk removed), corn fodder and forage, corn grain, figs, filberts, guava, lettuce, macadamia nuts, melons, nectarines, oat grain, olives, papayas, peaches, pears, peppers, pineapples, plums (fresh prunes), rye grain, safflower seed, small fruit, sorghum forage and grain, soybeans, soybean forage, tomatoes, walnuts, and wheat grain.

Any person who will be adversely affected by the foregoing order may at any time on or before June 20, 1973, file with the Hearing Clerk, Environmental Protection Agency, room 3902A, Fourth and M Streets SW., Waterside Mall, Washington, D.C. 20460, written objections thereto in triplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date.—This order shall become effective May 21, 1973.

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

Dated May 11, 1973.

HENRY J. KOPP,
Deputy Assistant Administrator
for Pesticides Programs.

[FR Doc.73-10064 Filed 5-18-73; 8:45 am]

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

2-methyl-4-chlorophenoxyacetic Acid

A petition (PP 9F0761) was filed by the National Agricultural Chemicals Association's Industry Task Force on Phenoxy Herbicide Tolerances, 1155 15th Street NW., Washington, D.C. 20005, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing establishment of a tolerance for negligible residues of the herbicide 2-methyl-4-chlorophenoxyacetic acid in or on the raw agricultural commodities alfalfa, barley, beans, clover, corn, flaxseed, oats, peas, rice, rye, sorghum, soybeans, and wheat at 0.2 p/m (part per million) from the application of the herbicide in acid form or in the form of one or more of the following salts or esters:

1. Inorganic salt: Sodium.

2. Amine salts: Ethanolamine, diethanolamine, triethanolamine, isopropanolamine, diisopropanolamine, triisopropanolamine, and dimethylamine.

3. Esters: Isooctyl and butoxyethyl.

Subsequently the petitioner amended the petition by (1) withdrawing the request for a tolerance for residues in or on beans, corn, peas, sorghum, and soybeans; (2) adding the raw agricultural commodities grass at 300 p/m; forage of barley, oats, rye, and wheat at 20 p/m; straw of barley, oats, rice, rye, and wheat at 2 p/m; grain of barley, oats, rye, and wheat at 0.2 p/m (negligible residue); meat, fat, and meat byproducts of cattle, goats, and sheep at 0.1 p/m (negligible residue) and milk at 0.05 p/m (negligible residue); (3) reducing the proposed 0.2 p/m tolerances on flaxseed and rice to 0.1 p/m (negligible residue); and (4) increasing the proposed 0.2 p/m tolerance on alfalfa and clover (fresh) to 75 p/m.

The petitioner has since amended this petition by reinstating the proposed 0.1 p/m (negligible residue) tolerance on peas.

Because certain additional data are needed before tolerances can be established on all of the raw agricultural commodities in this petition, only the use of 2-methyl-4-chlorophenoxyacetic acid on peas is considered in this order.

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

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

2. There is no reasonable expectation of residues in eggs, meat, milk, or poultry, and § 180.6(a) (3) applies.

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

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21

U.S.C. 346a(d)(2)), the authority transferred to the Administrator of the Environmental Protection Agency (35 FR 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticide Programs (36 FR 9038), part 180 is amended by adding the following new section to subpart C:

§ 180.339 2-methyl-4-chlorophenoxyacetic acid; tolerances for residues.

A tolerance of 0.1 p/m is established for negligible residues of the herbicide 2-methyl-4-chlorophenoxyacetic acid in or on the raw agricultural commodity peas from application of the herbicide in the acid form or in the form of its sodium, ethanolamine, diethanolamine, triethanolamine, isopropanolamine, diisopropanolamine, triisopropanolamine, or dimethylamine salts or its isooctyl or butoxyethyl esters.

Any person who will be adversely affected by the foregoing order may at any time on or before June 20, 1973, file with the Hearing Clerk, Environmental Protection Agency, room 3902A, Fourth and M Streets SW., Waterside Mall, Washington, D.C. 20460, written objections thereto in triplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date.—This order shall become effective May 21, 1973.

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

Dated May 16, 1973.

HENRY J. KOPP,
Deputy Assistant Administrator
for Pesticides Programs.

[FR Doc.73-10113 Filed 5-18-73; 8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 60—OFFICE OF FEDERAL CONTRACT COMPLIANCE, EQUAL EMPLOYMENT OPPORTUNITY, DEPARTMENT OF LABOR

PART 60-60—CONTRACTOR EVALUATION PROCEDURES FOR NONCONSTRUCTION CONTRACTORS

This part, known as "Revised Order No. 14," establishes standardized contractor evaluation procedures for the use of compliance agencies in their conduct of offsite and onsite compliance reviews of nonconstruction contractors subject to the equal employment opportunity requirements of 41 CFR 60-1.40 and 41 CFR pt. 60-2 (Revised Order No. 4) for the development of written affirmative action programs.

Revised Order No. 14 was issued to the compliance agencies and became effective on January 23, 1973. Revised Order No. 14 is hereby published as part 60-60.

While the comments and views of the compliance agencies regarding matters contained in Revised Order No. 14 were solicited and reviewed prior to its issuance, in accordance with the spirit of the public policy set forth in 5 U.S.C. 553, interested persons may submit written comments, suggestions, data or arguments to Mr. Phillip J. Davis, Acting Director, Office of Federal Contract Compliance, U.S. Department of Labor, Washington, D.C. 20210, within 45 days of the publication of Revised Order No. 14 as set forth in this part 60-60. Material thus submitted will be evaluated and acted upon in the same manner as if this document were a proposal. Until such time as further changes are made, however, part 60-60 as contained herein shall remain in effect, thus permitting the public business to proceed more expeditiously.

A new part 60-60, effective as of January 23, 1973, is added to title 41, Code of Federal Regulations, reading as follows:

Subpart A—General

- Sec.
60-60.1 Purpose and scope.
60-60.2 Background.

Subpart B—Procedures for Contractor Evaluation

- 60-60.3 Agency actions.
Subpart C—Disclosure and Review of Contractor Data
60-60.4 Confidential information.
60-60.5 Employee interviews.
60-60.6 Post review analysis.
60-60.7 Contractor notification and conciliation.
60-60.8 Time schedule for completion.
60-60.9 Attachments.

AUTHORITY: Section 201, Executive Order 11246, 30 FR 12319, and Executive Order 11375, 32 FR 14303.

Subpart A—General

§ 60-60.1 Purpose and scope.

This part shall be known as "Revised Order No. 14" and is intended to establish standardized contractor evaluation procedures for compliance agencies.

§ 60-60.2 Background.

(a) Each prime contractor or subcontractor with 50 or more employees and a contract of \$50,000 or more is required to develop a written affirmative action program for each of its establishments (§ 60-1.40 of this chapter).

(b) The analysis must relate to all major job classifications at each facility to which the affirmative action program pertains, with explanations if minorities or women are currently being underutilized in any job classification (§§ 60-2.11, 60-2.12 of this chapter).

(c) An acceptable affirmative action program must include an analysis of areas within which the contractor is deficient in the utilization of minority groups and women and, further, where deficiencies exist, goals and timetables to which the contractor's good faith efforts must be directed and, thus to increase materially the utilization of

minorities and women at all levels and in all segments of his work force (§ 60-2.10 of this chapter).

Subpart B—Procedures for Contractor Evaluation

§ 60-60.3 Agency actions.

(a) *Basic steps.*—A contractor evaluation should proceed in two basic steps: (1) An offsite review of the contractor's affirmative action program and utilization analysis, using the enclosed contractor evaluation checklist (§ 60-60.9 (b)) as a worksheet; and (2) where necessary, an onsite discussion and review of those matters which are not fully or satisfactorily addressed in the affirmative action plan and utilization analysis using the enclosed onsite review guidelines (§ 60-60.9(c)) as a worksheet.

(b) *Affirmative action program and supporting documentation.*—Using approved methods of priority selection, compliance agencies shall routinely request from Federal contractors within their jurisdiction affirmative action programs including the required analysis and support data, as provided in the enclosed sample notification letter (§ 60-60.9(a)). Any other letter conforming to compliance agency procedures under this part (Revised Order 14) may be used. As used throughout this part, the term "Affirmative Action Plan (AAP) and supporting documentation" includes:

- (1) A copy of the contractor's last EEO-1 report.
- (2) The contractor's most recent workforce statistics available by major job classification and by race and sex.
- (3) The contractor's evaluation of the inside and outside workforce availability as outlined in § 60-2.11 of this chapter.
- (4) Identification of areas of underutilization and establishment of goals and timetables to correct any deficiencies together with a plan of action to achieve such goals and timetables.
- (5) Assessment of the contractor's current workforce to identify affected class situations and plans to correct such identified situations. (This may be submitted as part of the contractor's AAP or as a separate document. In either case, as discussed, it will be received in confidence by the compliance officer and returned to the contractor, without having been duplicated, at the conclusion of the review.)

(6) Information relative to:

- (i) The reaffirmation of the contractor's EEO policy.
- (ii) Dissemination and implementation of the policy.
- (iii) A description of the contractor's internal audit reporting systems.
- (iv) Substantiation of the compliance of the contractor's personnel policies and practices with the sex discrimination guidelines (pt. 60-20 of this chapter).
- (v) Description of the contractor's support of community action programs.
- (vi) Substantiation of the contractor's consideration of minorities and women not currently in the workforce having requisite skills.
- (7) Summary data on applicant flow, hires, terminations, promotions, and training for the last 6 months or the last

100 applicants, hires, etc., whichever is less.

(c) *Off-site reviews.*—In any letter utilized to obtain data for off-site review, the compliance agency may only request the affirmative action program including the required analysis and support data. Contractors are free to respond to this according to their current procedures under Revised Order No. 4 (pt. 60-2 of this chapter). This first letter is not to contain a request for specific items or for formats unless the compliance officer affirmatively determines that a particular item is necessary for this particular establishment. The off-site review must include part A of the contractor evaluation checklist (§ 60-60.9(b)). This consists of data absolutely essential to a determination of the acceptability of the contractor's AAP. The agency may complete part B of the contractor evaluation checklist (§ 60-60.9(b)) or decide to have such material for an onsite review where appropriate.

(1) If it is determined that the contractor's analysis is inadequate within the meaning of Executive Order 11246, as amended, and implementing rules, regulations and orders, the compliance officer shall notify the contractor of that fact and request appropriate additional information. If the contractor fails to meet this request within 30 days, a show cause notice will be issued. If the contractor fails to complete an adequate analysis, the enforcement procedures specified in OFCC order 4, (§ 60-2.2(c) of this chapter), shall be applicable.

(2) Such requests need not be limited only to those establishments already determined for a possible onsite investigation. Contractors who have reached agreement with their respective compliance agencies on nationwide AAP formats or on frequency of updating statistics may continue to do so. Where onsite investigations are considered appropriate, a second letter advising the contractor of this judgment should be sent. They shall be conducted as soon as practicable at a time agreeable to the agency and the contractor, but no later than 45 days from the time of the request for the affirmative action plan and supporting data.

(3) After reviewing the affirmative action program and supporting data, the compliance agency will make a determination as to whether or not an onsite visit is appropriate. Section 60-60.9, attached hereto, affords guidance as to the methodology to be followed. After analysis of the affirmative action plan and supporting data and prior to the actual onsite visit, additional data necessary to complete the contractor's evaluation checklist (§ 60-60.9(b)) may be requested.

(4) Following receipt of the above information, data should be analyzed along with any files available relative to previous compliance reviews and complaint investigations. The appropriate office of the Equal Employment Opportunity Commission and State and city agencies should be consulted for the status of any current charges.

(5) To aid in the analysis, much material is available and continuously being developed by the Bureau of the Census, Bureau of Labor Statistics, U.S. Training and Employment Service, Chamber of Commerce, and many other resources which should be part of a reference library in all contract compliance offices.

(6) In the interests of an expeditious offsite review, the agency may limit its request to those parts of the contractor's AAP and supporting data necessary to complete part A of the contractor evaluation checklist. This consists of data absolutely essential to a determination of the acceptability of the contractor's AAP.

(7) If the agency desires to do a more thorough offsite review, it may also request the additional data necessary to complete part B of the contractor evaluation checklist or it may decide to leave such material to an onsite review where appropriate.

(8) If the contractor fails to provide the material requested within 30 days of the request, a show cause notice is to be issued and a determination of non-responsibility may be made by the contracting officer pursuant to § 60-2.2 of this chapter.

(9) If it is determined that the contractor's AAP and supporting data are insufficient to satisfactorily respond to the contractor evaluation checklist (either part A or B, or both), § 60-60.9 (b), the compliance officer shall notify the contractor of that fact and request such additional information as the compliance officer needs to complete the checklist. If the contractor fails to meet this request within 30 days, other than (i) because of a claim of confidentiality as discussed below, or (ii) because the type or volume of data requested is best reviewed onsite, a show cause notice will be issued and a determination of non-responsibility may be made by the contracting officer.

(10) The failure to develop an acceptable affirmative action program as required in parts 60-1 and 60-2 of this chapter or the substantial deviation from a previously approved AAP constitute the only grounds upon which a summary determination of nonresponsibility may be made. See § 60-2.2 of this chapter; section 718 of title VII, as amended. Other allegations of noncompliance with Executive Order 11246 (as amended) and its implementing rules and regulations may give rise to the imposition of sanctions against a contractor only after the procedures in § 60-1.26 of this chapter have been followed.

(d) *Onsite reviews.*—Following an audit of the affirmative action plan and supporting documentation, the agency must make a determination as to whether or not an onsite review of the establishment is appropriate. If a decision is made to schedule an onsite review, a second letter advising the contractor of this judgment must be sent (§ 60-60.9(e), letter II). The onsite review shall be conducted as soon as practicable at a time agreeable to the agency and the contractor, but no later than 45 days from

the time of the request for the affirmative action plan and supporting data.

(1) If a decision is made not to schedule a review, the contractor must be so informed (§ 60-60.9(d)). At the same time, the agency should also inform the contractor that his affirmative action plan has been found acceptable without the necessity for an onsite review. No other determination of compliance status can be made without the additional analysis and investigation of an onsite review. However, a onsite review conducted within the previous 12 months may serve as the basis for a compliance certification as set forth in § 60-1.20(d) of this chapter. Whenever possible, the compliance officer should then outline problems highlighted during the desk audit or state that no major problems were raised.

(2) If an onsite review is necessary, additional data keyed to the deficiencies observed in the contractor's AAP and the contractor evaluation checklist (§ 60-60.9(b)) will be needed during the onsite review process in order to make a determination of compliance with the Executive order.

(3) Each agency is authorized to request from specific contractors such advance information which could reasonably be supplied prior to the actual onsite visit. However, the contractor should be requested to furnish only the specific items of information which the compliance officer affirmatively determines are:

(i) Necessary for conducting the review and completing the standard compliance review report;

(ii) Not contained in the material submitted by the contractor;

(iii) Not available or able to be derived from other material submitted by the contractor.

(4) The items requested should provide the compliance officer with the information he or she needs for the review. However, no information may be requested unless the three criteria above are met. In some cases needed information is best made available on the site. In those cases, the contractor should be advised to have the information ready for the onsite review.

(5) This additional data should be such that could be adequately analyzed in the agency's office in order to expedite the actual visit to the facility. In all cases, if and only if the issue addressed is one which is appropriate to the industry and contractor site being visited, the kind of data which is identified in the onsite review guidelines as being necessary for specific portions of the investigative process, must be requested and analyzed, either prior to the visit, or onsite if not supplied in the affirmative action program or available from other contractor supplied information. Certain data is noted in the onsite review guidelines § 60-60.9(c) as being necessary for proper analysis of specific issues. Where the decision is made to reserve the analysis of the data pending the onsite visit, the contractor should be informed reasonably ahead of the scheduled visit as to what information will be required during the review, so that

he may have the pertinent data available for the compliance officer at that time.

(6) In order to pursue certain issues uncovered in the compliance review, it may be necessary for the compliance officer to request certain additional information onsite even though such data have not been previously identified. Such additional information must also meet the above criteria.

(7) There is no specific format for the second letter, and the compliance officers may use any form which conforms to their particular needs and to the specific industry and contractor establishment being reviewed. In no case shall a determination of compliance status be made without an onsite visit.

Subpart C—Disclosure and Review of Contractor Data

§ 60-60.4 Confidential information.

(a) *Submission of and access to data.*—Confidential information such as lists of employees, employee names, pay data, reason for termination, may properly be excluded by the contractor from material submitted prior to an onsite visit if the contractor is concerned with the confidentiality of such data. In all cases, compliance officers must be permitted access to data needed to complete the onsite visit consistent with the onsite review guidelines (see § 60-3(d) of this chapter).

(b) *Review and disclosure of data.*—Review and disclosure of data should be governed by three basic principles:

(1) The contractor must provide full access to data onsite, as required by § 60-1.43 of this chapter, unless he shows that data sought to be reviewed is not pertinent to compliance with the Executive order.

(2) Only summary data of a nonsensitive nature should be provided for review offsite, unless the agency is able to show after onsite review that it requires further detailed data offsite in order to conduct an effective review, or for purposes of enforcement.

(3) Contractor data which is particularly sensitive (names, rates of pay, reasons for termination, etc.) should be limited to onsite review.

(c) *Removal of data.*—Whenever it is determined that detailed data is to be taken offsite, the contractor may protect the confidentiality of such data as follows:

(1) The contractor and the agency may agree that the data is to be considered on loan to the compliance agency for purposes of the review and the data is not to be considered in the custody of the agency.

(2) The data shall be returned to the contractor whenever the agency concludes that the contractor is in compliance or the enforcement procedure concludes.

(d) *Disputes resolution.*—Disputes between the agency and the contractor over the right of access to data, the extent of data to be provided offsite, or the treatment of company sensitive data should be referred to the Office of the

Solicitor of the Department of Labor for a ruling.

(e) **Corrective action programs.**—Corrective action programs directed at identified affected class situations, whether separately documented or prepared as part of an affirmative action program, shall remain the sole property of the contractor whether surrendered to the agency on or off premises for review. Such programs should not be duplicated by the agency and shall be returned intact to the contractor immediately following but not until a determination that they are no longer necessary in connection with a review of the contractor's EEO posture. Contractors should be told that the contents of their corrective action program will be regarded at all times as having been received in confidence and its contents shall not be disclosed except as required during proceedings instituted pursuant to OFCC regulations § 60-1.26 of this chapter.

(f) **Examination and copying of documents.**—Nothing contained herein is intended to supersede or otherwise limit the provisions contained in part 60-40 of this chapter for public access to information from records of the OFCC or its various compliance agencies.

§ 60-60.5 Employee interviews.

The compliance officer may request, where appropriate, that the contractor make available a reasonable number of selected minority or women employees for interviews to assist in a determination of whether employees are being fairly treated by the contractor or whether such employees believe they are being or have been unlawfully discriminated against in initial placement, subsequent upgrading or promotion, or other terms and conditions of employment. The number, scope, and manner of conducting such interviews should be discussed in advance with the contractor. If the contractor appears reluctant to interview on the job, or for other reasons, the compliance officer should conduct such interviews off the premises.

§ 60-60.6 Post review analysis.

(a) **Summary of deficiencies.**—Subsequent to the completion of the review the compliance officer shall:

- (1) List deficiencies if any noted in the previous onsite review and any corrective action that have ensued.
- (2) List any general deficiencies of the contractor's affirmative action programs.
- (3) List current specific deficiencies if any as determined through the onsite review.

(b) **Discussion of remedies.**—Deficiencies requiring more than obvious simple corrective actions should be discussed with the contractor. For example, matters affecting any relief required for victims of discrimination, e.g., seniority system modifications where appropriate, etc.; should be carefully reviewed with the contractor and reduced to writing.

§ 60-60.7 Contractor notification and conciliation.

(a) Upon completion of the onsite review, the compliance officer should schedule an exit conference with contractor officials to review, to the extent possible, the findings from the review. Unless the review is of a very small facility with few and minor deficiencies uncovered, an exit conference should not try to itemize all deficiencies until the postreview analysis is completed. Upon completion of the postreview analysis, the findings of the review and the list of deficiencies or recommendations shall be submitted to the contractor in writing and if practicable, delivered in person to lay the foundation for any necessary conciliation of efforts. Should the contractor disagree with the findings of the review or feel that he is unable to comply, he may request a conciliation meeting which shall be scheduled by the agency as soon as practical, but may not be used to delay enforcement of the Executive order.

(b) The contractor may at any time avail himself of the provisions of § 60-1.24(c) (4) of this chapter which provides as follows:

When a prime contractor or subcontractor, without a hearing, shall have complied with the recommendations or orders of an agency or the Director and believes such recommendations or orders to be erroneous, he shall, upon filing a request therefor within 10 days of such compliance, be afforded an opportunity for a hearing and review of the alleged erroneous action by the agency or the Director.

(c) **Time schedule for completion.**

(a) Within 45 days from the date of the actual initiation of the onsite investigation, if one is conducted, or any extension of such period granted by the compliance agency for good cause, including an opportunity for the contractor

(a) Within 45 days from the date of the actual initiation of the onsite investigation, if one is conducted, or any extension of such period granted by the compliance agency for good cause, including an opportunity for the contractor

(a)

SAMPLE LETTER—NOTIFICATION OF COMPLIANCE AUDIT

DEAR CONTRACTOR: Your facility located at _____ has been selected for a desk audit regarding the requirements of Executive Order 11246, as amended, and OFCC Regulations 41 CFR parts 60-1 and 60-2. This review will consist of an offsite review of your affirmative action program (AAP) and the supporting data described below as required pursuant to OFCC Order No. 4, 41 CFR part 60-2.

Following this audit, it may be necessary to request additional data from your office and/or to schedule your facility for an onsite compliance review. If it is determined that an onsite review is necessary, you will be contacted as soon as practicable, but no later than 45 days from our receipt of your AAP as to the substance of the review and to schedule a mutually acceptable time for such review. If it is determined that your AAP is acceptable, you will be so notified within 45 days of our receipt of your AAP.

Contents of an acceptable affirmative action program and supporting data are outlined in 41 CFR 60-2.11, 60-2.12 and 60-2.13 and should include:

1. A copy of your last EEO-1 report.
2. Your most recent workforce statistics available by major job classification and by race and sex.
3. The evaluation of the inside and outside workforce availability as outlined in 60-2.11.
4. Identification of areas of underutilization and establishment of goals and timetables to correct any deficiencies together with a plan of action to achieve these goals and timetables.
5. Assessment of your current workforce to identify affected class situations and plans to correct those identified situations. (This may be submitted as part of your AAP or as a separate document. In either case, it will be received in confidence and will be returned to you, without having been duplicated, at the conclusion of this matter.)
6. Summary data on applicant flow, hires, terminations, promotions, and training, must be provided for the last 6 months or the last 100 applicants, hires, etc., whichever is less.
7. Information relative to:
 - The reaffirmation of your EEO policy.
 - How you disseminate and implement the policy.
 - The description of your internal audit and reporting systems.

* Question 7 is optional, to be used if compliance agency needs data to complete pt. 3 of the Contractor Evaluation checklist.

to avail himself of conciliation as above, the contractor must either be found in compliance by the compliance agency, and must have been so notified of that fact by the agency, or must have been issued a 30-day show cause notice as required under the rules and regulations pursuant to the Executive order.

(b) During this period, the compliance agency is obligated to:

- (1) Complete the onsite review.
- (2) Notify the contractor of any deficiencies found or recommendations (see above).
- (3) Undertake any initial conciliation or clarification discussions with the contractor that may be appropriate.
- (4) Notify the contractor of compliance or issue a 30-day show cause order.
- (5) Complete and forward the coding sheet to OFCC.

(c) A contractor's affirmative action plan may be accepted only after the coding sheet has been forwarded to OFCC.

(d) Before each onsite compliance review the compliance officer will complete the coding sheet as indicated. During and after the onsite visit the remainder of the coding sheet will be completed. All completed coding sheets will be forwarded to the Director, OFCC. No compliance review can be considered complete until the coding sheet is forwarded to OFCC, and monthly reports to OFCC will reflect that fact. In addition, all coding sheets are to be forwarded to OFCC within 45 days after an onsite visit.

§ 60-60.9 Attachments.

The following forms are set out in full as they give detailed information as to our procedures and requirements of value to contractors.

—Substantiation of the compliance of your personnel policies and practices with the Sex Discrimination Guidelines (41 CFR 60-20).
 —Description of your support of community action programs.
 —Substantiation of your consideration of minorities and women not currently in the workforce having requisite skills, e.g., communications with known sources of referral for minorities and women.

Please submit the foregoing data to _____ within 30 days of the date of this letter. Failure to comply with this request will result in the issuance of a show cause letter pursuant to 41 CFR 60-1.28 and may also give rise to a determination of nonresponsibility pursuant to 41 CFR 60-2.2. If there are any questions relative to this matter, you may contact _____, telephone number _____.

(Agency representative)

CONTRACTOR EVALUATION CHECKLIST

(Offsite Review—AAP and Supporting Data)
 Name of Contractor _____
 Address of Contractor _____
 Date Letter Sent Requesting AAP _____
 Date Receipt of AAP _____
 Type of Review (Pre-Award, Post Award, Follow-Up Complaint) _____
 Name and Telephone Number of Contractor EO Officer _____

PART A—ESSENTIAL DATA

A. Section 60-2.11. Required utilization analysis.

The requirements of § 60-2.11 are as follows:

(a) An analysis of all major job classifications at the facility, with explanation if minorities or women are currently being underutilized in any one or more job classifications (job "classification" herein meaning one or a group of jobs having similar content, wage rates and opportunities). "Underutilization" is defined as having fewer minorities or women in a particular job classification than would reasonably be expected by their availability. In making the work force analysis, the contractor shall conduct such analysis separately for minorities and women.

(1) In determining whether minorities are being underutilized in any job classification the contractor will consider at least all of the following factors:

- (i) The minority population of the labor area surrounding the facility;
- (ii) The size of the minority unemployment force in the labor area surrounding the facility;
- (iii) The percentage of the minority work force as compared with the total work force in the immediate labor area;
- (iv) The general availability of minorities

ties having requisite skills in the immediate labor area;

(v) The availability of minorities having requisite skills in an area in which the contractor can reasonably recruit;

(vi) The availability of promotable and transferable minorities within the contractor's organization;

(vii) The existence of training institutions capable of training persons in the requisite skills; and

(viii) The degree of training which the contractor is reasonably able to undertake as a means of making all job classes available to minorities.

(2) In determining whether women are being underutilized in any job classification, the contractor will consider at least all of the following factors:

(i) The size of the female unemployment force in the labor area surrounding the facility;

(ii) The percentage of the female work force as compared with the total work force in the immediate labor area;

(iii) The general availability of women having requisite skills in the immediate labor area;

(iv) The availability of women having requisite skills in an area in which the contractor can reasonably recruit;

(v) The availability of women seeking employment in the labor or recruitment area of the contractor;

(vi) The availability of promotable and transferable female employees within the contractor's organization;

(vii) The existence of training institutions capable of training persons in the requisite skills; and

(viii) The degree of training which the contractor is reasonably able to undertake as a means of making all job classes available to women.

1. Is there a utilization analysis for minorities?
 a. Does it consider the points itemized in § 60-2.11(a)(1)?
 c. Describe any deficiencies with the analysis.

If question is not applicable to the contractor, note N.A.
 If there is information needed to complete this checklist is unavailable, use this column.

The compliance officer should use a narrative in addition to this checklist approach whenever necessary to adequately respond to the following inquiries.

2. Is there a utilization analysis for women?
 b. Does it consider the points itemized in § 60-2.11(a)(2)?
 c. Describe any deficiencies with the analysis.

B. Section 60-2.12, Establishment of goals and timetables.

1. Are the goals the contractor has set significant and attainable?
 2. Will the goals correct deficiencies?
 3. Are there separate goals and timetables for minorities and women to the extent required by § 60-2.12?
 4. Has the contractor provided all evidence requested to demonstrate that all levels of management have been involved in the goal setting process?
 5. Has the contractor considered the expansion, contraction and turnover of the work force in developing its goals and timetables?
 6. If the contractor has not established a goal, does his AAP analyze the factors in § 60-2.11?

C. Section 60-2.23, Identification of problem areas.

1. Complete the following:

- a. Describe goal setting method used by contractor.
- b. Review the contractor's degree of attainment of his current affirmative action plan goals and note any problems.
- c. Complete table Q of the coding sheet. If an onsite review is to be conducted, table Q may be left until the onsite review, but suitable worksheets should now be developed.

Listing of major job classifications	AAP goal	End of last period	Current	Percent of goal attainment
Official/manager				
Professional				
Technician				
Sales worker				
Office clerk				
Chafman				
Operator				
Laborer				
Servicing worker				
Total				

* These would be subdivided into groupings of common job classifications, earnings ranges or common skill groups for each category.

c. Female representation table (express as percentages).

Listing of major job classifications	AAP goal	End of last period	Current	Percent of goal attainment
Official/manager				
Professional				
Technician				
Sales worker				
Office/clerical				
Craftsman				
Operative				
Laborer				
Service worker				
Total				

* These would be subdivided into groupings of common job classifications, earnings ranges or common skill groups for each category.

	Yes	No	Unknown
2. What is the percent of minority applicants?			
3. What is the availability of minorities in the local work force expressed as a percentage of the local work force?			
4. What is the percent of female applicants?			
5. What is the availability of women in the local work force expressed as a percentage?			
6. Are there written job descriptions?			
7. Does your review of the application form indicate any problem? Please explain.			
8. Have all tests that are used been validated to the extent required by the OFCC Testing Order?			
9. a. What percent of them by major job classification have been minority?			
b. Is this improving the utilization condition for underutilized areas?			
10. b. Is this improving the utilization condition for underutilized areas?			
11. What percent of total promotions have been minority?			
12. Is this equal to or greater than the percent of the minority representation in the contractor's work force?			
13. What percent of total promotions have been women?			
14. Is this equal to or greater than the percent of the female representation on the contractor's work force?			
15. Are there inhibiting factors to equal opportunity for minorities in the transfer system? Please explain.			
16. Are there inhibiting factors to equal opportunity for women in the transfer system? Please explain.			
17. Does it appear that facility and company sponsored events are open to all and participated in by all?			
18. Are there inhibiting factors to equal opportunity in the seniority practices of the company? Please explain.			
19. Are minorities significantly underrepresented in apprenticeship or other training programs? Please explain.			

	Yes	No	Unknown
20. Are women significantly underrepresented in apprenticeship or other training programs? Please explain.			
21. Does the company focus on issues affecting minorities and women as set forth in § 60-2.23 and does it address steps to meet such as those suggested in § 60-2.24? i.e., housing, child care, transportation, etc., as they impact recruiting/employment? Please explain.			
D. Section 60-2.1, Corrective Action Programs			
1. Has the contractor developed a corrective action program to the extent required by § 60-2.1?			
2. Was this included as part of the contractor's AAP or a separate program?			
3. What relief has the contractor suggested for members of an identified affected class?			
PART E—ADDITIONAL DATA			
A. Section 60-2.20, Development or Confirmation of Policy			
1. Does the contractor's AAP include an EEO policy statement or reaffirmation thereof?			
2. Does the policy statement address those items cited in § 60-2.20, paragraph 1 through 4 in their entirety?			
a. If no, in what respects is the statement deficient?			
B. Section 60-2.21, Dissemination of the Policy			
1. Has the contractor provided substantiation of the policy statement in the contractor's policy manual?			
2. Are there examples of it being published in company publications?			
3. Has the contractor provided substantiation that management meetings have been held relative to the requirements of § 60-2.21?			
4. Has the contractor provided substantiation that employees have attended meetings relative to the requirements of § 60-2.21?			
5. Has the contractor provided substantiation that EO is covered in new employee orientation and management training?			
6. Has the contractor provided substantiation that union officials have been informed of the policy?			
7. Are there nondiscrimination clauses in all union contracts?			
8. Have there been articles published on EO programs, progress reports, etc?			
9. If employees are featured in image or product advertisements, do they show minorities and women?			
10. Is there evidence of communication to employees concerning the contractor's AAP?			
11. Have all recruiting sources the contractor uses been informed verbally and in writing of company policy?			
12. Is the EO clause incorporated in the contractor's Purchase Order?			
13. Has the contractor provided substantiation that it is modifying all contractable communications in writing of the company policy?			
14. Is there evidence that the contractor communicates to prospective employees the existence of the AAP?			
15. Are minority and female employees shown in co-sponsor or help wanted advertising?			
16. Has the contractor provided substantiation that it notifies subcontractor, vendor and suppliers of company EO policy?			

G. Section 60-2.13, Additional Ingredients of AAP

Yes No Unknown

1. Has the contractor provided evidence to support the fact that the contractor is abiding by the set discrimination guidelines (41 CFR pt. 60-20)?
2. Is there evidence that the contractor is considering minorities and women not in the work force?

Explain contractor's performance against previous goals:

1. Note.—Certain items in 60-2.24 are omitted as they are most appropriate for onsite review. If one is done.

(c) ONSITE REVIEW GUIDELINES

Yes No

A. EEO policies and procedures:

1. Are EEO posters prominently displayed?
2. What EEO policy statements are posted? Please explain.
3. How have the lower level supervisors received and disseminated the policy? Please explain.
4. Is EEO part of the orientation for new employees and are there periodic meetings with employees and/or supervisors on the subject? Please explain.
5. What role does the EEO coordinator play in dissemination of policy? Please explain.
6. How much time does he spend in EEO work? (Percent)
7. Has management expressed any intention in writing or otherwise to take disciplinary action for failure to adhere to EEO policies and procedures? Please explain.
8. Are supervisors held accountable for failure to meet EEO goals?

C. Recruitment, hiring, selection and placement.

(a) If adequate applicant flow data was not furnished during the onsite review, the compliance officer should ask to see the contractor's applicant flow report summarizing total applicants by total, male, female, and male and female minority classifications. While in many cases applicants are not classified by particular job, it should be possible to provide some separation of the applicant flow count into at least broad occupational groups. An applicant is defined as one who has applied for permanent employment and has complied with the company's formal application procedure. Next the report should show the number of offers of employment for each category and by total, male, female and male and female minority classifications. The report should show acceptance of offers for each category and by total, male, female and male and female minority classifications. The acceptances should also be related to the job groupings outlined in section B, Workforce Analysis. This report should reflect applicant activity for the last 6 months or the last 100 acceptances, whichever is less.

B. Workforce analysis.

If an adequate workforce analysis was not furnished during the onsite review, the compliance officer should ask to see, if available, the employer's representation report of his workforce summarizing the facility workforce (total, male, female, and male and female for each minority group comprising 2 percent or more of the labor area) by department or organization (i.e., a logical cohesive group such as personnel, manufacturing, finance, etc.) and by EEO-1 category within organization subdivided into (perhaps common) job groupings within an EEO-1 category. These job groupings should reflect one or more jobs having similar content, wage rates and opportunities. The job groupings should be ranked appropriately by skill or earnings or line of progression, or existing administrative practice. If earnings are used, the range of annual earnings for each grouping should be given. However, for the purpose of these guidelines and in all cases where pay is used, alphabetic or numeric coding or the use of an index of pay and pay ranges is acceptable and should be used when contractors are concerned about confidentiality of salary information.

Yes No Unknown

1. Is there evidence that an executive has been appointed as director or manager of the company EEO program?
2. Are there a set of the contractor's responsibilities?
3. Does it include those listed in 60-2.22, paragraph (a)?
4. Does it include a description of line management responsibilities?
5. Does it include management identify problem areas and establish local goals and objectives?
6. Is local management active in minority and female organizations and/or community programs?
7. Does local management conduct periodic audits of training, hiring, promotions, etc.?
8. Does local management conduct discussions with other management to insure that the policies are being followed?
9. Does management review qualifications in ensure minorities and women are given full opportunities for transfer and promotions?
10. Does management conduct periodic audits, to ensure posters are displayed, facilities are desegregated, minority and female employees get a full opportunity in company sponsored educational training and recreational activities?

D. Section 60-2.14, Development and Execution of Programs:

1. Is there evidence that the contractor reviews position descriptions?
2. Are worker specifications consistent for the same job?
3. Are position descriptions available to all members of management?
4. Are recruiters trained in EEO?
5. Is there evidence of an active involvement with minority organizations?
6. Is there evidence of an active involvement with female organizations?
7. Do minority and female employees refer applicants?
8. Does the company participate in job fairs or career days?
9. Is there evidence of an active recruiting program at minority schools?
10. Is there evidence of an active recruiting program at female schools?
11. Is the percent of terminations for minorities higher than for males?
12. If so, is there a valid rationale? Please explain.
13. Is the percent of terminations for females higher than for males? Please explain.

E. Section 60-2.15, Internal Audit and Reporting System

1. Is there evidence that the contractor monitors its affirmative action program?
2. Does the contractor require formal reports from managers on the accomplishment of goals?
3. Is top management aware of the progress of the EO program?

F. Section 60-2.20, Support of Action Programs

1. Is the contractor management involved in external affirmative action programs?
2. Are employees encouraged to participate in outside organizations?
3. Does the contractor support outside training programs?
4. Does the contractor support schools in order to assist minorities and females?
5. Does the contractor promote EEO achievement?
6. Does the contractor support organizations such as NAB, etc.?

C. Section 60-2.22, Responsibility for Implementation

	Yes	No
9. Are those who make selection conscious of the contractor's goals and timetables? Please explain:		
10. What role does the EEO Coordinator play in the selection process? Please explain:		
(e) Review a representative sample of personnel records of hires from different periods of time in various job categories.		
	Yes	No
1. From discussions with the interviewers and supervisors as well as from comments appearing on the application form, what appear to be some of the more subjective criteria? Please explain:		
2. Does the contractor claim any bona fide occupational qualifications to justify sex discrimination? Please explain:		
<p>(f) If the contractor states that the tests it uses have been validated, a written report must be available specifying size of samples used and minority and sex composition, nature of job, criteria, methods of analysis, and results and recommendations.</p> <p>The written validation report must be reviewed to determine whether or not the test or selection practice is valid as required by the OFCC Testing Order (41 CFR 60-3).</p> <p>A compliance officer who has satisfactorily completed an adequate training course should inform contractors of apparent noncompliance with the order when validity or evidence supporting validity of tests is absent or substantially deficient. However, since the issues involved in test validity are often quite technical and complex, the compliance officer should not try to identify or resolve these issues directly with the contractor during the review. In these cases or in any case where the compliance officer cannot make a clear determination of noncompliance, the contractor's evidence of test validity is to be submitted for higher level review along with the compliance officer's analysis of the disparate effect.</p> <p>D. Terminations.—(a) If adequate data on terminations was not furnished during the off-site review, the compliance officer should ask to see, if available, the employer's report on terminations at the facility summarizing terminations for total, male, female and male and female for each appropriate minority group, by organization and by EEO-1 category within organization subdivided into (perhaps common) job groupings within EEO-1 category. Consult section B above, workforce analysis, for further guidelines on job groupings.</p> <p>(b) If such a summary report is not available, for a similarly statistically significant time frame as investigated for hires, review a list of terminations, by name or other identification, showing hire and termination dates, job assignment, minority group membership and sex. If possible, the terminations should be related to the period covered by the hiring analysis. To determine if there is an unfair disparity of company policies, the period of at least 6 months or 100 such terminations should be reviewed, whichever is the lesser.</p> <p>(c) If there is a disproportionate number of terminations because of minority group identification or sex, or a pattern of placement of minority group members or women to specific kinds of jobs, the causal factor should be explored and discussed.</p> <p>E. Promotion and transfer.—(a) If adequate data on promotions and transfers was not furnished during the off-site review, the compliance officer should ask to see, if available, the employer's report on promotions at the facility summarizing promotions for total, male, female, and male and female for each appropriate minority group, by organization and by EEO-1 category within organization subdivided into (perhaps common) job groupings within EEO-1 category. Consult section B above, workforce analysis, for further guidelines on job groupings. A promotion is defined as any personnel action resulting in movement to a position of greater skill, effort or responsibility. Wage or salary increases alone do not determine a promotion.</p> <p>(b) If such a report is not available, the compliance officer should review a list of 100 promotions or the last 6 months activity, whichever is less. The review should include name or other identification, minority group status, sex, previous job, department and pay, and new job and department and pay. A promotion is defined as any personnel action</p>		

	Yes	No
<p>(b) Where such a summary report is not available, the compliance officer should advise the contractor to maintain such data in the future, but the following collection of data should now be made to determine any problems that may exist in applicant flow and employment ratios. If the company's own data is insufficient, the CCO should obtain applications of 100 applicants for blue collar employment and 100 applicants for white collar employment, or applications for a 6-month period, whichever is the lesser. He may use a random sample or an immediate past chronological period. He may exclude certain job groupings where applicants and hires are clearly not a problem and should be sure to include the job groupings cited by you in section 1 above. Now he should construct the report described in the paragraph above showing applicants, offers and acceptances by total, male and female, and male and female minority classifications by as much organization job grouping detail as possible.</p> <p>(c) Sample a representative number of job requisitions on a given date and compare with minorities and women applying at the same time. Obtain copies of any other forms utilized by the personnel operation such as interview reports. Even if the contractor appears to have a well-structured recordkeeping system, review examples of the procedure to assure that he is in fact using the system to assure equal employment opportunity.</p>		
	Yes	No
1. Is the contractor maintaining an applicant flow chart which gives all the necessary information such as name, race, sex, job applied for, source of referral, date of application and disposition? Specify the questionable information and who might have access to it.		
2. If such information is allegedly asked for affirmative action purposes, could it not be maintained on a separate record?		
3. How long are application forms retained and describe the filing system?		
4. Is there an affirmative action file or other retrieval systems to enable minorities and women to be reconsidered if no job can be offered at the time of their original application?		
5. Are there written job descriptions or job specifications?		
6. If not, what procedures are used instead?		
7. Are job requisitions submitted to the employment office in writing and how detailed are they?		
8. Are these forms or others used for external recruitment?		
<p>(d) Is the contractor's applicant flow adequate for the job groupings cited by you in section 1, given the utilization factors for this facility. If not, the following further investigation into recruitment methods and resources is necessary. Summarize the contractor's explanation of the specific recruitment methods and resources utilized for each job grouping involved. Explain the impact of word-of-mouth or other employee referral systems. Explain if recruitment sources are contacted in writing at the time of actual job openings and how much information is provided to them as to the qualification.</p>		
	Yes	No
1. Are different interviewers assigned to interview applicants because of their job interest, race or sex?		
2. Is job counseling offered?		
3. If not hired, is the applicant given a specific reason and is it so noted on the application form?		
4. If an applicant is not hired, what happens to the application form? Please explain.		
5. Who makes the final decision for hire and on what basis?		
6. If additional interviews are conducted, is there feedback to the employment office? Who?		
7. Does anyone monitor for disparate rejection ratios of minorities and women?		
8. Can and does anyone challenge decisions made by the selecting officials? Please explain.		

Is this discriminatory? Does the contractor publicize EO achievements? Does the contractor support organizations which would assist his efforts and implement his affirmative action program?

H. § 69-212, additional ingredients of AAP.—Has the contractor provided evidence to support the fact that the contractor is abiding by the sex discrimination guidelines (41 CFR pt. 80-30)? Is there evidence that the contractor is considering minorities and women not in the work force?

(d) SAMPLE LETTER TO THE CONTRACTOR I

SATISFACTORY REVIEW

I have reviewed your affirmative action plan and supporting documentation submitted to this office on As a result of that review, I find your AAP acceptable and I will not be visiting your site for a more intensive review.

[My evaluation of your AAP did, however, point out that you should be making a more concerted effort in I would hope to see improvement in these areas during my next review.]

I appreciate your cooperation in this matter.

(Signature)

: Optional.

(e) SAMPLE LETTER TO THE CONTRACTOR II

UNSATISFACTORY REVIEW

I have reviewed your AAP submitted to this office on As a result of the review on the material submitted, I cannot fully determine your compliance with the requirements of revised order No. 4. I would, therefore, like to schedule an onsite review on I would appreciate your having data available to review the following areas:

If you have any questions relative to the above, please contact me.

(SIGNATURE)

Signed at Washington, D.C., this 11th day of May 1973.

PETER J. BRENNAN,
Secretary of Labor.

PAUL J. DAVIS,
Acting Director, Office of
Federal Contract Compliance.

[FR Doc. 73-9825 Filed 5-18-73; 8:45 am]

Title 49—Transportation

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 73-7; Notice 1]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

New Pneumatic Tires, Tire Selection, and Rims for Passenger Cars; Correction
In FR Doc. 73-6189, published April 3, 1973, on page 8515, column 1, in table I-B of standard No. 110 (amendments

Issue on May 14, 1973.

JAMES E. WILSON,
Associate Administrator,
Traffic Safety Programs.

[FR Doc. 73-10032 Filed 5-18-73; 8:45 am]

resulting in movement to a position of greater skill, effort or responsibility. Wage increases alone do not determine a promotion.

(c) A determination should be made if there is a disparity between the promotion rate of minorities and women as related to the rate for nonminorities and/or males. In doing this analysis, the following procedure should be included:

Identify the various entry level positions and the promotional ladders as indicated by the contractor and by the CCO's confirmation through sample record analysis. Are these lines in any way oriented by race or sex? Please explain. With regard to promotions that are competitive, what is the significance of interest, ability and seniority in promotion and transfer considerations? Please explain. Are there any periodic written performance ratings which influence promotion or transfer? Are minorities or women concentrated in certain jobs outside any line of progression or which dead end before the employees can reach the pay grade to which their experience, training or seniority might entitle them? Please explain. Is there a well-structured transfer program? Discuss any lack of representation of minorities and women in this program. Please explain.

(d) Review the file on transfer requests to determine if minorities or women have been overlooked or rejected disproportionately. Please summarize your findings. What is the frequency of inter- or intra-departmental transfer for better working conditions or to gain promotional opportunities? Is counseling offered to employees considering this move? How common is transfer from blue collar to white collar positions or from "traditionally female" or minority to "traditionally male" or nonminority jobs or vice versa? Who monitors promotion and transfer activity and through what means? How is job security affected by transfer or promotion and does this disproportionately affect minorities or women?

(e) Comment on the representation of minorities and women among supervisors and where promotions during the previous year suggest any improvement. If appropriate, review selected personnel records to conduct the following analysis. Explain how supervisors are selected. Who monitors these actions? Explain how supervisory ability is measured.

F. Wage and salary analysis.—Review and compare wages and salaries of a sampling of minorities and women within selected job classifications. Are there positions with similar duties but with different rates of pay which seem to be related to the sex or race of the incumbents? Please explain. What is the contractor's explanation for these discrepancies? Please explain. Are there general salary ranges for jobs or specific rates at which everyone begins? Please explain. Do minority and women workers appear to be paid lower rates to begin with? Please explain. What is the contractor's explanation for this? Please explain. Who makes the determination as to what those starting rates will be? Please explain. Are the rates negotiable? Are minorities or women assigned to jobs where incentive earnings are more difficult? Please explain. Does review of any employee's records confirm or dispute the relationship of education, training, and experience to pay? Please explain. Are minorities and women supervising integrated groups? Are women supervisors generally at a lower plateau in the organization? Where minorities and women have been heavily installed as supervisors, has there been any negative reaction from the workforce and how has management dealt with it? Please explain. Is there a supervisory development program? Please explain.

G. Training and educational opportunities.—(a) If adequate data on training and educational opportunities was not furnished during the off-site review, the compliance officer should ask to see, if available, the employer's report on training at the facility, summarizing by training class the participation by total, male, female and male and female minority classifications and showing the training participation rate for each group. The report should reflect the last 6 months activity.

(b) If such a report is not available, the compliance officer should obtain from the contractor a list of various training and apprenticeship programs ongoing or completed during the last 6 months or other significant period of time, with name or other identification, minority group identification, sex of participants, date of completion and job and pay before and after training. Include employees hired directly into such programs.

(c) What types of training do new employees receive? How are additional opportunities for training and education advertised? Is there evidence of any disparate failure or dropout rate? If there is a registered apprenticeship program, has the contractor provided the Bureau of Apprenticeship and Training with an acceptable affirmative action program with goals and timetables? Is formal training being required now for jobs not previously involved?

Proposed Rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rulemaking prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 911]

HANDLING OF LIMES GROWN IN FLORIDA

Notice of Proposed Rulemaking

Consideration is being given to the following proposals, as hereinafter set forth, which would regulate the handling of fresh limes grown in Florida by continuing on and after June 18, 1973, the same quality and size, pack, and container requirements as are currently in effect through June 17, 1973.

The proposed regulations would be re-established pursuant to the marketing agreement, as amended, and order No. 911, as amended (7 CFR pt. 911), regulating the handling of limes grown in Florida. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). Mexican type limes shipped to points outside the production area would continue to be required to comply with the same container and pack requirements and to continue to grade at least U.S. No. 2, with no minimum size requirements. Persian type limes shipped to such points would continue to be required to comply with the same container and pack requirements, to grade at least U.S. Combination Mixed Color, and to measure at least 1½ inches in diameter. Both types of limes shipped to destinations within the production area would continue to be exempted from pack, container, and all grade requirements, except the minimum juice content requirement.

All persons who desire to submit written data, views, or arguments in connection with the proposal should file the same in quadruplicate with the Hearing Clerk, room 112A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than June 5, 1973. All written submissions made pursuant to this notice will be made available for public inspection at the office of the hearing clerk during regular business hours (7 CFR 1.27(b)).

The proposed regulations are based upon an appraisal of current and prospective crop and market conditions for Florida limes. Florida lime production for the 1973-74 season is estimated at 1.9 million bushels, 9 percent larger than the previous record. Fresh shipments for the 1973-74 season, began on May 1, 1973, and shipments in volume are now being made. Total fresh shipments are expected to require about 728,527 bushels

of such production. Ample supplies of desirable sizes and grades of limes are available to fill fresh market demands. The re-establishment of the proposed regulations is designed to prevent the handling of lower grade and smaller limes which do not provide consumer satisfaction and to promote orderly marketing in the interest of producers and consumers, consistent with the objectives of the act.

Such proposals read as follows:

1. The provisions of paragraph (a) of § 911.336 (Lime Regulation 34; 38 FR 12324) are hereby amended to read as follows:

§ 911.336 Lime Regulation 34.

Order.—(a) During the period June 18, 1973, through April 30, 1974, no handler shall handle:

(1) * * *

2. The provisions of subparagraph (2) of paragraph (a) in § 911.312 (Lime Regulation 10; 38 FR 12322) are hereby amended to read as follows:

§ 911.312 Lime Regulation 10.

(a) * * *

(2) On and after June 18, 1973, no handler shall handle between the production area and any point outside thereof, any container of limes, of the group known as large fruited or Persian "seedless" limes (including Tahiti, Bearss and similar varieties), grown in the production area, unless such limes in such container meet the requirements of standard pack and one of the pack specifications established in subparagraph (1) of this paragraph, and each container in each lot is marked or stamped on one outside end in letters at least one-fourth inch in height to show the U.S. grade applicable to such lot and either the average juice content of the limes in such lot or the phrase "average juice content 42 percent or more": *Provided*, That, in lieu of such marking requirement, any handler may affix to the container a label, brand, or trademark, registered with the Florida Lime Administrative Committee in accordance with the following, which appropriately identifies the grade and the juice content of such limes:

(1) * * *

3. The provisions of subparagraph (2) of paragraph (a) in § 911.329 (Lime Regulation 27; 38 FR 12323) are hereby amended to read as follows:

§ 911.329 Lime Regulation 27.

(a) * * *

(2) On and after June 18, 1973, no handler shall handle between the production area and any point outside thereof any variety of limes, grown in the production area, in individual bags having a capacity of more than 4 pounds net weight of limes.

Dated May 16, 1973.

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

[FR Doc. 73-10058 Filed 5-18-73; 8:45 am]

COST ACCOUNTING STANDARDS BOARD

[4 CFR Part 351]

BASIC REQUIREMENTS; DISCLOSURE STATEMENT

Proposed Amendment to Rules

Public Law 91-379, which applies to negotiated prime contracts and subcontracts in excess of \$100,000, requires that contractors shall disclose in writing, their cost accounting practices. The Disclosure Statement Form (CASB-DS-1) has been designed to facilitate the meeting of this requirement by contractors. On February 29, 1972, the Board established an initial level of the phased requirement for submission of disclosure statements by contractors and stated that from time to time requirements for applicability of the disclosure statement to other contractors and subcontractors would be announced.

Since the establishment of the initial filing requirement, almost 900 disclosure statements have been submitted to Government procuring offices. The Board now feels that with the experience gained in the handling of those statements, agencies are in a position to be able to satisfactorily administer additional disclosure statements generated through a lowering of the filing requirement. Also, contractors have had the benefit of exposure to the disclosure statement requirement, filing and implementing procedures, and the accounting matters and questions covered in the disclosure statement through orientation and training sessions conducted by CASB and Department of Defense representatives. The Board has also concluded that the volume of awards of subcon-

tracts should now be included in determining whether a contractor meets the proposed new filing requirement.

On the basis of procurement statistics made available to the Board, it appears that a reduction of the filing requirement to a \$25 million level of business would generate about 500 additional disclosure statements. The Board feels that for the time being, this number of additional statements can be satisfactorily accommodated within present agency and contractor operations. From time to time the Board will announce the dates of applicability to other contractors and subcontractors.

Under the regulations initially established by the Board, contractors were to submit a copy of their disclosure statement to the Board at the same time they submitted a copy to the procuring agency. This has placed a burden on contractors and has necessitated numerous revisions to the Board's files due to changes made by contractors apparently in order to meet agency requirements for adequacy. The Board feels that this filing procedure can be simplified and accordingly is revising § 351.7 to require that prime contractors and subcontractors submit a copy of their disclosure statement to the Board within 10 days after receipt of a notice that a determination of adequacy has been made for their statement.

Representatives of colleges and universities have expressed to the Board a strong desire to have a separate disclosure statement to cover their practices. Colleges and universities are now subject to standards only in contracts awarded by defense agencies. A very small number of such organizations are now required to submit disclosure statements and very few, if any, colleges and universities would be required to submit a disclosure statement under this revision of the filing requirement proposed today. The Board feels that in view of this small number, it is not practical to require a separate disclosure statement at this time. The Board will, however, continue to work with Government agencies in designing a separate disclosure statement for colleges and universities that would provide those agencies the kind of information that would be most helpful to them.

The Cost Accounting Standards Board solicits comments on the proposed amendment to the disclosure statement filing requirement. Interested persons should submit their comments to the Cost Accounting Standards Board, 441 G Street NW., Washington, D.C. 20548. To be given consideration by the Board in its deliberations relative to this proposal, written submissions must arrive no later than June 22, 1973. All written submissions made pursuant to this notice will be made available to the public for inspection at the Board's offices during regular business hours.

The following modifications to part 351 of the Board's regulations are proposed in view of the foregoing:

Part 351 is modified by adding a new § 351.4a to read as follows:

§ 351.4a Additional filing requirement.

In addition to those contractors and subcontractors required to submit disclosure statements pursuant to § 351.4, each company which together with its subsidiaries received net awards of negotiated national defense prime contracts or subcontracts or both during Federal fiscal year 1972 (July 1, 1971, through June 30, 1972) totaling more than \$25 million must submit a completed disclosure statement. No contract shall be awarded after January 1, 1974, to any contractor or subcontractor required to submit a disclosure statement under this § 351.4a unless such submission has been made or postaward submission has been authorized pursuant to § 331.7.

NOTE.—This § 351.4a is a separate section and does not alter the requirement of § 351.4 with respect to contractors and subcontractors subject to that section or with respect to § 403.70 of the Board's standards.

§ 351.7 [Amended]

Section 351.7, Submission,¹ is modified by deleting the last sentence of the section and inserting in lieu thereof: "Within 10 days after the prime contractor or subcontractor receives notice that his disclosure statement has been determined to be adequate, he shall submit a copy of the statement to the Cost Accounting Standards Board, 441 G Street NW., Washington, D.C. 20548."

ARTHUR SCHOENHAUT,
Executive Secretary.

[FR Doc. 73-9997 Filed 5-18-73; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 19735; RM-1883; FCC 73-489]

**FM BROADCAST STATIONS;
LYONS, KANS.**

Table of Assignments; Notice of Proposed Rulemaking

In the matter of amendment of § 73.202(b), table of assignments, FM broadcast stations (Lyons, Kans.).

1. The Commission has before it for consideration the above-captioned petition for rulemaking filed on November 29, 1971, by Rice County Broadcasting Co., Inc., licensee of station KLOQ(FM), Lyons, Kans., which seeks substitution of channel 291 for channel 288A at Lyons, Kans. Station KLOQ is presently operating on channel 288A which is the sole assignment in Lyons.

2. Lyons, population 4,355, is the seat of Rice County, population 12,320. There are no standard broadcast stations in Rice County. Petitioner states it desires to switch from a class A to a class C assignment so that it may increase the

¹ See correction for title 4, chapter III, part 351 in the Rules and Regulations Section, *supra*.

power and antenna height of its station (KLOQ) to enlarge its present service area. It claims the increased coverage is necessary for competitive position in the market, and if the switch is made, it immediately intends to increase power to 25 kW and tower height to 500 ft. It contends that based on the FCC method of prediction of service, this increase in facilities would bring a first FM service to 193 people and a second to 23,374.

3. It appears from petitioner's presentation that channel 291 could be assigned to Lyons, Kans., and used at the present site without any other changes in the table; that preclusion areas occur in the cochannel and three of the six pertinent adjacent channels as a result of this assignment but most of the communities located within these areas, which are sparsely populated, either have or can be assigned FM broadcast channels. In light of these considerations, we conclude that petitioner has made a sufficient public interest showing to warrant the issuance of a notice of proposed rulemaking.

4. **Showings required.**—Comments are invited on the proposal discussed and set forth above. Proponent of the proposed assignment is expected to file comments even if it only resubmits or incorporates by reference its former pleading. It should also restate its present intention to apply for the channel if it is assigned and, if authorized, to build the station promptly. Failure to file may lead to denial of the request.

5. **Cut-off procedures.**—The following procedures will govern the consideration of filings in this proceeding:

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

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

6. Accordingly, pursuant to the authority contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended, it is proposed to amend the table of assignments in § 73.202(b) with respect to the city listed below:

City	Channel No.	
	Present	Proposed
Lyons, Kans.	288A	291

7. Rice County Broadcasting Co., Inc., has requested modification of its license to specify operation on channel 291. We view the request as consent to modification, and therefore find it unnecessary to issue an order to show why its

license should not be modified to specify operation on channel 291 if that channel is substituted for channel 288A at Lyons, Kans.

8. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before June 22, 1973, and reply comments on or before July 3, 1973. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

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

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

Adopted May 9, 1973.

Released May 11, 1973.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc. 73-10043 Filed 5-18-73; 8:45 am]

[47 CFR Part 73]

[Docket No. 19738; RM-1983; FCC 73-492]

FM BROADCAST STATIONS;
OBERLIN, KANSAS

Notice of Proposed Rule Making

In the matter of amendment of § 73.202(b), table of assignments, FM broadcast stations (Oberlin, Kans.).

1. The Commission has before it for consideration the above-captioned petition for rulemaking filed on May 22, 1972, by the Decatur County Area Chamber of Commerce, Inc. (DCAC), which requests the amendment of § 73.202(b) of the Commission's rules by adding FM channel 266 to Oberlin, Kans. Channel 266 could be assigned to Oberlin, Kans., in conformity with the Commission's minimum mileage separation rule and without affecting any presently assigned channel in the FM table of assignments.

2. Oberlin, with a population of 2,291 persons, is the seat of Decatur County, which has a population of 4,988 persons,² and is located in the northwest portion of Kansas. Oberlin does not have a local aural broadcast station. Petitioner contends that Oberlin serves as a principal trading center for a wide area of northwest Kansas and southwest Nebraska, and has sufficient size and economic strength to support a class C FM facility. It states that Oberlin and nearby towns have several small industries, and the re-

¹ Chairman Burch absent.

² Population figures cited are from the 1970 U.S. Census.

tall and service establishments in the community and surrounding area are ready and willing to support a class C FM station with their advertising. It adds that the proposed assignment would be consistent with the current emphasis on economic development in rural America, for it would add to the economic base of the northwest Kansas area and would make this part of rural America a more attractive place to live and work by providing a dependable radio medium for the transmission of news, weather, entertainment, cultural material and limited commercial messages. Petitioner states that if the proposed assignment is approved it will apply for a construction permit to construct facilities.

3. Petitioner notes that there is no full-time AM radio service in the northwest Kansas-southwest Nebraska area and very limited FM service. It points out that it is recognized the Commission would ordinarily be inclined to assign a lower-power class A channel to a community the size of Oberlin, but it states that a class A station operating at Oberlin would serve so small an area and audience that it could not survive. Petitioner shows that, based on the "reasonable facilities" assumption, a class C facility operating with an ERP of 100 kW and an antenna height of 500 feet at Oberlin would provide a first service to 1,648 square miles and a second service to 2,138 square miles. In comparison, a class A station operating with a maximum facility of 3 kW and 300 feet would provide a first service to 309 square miles and a second service to 386 square miles.

4. The preclusion study shows that the proposed assignment of channel 266 to Oberlin would foreclose future assignments on six of the seven channels involved. The size of the precluded areas varies with the channel. However, in the sparsely populated areas of northwestern Kansas and southwestern Nebraska, there are a number of other FM channels available which could be assigned to communities located in the precluded areas. Further, the petition has indicated that a station at Oberlin would provide a first and a second service to wide areas but failed to show the population that would receive such services. This information should be supplied.

5. We believe that the petitioner has shown sufficient public interest factors to warrant exploring the possibility of making an assignment of an FM channel to Oberlin, Kans.

6. *Showings required.*—Comments are invited on the proposal discussed above. Proponent will be expected to answer whatever questions, if any, are raised in the notice and other questions that may be presented by the initial comments. The proponent is expected to file comments even if nothing more than to incorporate by reference its petition, and is expected to state its present intention to apply for the channel if it is assigned and, if authorized, to build the station promptly. Failure to file may lead to denial of the request.

7. *Cutoff procedure.*—The following procedure will govern:

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

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

8. In view of the foregoing and pursuant to authority contained in sections 4(i), 303 and 307(b) of the Communications Act of 1934, as amended, we propose for consideration the following revision in our FM table of assignments § 73.202 (b) of the rules with respect to the city listed below:

City	Channel No.	
	Present	Proposed
Oberlin, Kans.		266

9. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before June 22, 1973, and reply comments on or before July 3, 1973. All submissions by parties to this proceeding or persons acting on behalf of such parties, shall be made in written comments, reply comments, or other appropriate pleadings.

10. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 14 copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission. All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's public reference room at its headquarters, 1919 M Street NW., Washington, D.C.

Adopted May 9, 1973.

Released May 11, 1973.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc. 73-10044 Filed 5-18-73; 8:45 am]

[47 CFR Part 73]

[Docket No. 19740; RM-1914, RM-2091; FCC 73-495]

FM BROADCAST STATIONS;
KENTUCKY

Table of Assignments; Notice of Proposed
Rulemaking

In the matter of amendment of § 73.202(b), Table of Assignments, FM

¹ Chairman Burch absent.

Broadcast Stations (Elkhorn City, Hindman, Jenkins, and Neon, Ky.).

1. On January 26, 1972, Knott County Broadcasting Corp. (Knott), filed a petition with this Commission (supplemented on Mar. 30, 1973) requesting the reassignment of FM channel 296A from Neon, Ky., to Hindman, Ky., and the replacement of channel 296A at Neon with FM channel 232A. On November 2, 1972, Mr. Allen Epling filed an independent petition requesting the reassignment of channel 296A from Neon, Ky., to Elkhorn City, Ky., and the replacement of channel 296A at Neon with channel 232A. No other revisions, in our FM table of assignments, were proposed by either petitioner. Notwithstanding the mutually exclusive nature of the petitions¹ no comments were filed concerning either petition.

2. Hindman, Ky. (population 808), is the seat of Knott County (population 14,698).² There is no FM assignment in the community. WKCB is the only standard broadcast station in Hindman. It is licensed to Knott as a daytime-only service. Pike County, Ky. (population 61,059), contains the community of Elkhorn City (population 1,081). There is no FM assignment at Elkhorn City nor is there an AM station located there. Neon, Ky., is located in Letcher County; their respective populations are 705 and 23,165. FM channel 296A is assigned to Neon. No application is pending for its use. There is a daytime-only standard broadcast service in the community (WNKY) which is licensed to Headwaters Broadcasting Corp. (Headwaters). Jenkins, Ky., with a population of 2,552, is also located in Letcher County. The only FM assignment in Jenkins is FM channel 276A which has no application pending for its use. Cardinal Broadcasting Co., Inc. (Cardinal), holds a license for the daytime-only standard station at Jenkins (WREM).

3. We are told that:

* * * Hindman is located in the southeast portion of Kentucky in an isolated mountainous region. Roads are poor in the region, and it is not situated near any large city or even near any city of moderate size.

Apparently Hindman is the only incorporated community in its county and as the governmental seat (according to Knott) requires the proposed new FM service to reach not only Hindman but the entire county. It is noted that the existing AM service at Hindman is daytime-only in nature and pointed out that an FM station at Hindman could serve the area in early morning and nighttime hours.

4. Knott County has made a major effort to develop modern educational facilities. Seven new consolidated elementary schools are located throughout the county. A new consolidated high school

is presently under construction near Hindman. Near Caney Creek there has newly developed a multimillion dollar coal mining operation. This, in the same area from which Alice Lloyd College (a private 2-year institution) serves the region. In Knott's view the Caney Creek area has substantial potential for development. Another major asset of the county is the Carr Fork Reservoir. It will be a 710 acre lake suitable for recreational development, including fishing, boating, picnicking, and camping. A further factor indicating the development of the Carr Fork area is the newly completed Kentucky route 15, a major east-west route. In sum, it is asserted that Knott County has four principal growth areas: (1) Hindman, the county seat; (2) Caney Creek and the Alice Lloyd College area; (3) the area along Kentucky route 15 in the southern part of the county; and (4) the area around the Carr Fork Reservoir.

5. Elkhorn City, a community of 1,081 persons is located in the rugged mountainous terrain of Pike County, Ky. In light of the terrain its citizens have difficulty in receiving broadcast signals from other communities. Notwithstanding its importance in its area, i.e., within a 10-mile radius, its market area, reside approximately 10,000 persons; Elkhorn City has no broadcast facility of any kind at the present time. With respect to economic activity in the community it is asserted:

The principal industry is coal mining and shipping with over 150,000 tons of coal loaded and shipped each month from the Elkhorn City railroad terminus of the C. & O. Railroad to the north and the Clinchfield Railroad to the south. A growing new industry is the tourist trade. Elkhorn City is the closest town to the two major tourist attractions in this area. Fishtrap Dam and recreation area is only 5 miles away while the Breaks of Big Sandy Interstate Park is only 3 miles from the city limits. Both of these parks draw thousands of tourists and campers into the area annually. Because of the proposed four-lane highway now scheduled to be constructed into Elkhorn City, this traffic and commercial activity is expected to increase substantially in the next few years.

6. Elkhorn City's citizens appear to have a serious belief in the future of the community:

This confidence in the future is reflected in the number of new businesses begun in the area recently. [sic] A second bank, a Sears outlet, a chain supermarket, a dry cleaning plant, a drug store, and pharmacy have all been opened within the last 2 years. A Federal housing project is under way within the city limits. Elkhorn City is a growing, progressive, and economically busy community that needs a local radio station to serve local communications needs of the people of the town and surrounding area. There is no local newspaper.

7. Our examination of the mutually exclusive petitions and the above facts have brought us to the judgment that both Hindman and Elkhorn City should have first full-time local radio services if that can be accomplished without depriving similar communities of their potential for local service. Hence, we are

proposing to reassign channel 296A from Neon, Ky., to Hindman, Ky., and to replace channel 296A at Neon with channel 261A. We are also proposing to reassign channel 276A from Jenkins, Ky., to Elkhorn City, Ky., and proposing to replace channel 276A at Jenkins with channel 232A.³ This proposal, if feasible, will permit a first full-time local service at Hindman, Ky., and a first radio service of any kind at Elkhorn City, Ky., while not depriving any other communities (Neon or Jenkins) of their potential for FM radio service.

8. With the above material and public interest finding before us, we propose, for consideration, the following revisions in our FM table of assignments (§ 73.202 (b) of our rules) with respect to the cities listed below:

City*	Channel No.	
	Present	Proposed
Elkhorn City, Ky.....		261A
Hindman, Ky.....		296A
Jenkins, Ky.....	276A	232A
Neon, Ky.....	296A	261A

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

10. *Showings required.*—Comments are invited on the proposals discussed and set forth above. Any proponent of a proposed assignment is expected to file comments indicating—why the proposal is in the public interest (at minimal incorporating their former pleadings by reference), that their present intention is to apply for the channel if it is assigned and, that they intend, if authorized, to build the station promptly. Failure to file may lead to denial of a request.

11. *Cutoff procedures.*—The following procedures will govern the consideration of filings in this proceeding:

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

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

12. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before June 22, 1973, and reply comments on or before July 3, 1973. All submissions by parties to this proceeding or persons acting on

¹ Channel 296A cannot be used at both Hindman and Elkhorn City because of our minimum mileage separation rules.

² All population figures cited are from the 1970 U.S. Census unless otherwise specified.

* Any transmitter site for channel 232A at Jenkins must be located 2 miles west of that community in order to meet our minimum mileage separation requirements.

behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

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

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

Adopted May 9, 1973.

Released May 11, 1973.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.73-10045 Filed 5-18-73;8:45 am]

[47 CFR Part 73]

[Docket No. 19734; RM-1987; POC 73-488]

FM BROADCAST STATIONS; SOUTH
DAKOTA AND MINNESOTA

Notice of Proposed Rulemaking

In the matter of amendment of § 73.202(b), table of assignments, FM broadcast stations (Sioux Falls, S. Dak., and Windom, Minn.).

1. Notice of proposed rulemaking is hereby given in the above-captioned proceeding. By petition filed May 25, 1972, John L. Breece (petitioner), licensee of station KXRB (AM daytime) requests institution of a rulemaking proceeding looking toward the amendment of § 73.202(b) of the Commission's rules that would result in modification of the FM table of assignments as follows:

City	Channel No.	
	Present	Proposed
Sioux Falls, S. Dak.	223, 228A, 243, 247.	223, 228A, 243, 247, 284.
Windom, Minn.	285A.	232A.

Channel 285A at Windom is presently unoccupied and no applications are pending. Sioux Falls, S. Dak., with a population of 72,488,² is located 165 miles north-northwest of Omaha, Nebr., and is the seat of Minnehaha County which has a population of 95,209 persons. Sioux Falls has one class A and three class C FM channels, and six standard broadcast stations of which four operate unlimited time.

2. In support, petitioner states that Sioux Falls is the largest city in South Dakota; is the hub and trade center for a large regional area encompassing parts of three States; and is situated in the richest part of the area so far as farm-

ing and livestock interests are concerned. He adds that this is a growth area which is adding at least 1,000 residents per year and expanding economically. Petitioner contends that although there are four FM stations in the Sioux Falls area now, one of the class C channels is operated in a nonprofit religiously oriented manner. Another is a class A channel with limited coverage of the rural area. Petitioner states that there are only two channels pertinent to the present considerations. He notes that the existing stations are oriented primarily to the Sioux Falls city residents whereas in this very large farming area there is a strong need for programming from a station interested in the people of the outlying towns and rural territory. As the licensee of station KXRB, a daytime AM station in Sioux Falls, petitioner adds that his programming is specially directed to and interested in the kind of area involved including country and western music, carefully prepared farm and livestock marketing reports as well as public affairs and news offering reflecting such interest. He contends that the FM facility will, in addition to technical superiority enable him to offer his service on a full time basis to the whole area, early in the morning, as well as in the evening and he will provide the only FM station in eastern South Dakota with this kind of program orientation.

3. Petitioner's proposal is supported by an engineering analysis, which includes a study on the availability of a substitute class A channel in Windom, Minn., and the addition of a class C channel to Sioux Falls, S. Dak. If channel 285A, now assigned to Windom, were deleted from the FM table, and a site is chosen approximately 16 miles northwest of Sioux Falls, then channel 284 could be utilized at Sioux Falls. With this site location, channel 284 would meet the rule concerning spacing between cochannel and adjacent channels. Channel 232A could be assigned as a substitute for channel 285A at Windom in conformance with the Commission's minimum mileage separation rule.

4. The preclusion study shows that the proposed assignment of channel 284 to Sioux Falls, S. Dak., would foreclose future assignments on channels 283, 284, 285A, and 286. The petitioner claims that, since the precluded areas fall in the central and east central portions of South Dakota where few AM stations and/or allocations exist, there are adequate channels available for other surrounding communities. However, the precluded areas would also include portions of southwestern Minnesota and northwestern Iowa. Information as to the availability of other channels to these areas should be submitted. Further, the petitioner has contended that four FM stations in Sioux Falls are statistically illusory, but according to the FM guideline, Sioux Falls, with a population of 72,488, has been allocated its full quota of assignments. Thus a substantial showing of need must be made. One of these factors is whether a station operating on the

proposed channel assignment would provide a first and a second service to any area (square miles) and population now deprived of or limited to one FM service, according to the Roanoke Rapids-Goldsboro, N.C., criteria (9 FCC 2d 672 (1967)).

5. In view of the above considerations, we are of the opinion that sufficient justification exists to explore the possibility of making the proposed channel assignment by issuance of a notice of proposed rulemaking on the above petition. We are therefore inviting comments from all interested persons on the proposal to amend the FM table of assignments as follows:

City	Channel No.	
	Present	Proposed
Sioux Falls, S. Dak.	223, 228A, 243, 247.	223, 228A, 243, 247, 284.
Windom, Minn.	285A.	232A.

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

7. *Showings required.*—Comments are invited on the proposals discussed and set forth above. Proponent will be expected to answer whatever questions, if any, are raised in the notice and other questions that may be presented by the initial comments. The proponent is expected to file comments even if nothing more than to incorporate by reference its petition, and is expected to state its present intention to apply for the channel if it is assigned and, if authorized, to build the station promptly. Failure to file may lead to denial of the request.

8. *Cutoff procedures.*—The following procedures will govern the consideration of filings in this proceeding:

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

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

9. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before June 22, 1973, and reply comments on or before July 3, 1973. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

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

¹ Chairman Burch absent.

² Population figures cited are from the 1970 U.S. census.

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

11. All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's public reference room at its headquarters in Washington, D.C. (1919 M St., NW.).

Adopted May 9, 1973.

Released May 11, 1973.

FEDERAL COMMUNICATIONS
COMMISSION²

[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc. 73-10042 Filed 5-18-73; 8:45 am]

FEDERAL LABOR RELATIONS COUNCIL

[5 CFR Part 2410]

COUNCIL INTERPRETATIONS OF THE ORDER AND STATEMENTS ON MAJOR POLICY ISSUES

Notice of Proposed Rulemaking

Notice is hereby given that the Federal Labor Relations Council, pursuant to section 4(b) of Executive Order 11491 of October 29, 1969, as amended, is considering the adoption of revised rules governing the Council's issuance of interpretations of the order and statements on major policy issues. A draft of the proposed rules is set out below as part 2410 of subchapter B of chapter XIV of title 5 of the Code of Federal Regulations. This part describes requirements and procedures for filing requests for Council interpretations of the order and statements on major policy issues and the manner in which the Council will process such requests, including issuance of such interpretations and statements.

Interested persons may submit their views and suggestions in writing to the Executive Director, Federal Labor Relations Council, 1900 E Street, NW., Washington, D.C. 20415. All communications received on or before June 20, 1973 will be considered before the Council takes final action on the proposed rules.

PART 2410—COUNCIL INTERPRETATIONS OF THE ORDER AND STATEMENTS ON MAJOR POLICY ISSUES

Sec.

2410.1 Definitions.

2410.2 Scope.

2410.3 Considerations governing issuance of interpretations and policy statements.

2410.4 Requests for interpretations and policy statements.

2410.5 Content of request.

2410.6 Submissions from interested parties.

2410.7 Effect of interpretations and policy statements.

2410.8 Issuance and publication of interpretations and policy statements.

Authority.—5 U.S.C. 3301, 7301; 5 CFR, Executive Order 11491, as amended.

§ 2410.1 Definitions.

(a) "Order" means Executive Order 11491 of October 29, 1969, entitled

² Chairman Burch absent.

"Labor-Management Relations in the Federal Service," 34 FR 17605, as amended by Executive Order 11616 of August 26, 1971, 36 FR 17319, and by Executive Order 11636 of December 17, 1971, 36 FR 24901.

(b) "Executive Director" means the Executive Director of the Council.

(c) Terms defined in the order are used in this part with the meaning attached to them in the order.

§ 2410.2 Scope.

This part sets forth the procedures under which the Council, as provided in section 4(b) of the order, will issue interpretations of the order and statements on major policy issues.

§ 2410.3 Considerations governing issuance of interpretations and policy statements.

(a) The Council shall, in its discretion, issue interpretations of the order and statements on major policy issues which it deems to have general applicability to the overall program in assuring the effectuation of the purposes of the order. The Council may act on its own initiative or upon request as provided in § 2410.4.

(b) In deciding whether to issue an interpretation or a policy statement, the Council shall consider:

(1) Whether the question presented can more appropriately be resolved by other means available under law, other Executive orders, regulation, or the order;

(2) Where other means are available, whether Council action would prevent the proliferation of cases involving the same or similar question of interpretation or major policy issue;

(3) Whether the resolution of the question presented would have general applicability to the overall program;

(4) Whether the issue currently confronts parties in the context of a labor-management relationship;

(5) Whether the question is presented jointly by the parties involved; and

(6) Whether Council resolution of the question of interpretation or major policy issue would promote constructive and cooperative labor-management relationships in the Federal Service and would otherwise promote the purposes of the order.

§ 2410.4 Requests for interpretations and policy statements.

(a) The head of an agency (or his designee), the national president of a labor organization (or his designee), or the president of a labor organization not affiliated with a national organization (or his designee) may separately or jointly ask the Council for an interpretation of the order or a statement on a major policy issue. The head of any lawful association not qualified as a labor organization may also ask the Council for such an interpretation or statement.

(b) The Council will not consider a request related to a petition, application, charge, or complaint which the Council is advised has been filed pur-

suant to the Assistant Secretary's regulations unless the party involved in the case filing the request with the Council has first secured the prior approval of the Assistant Secretary.

§ 2410.5 Content of request.

(a) A request for an interpretation or policy statement shall be in writing and must contain:

(1) a concise statement of the major policy issue to be determined or provision of the order to be interpreted together with background information necessary to an understanding of the issue;

(2) A statement of the considerations under § 2410.3 upon which the request is based;

(3) A full and detailed statement of the position or positions of the requesting party or parties;

(4) Identification of any cases or other proceedings known to bear on the issue which are pending under other provisions of the order; and

(5) Identification of other known interested parties.

(b) Unless otherwise provided by the Executive Director, any document filed with the Council under this part shall be submitted in an original and three copies. A copy of each document also shall be served on all known interested parties, the Assistant Secretary, the Federal Service Impasses Panel, and the Federal Mediation and Conciliation Service.

(c) A request shall be addressed to the Executive Director, Federal Labor Relations Council, 1900 E Street NW., Washington, D.C. 20415.

§ 2410.6 Submissions from interested parties.

Prior to issuance of an interpretation or major policy statement, the Council, as it deems appropriate, will afford an opportunity to interested parties to express their views at a formal hearing or in writing.

§ 2410.7 Effect of interpretations and policy statements.

Council interpretations and major policy statements issued under this part shall be binding on all parties under the order including those responsible for administering the order.

§ 2410.8 Issuance and publication of interpretations and policy statements.

Interpretations and statements on major policy issues provided under this part shall be distributed to agencies and labor organizations and made available to other interested persons at the Office of the Council.

For the Council.

ROBERT E. HAMPTON,
Chairman.

[FR Doc. 73-10053 Filed 5-18-73; 8:45 am]

Notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

ADVISORY COMMITTEE ON COOPERATIVE WORK WITH STATE DEPARTMENTS OF AGRICULTURE

Notice of Open Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463; 86 Stat. 770), notice is hereby given of a meeting of the Advisory Committee on Cooperative Work with State Departments of Agriculture on Wednesday, May 30, 1973, from 8:30 a.m. to 4:30 p.m. in room 3087, South Agriculture Building, Independence Avenue between 12th and 14th Streets SW., Washington, D.C.

The purpose of the meeting is to discuss ways to improve the administration of the marketing improvement program at both the Federal and State level. The meeting will be open to the public.

The names of committee members, agenda, summary of the meeting and other information pertaining to the meeting may be obtained from Thomas H. Porter, Acting Director, Federal-State Marketing Improvement Program, Agricultural Marketing Service, room 2304G, Auditors Building, U.S. Department of Agriculture, Washington, D.C. 20250; telephone 202-447-7691.

Dated: May 16, 1973.

E. L. PETERSON,
Administrator,
Agricultural Marketing Service.

[FR Doc.73-10056 Filed 5-18-73; 8:45 am]

Forest Service

CALENDAR YEAR 1973 VEGETATION MANAGEMENT PROGRAM ON THE COLVILLE, KANIKSU, OKANOGAN, WENATCHEE, AND UMATILLA NATIONAL FORESTS, WASH.

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for calendar year 1973 vegetation management program on the Colville, Kaniksu, Okanogan, Wenatchee and Umatilla National Forests, Wash., USDA-FS-FES (Adm) 73-33.

The environmental statement concerns a proposed Forest Service use of amitrole, atrazine, dicamba, 2,4-D, 2,4,5-T, silvex, and picloram to reduce the volume of na-

tive vegetation where it seriously hampers forest management activities.

This final environmental statement was filed with CEQ on May 15, 1973.

Copies are available for inspection during regular working hours at the following locations:

USDA-Forest Service, South Agriculture Bldg., room 3230, 12th St. and Independence Ave. SW., Washington, D.C. 20250.

USDA-Forest Service, Colville National Forest, Colville, Wash. 99114.

USDA-Forest Service, Kaniksu National Forest, Sandpoint, Idaho 83864.

USDA-Forest Service, Okanogan National Forest, 219 Second Ave., South, Okanogan, Wash. 98840.

USDA-Forest Service, Wenatchee National Forest, 3 South Wenatchee Ave., Wenatchee, Wash. 98801.

USDA-Forest Service, Umatilla National Forest, 2717 Southwest Hatley Ave., Pendleton, Oreg. 97801.

A limited number of single copies are available upon request to Regional Forester T. A. Schlapfer, Pacific Northwest region.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22151. Please refer to the name and number of the environmental statement above when ordering.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the Council on Environmental Quality guidelines.

PHILIP L. THORNTON,
Deputy Chief, Forest Service.

MAY 15, 1973.

[FR Doc.73-10002 Filed 5-18-73; 8:45 am]

Office of the Secretary

PUERTO RICO AND VIRGIN ISLANDS

Designation of Areas for Emergency Loans

It has been determined that a general need for agricultural credit which temporarily cannot be met by private, cooperative, or other responsible sources exists in certain areas in Puerto Rico and the Virgin Islands as a result of a natural disaster caused by drought from February 1 through September 30, 1972. The following municipalities and islands of Puerto Rico and the Virgin Islands are affected by such natural disasters:

Puerto Rico municipalities:

Aguada.
Jayuya.
Lares.
Moca.
Rincon.
Utando.

Virgin Islands:

St. Croix, Virgin Islands.
St. John, Virgin Islands.
St. Thomas, Virgin Islands.
Culebra, Puerto Rico.
Vieques, Puerto Rico.

Therefore, these areas are designated eligible for emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Public Law 93-24. Applications for emergency loans must be received by this Department prior to July 16, 1973, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans.

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

Done at Washington, D.C., this 15th day of May 1973.

J. PHIL CAMPBELL,
Acting Secretary.

[FR Doc.73-10059 Filed 5-18-73; 8:45 am]

NATIONAL HORSE INDUSTRY ADVISORY COMMITTEE

Notice of Meeting

Pursuant to the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given of a meeting of the National Horse Industry Advisory Committee at 9 a.m. on May 22 and 9 a.m. on May 23. The Committee will meet on May 22 in room 4-W and on May 23 in room 218-A of the Administration Building, U.S. Department of Agriculture.

The purpose of the meeting is for the work groups that were established by the Horse Industry Advisory Committee to finalize their reports and make recommendations to the U.S. Department of Agriculture and other government agencies. The meeting is open to the public and written statements can be filed with the Committee before or after the meeting.

The names of the members of the Committee, the agenda, summary of the meeting, and other information pertaining to the meeting may be obtained from Dr. Lloyd H. Davis, Director of Science and Education Staff, room 307-A, Administration Building, U.S. Department of Agriculture, Washington, D.C., telephone 447-7738.

ROBERT W. LONG,
Assistant Secretary.

MAY 17, 1973.

[FR Doc.73-10188 Filed 5-18-73; 8:45 am]

DEPARTMENT OF COMMERCE

Maritime Administration

INGRAM TECHNOLOGIST, INC.**Application for Construction-Differential Subsidy**

Notice is hereby given pursuant to title V of the Merchant Marine Act, 1936, as amended, that Ingram Technologists, Inc., filed an application on April 30, 1973, for a construction-differential subsidy to aid in the construction of six new integrated tug-barge vessels of approximately 80,000 dwt for use in the foreign commerce of the United States.

Interested parties may inspect this application in the Office of the Secretary, room 3099-B, Maritime Administration, Commerce Department Building, 14th and E Streets NW., Washington, D.C. 20035.

Dated May 16, 1973.

By order of the Maritime Subsidy Board, Maritime Administration.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.73-10092 Filed 5-18-73;8:45 am]

JEFFERSON TANKER CORP.**Application for Construction-Differential Subsidy**

Notice is hereby given pursuant to title V of the Merchant Marine Act, 1936, as amended, that Jefferson Tanker Corp. filed an application on April 30, 1973, for a construction-differential subsidy to aid in the construction of one tanker vessel of approximately 265,000 dwt at the Sparrows Point, Md., shipyard of Bethlehem Steel Corp. for use in the foreign commerce of the United States.

Interested parties may inspect this application in the Office of the Secretary, room 3099-B, Maritime Administration, Commerce Department Building, 14th and E Streets NW., Washington, D.C. 20035.

Dated May 16, 1973.

By order of the Maritime Subsidy Board, Maritime Administration.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.73-10093 Filed 5-18-73;8:45 am]

PACIFIC TANKERS, INC.**Application for Construction-Differential Subsidy**

Notice is hereby given pursuant to title V of the Merchant Marine Act, 1936, as amended, that Pacific Tankers, Inc., filed an application on March 15, 1973, for construction-differential subsidy to aid in the construction of four new tanker vessels of approximately 89,000 dwt for use in the foreign commerce of the United States.

Interested parties may inspect this application in the Office of the Secretary, room 3099-B, Maritime Administration,

Commerce Department Building, 14th and E Streets NW., Washington, D.C. 20035.

Dated May 16, 1973.

By order of the Maritime Subsidy Board, Maritime Administration.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.73-10095 Filed 5-18-73;8:45 am]

UNITED SHIPPING CORP.**Application for Construction-Differential Subsidy**

Notice is hereby given pursuant to title V of the Merchant Marine Act, 1936, as amended, that United Shipping Corp., filed on May 9, 1973, for construction-differential subsidy to aid in the construction of nine new tanker vessels of approximately 80,000 dwt for use in the foreign commerce of the United States.

Interested parties may inspect this application in the Office of the Secretary, room 3099-B, Maritime Administration, Commerce Department Building, 14th and E Streets NW., Washington, D.C. 20035.

Dated May 16, 1973.

By order of the Maritime Subsidy Board, Maritime Administration.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.73-10096 Filed 5-18-73;8:45 am]

WASHINGTON TANKER CORP.**Application for Construction-Differential Subsidy**

Notice is hereby given pursuant to title V of the Merchant Marine Act, 1936, as amended, that Washington Tanker Corp. filed an application on April 30, 1973, for a construction-differential subsidy to aid in the construction of one tanker vessel of approximately 265,000 dwt at the Sparrows Point, Md., shipyard of Bethlehem Steel Corp. for use in the foreign commerce of the United States.

Interested parties may inspect this application in the Office of the Secretary, room 3099-B, Maritime Administration, Commerce Department Building, 14th and E Streets NW., Washington, D.C. 20035.

Dated May 16, 1973.

By order of the Maritime Subsidy Board, Maritime Administration.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.73-10094 Filed 5-18-73;8:45 am]

National Bureau of Standards**VOLUNTARY PRODUCT STANDARDS****Notice of Action on Proposed Withdrawal**

In accordance with § 10.12 of the Department's "Procedures for the Develop-

ment of Voluntary Product Standards" (15 CFR pt. 10, as revised; 35 FR 8349 dated May 28, 1970), notice is hereby given of the withdrawal of the three simplified practice recommendations identified below:

SPR 132-36—Ice cream cups and cup caps.
SPR 175-40—Heavy-duty, Round Nesting paper, food, and beverage containers and lids.

SPR 187-42—Food trays or dishes (waxed paper, molded woodpulp, and wood types).

This action is taken in furtherance of the Department's announced intention, as set forth in the public notice appearing in the FEDERAL REGISTER of March 3, 1972 (37 FR 4459), to withdraw these three standards.

The effective date for the withdrawal of these standards will be July 20, 1973. This withdrawal action terminates the authority to refer to these standards as voluntary product standards developed under the Department of Commerce Procedures.

Dated May 15, 1973.

RICHARD W. ROBERTS,
Director.

[FR Doc.73-10097 Filed 5-18-73;8:45 am]

National Oceanic and Atmospheric Administration**YELLOWFIN TUNA****Change in Radio Reporting Station**

Notice of a change in Coast Guard radio reporting station is hereby given pursuant to the provisions of §§ 280.6(b) and 280.7(d) (1), title 50, Code of Federal Regulations, as follows:

Beginning on June 1, 1973, all daily compliance reports required in § 280.6(b) and § 280.7(d) (1), of the current U.S. yellowfin tuna regulations (37 FR 4715) shall be made to Coast Guard Radio, San Francisco (NMC) on frequency 16,565.0, 12,421.0, or 8,281.2 kHz, instead of Coast Guard Radio, New Orleans (NMG).

Issued at Washington, D.C., and dated May 11, 1973.

ROBERT W. SCHONING,
Acting Director,
National Marine Fisheries Service.

[FR Doc.73-9994 Filed 5-18-73;8:45 am]

Office of Import Programs**DUTY-FREE ENTRY OF SCIENTIFIC ARTICLES****Notice of Applications**

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be

filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before June 11, 1973.

Amended regulations issued under cited act, as published in the February 24, 1972, issue of the *FEDERAL REGISTER*, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C.

Docket No. 73-00493-33-46040. Applicant: University of Nebraska Medical Center, 42d and Dewey, Omaha, Nebr. 68105. Article: Electron microscope, model EM 201. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for studies of human and lower animal cells and tissues in both normal and pathological states. The article is also to be used by graduate students, medical students, and medical residents being trained in the use of the electron microscope in the courses fundamentals of electron microscopy and selected problems in electron microscopy. In addition, the article will be used by graduate students in research for the courses master's thesis and doctoral dissertation. Application received by Commissioner of Customs April 27, 1973.

Docket No. 73-00494-33-46040. Applicant: Washington University, School of Medicine, Department of Psychiatry, 4940 Audubon Avenue, St. Louis, Mo. 63110. Article: Electron microscope, JEM-100B. Manufacturer: JEOL, Ltd., Japan. Intended use of article: The article is intended to be used to study experimentally induced neuropathological conditions in brains of fetal and infant animals, for optimal interpretation of lesions induced in developing brain. In addition, the article will be used to teach residents and postgraduate research fellows the techniques of research cited above. Application received by Commissioner of Customs April 30, 1973.

Docket No. 73-00495-85-43000. Applicant: University of Utah, Purchasing Department, Building 40, Salt Lake City, Utah 84112. Article: Rock magnetometer. Manufacturer: DIGICO, Ltd., United Kingdom. Intended use of article: The article is intended to be used to study rocks of all types. The property to be investigated is the magnetism of the rocks. The experiment to be conducted is the measurement of the magnetic field near the rock and the computer analysis of this data, including correction for strike and dip of bedding plane, calculation of position of ancient magnetic pole, and determination of Fisher statistical parameters. Objectives include the dating and geologic correlation of the rocks studied, determination of polarity changes in the geomagnetic field, and determination of tectonic movements.

In addition, the article will be used in laboratory exercises in the following courses: Magnetic and gravimetric methods of exploration; electromagnetic properties of rocks and paleomagnetism. Application received by Commissioner of Customs May 1, 1973.

Docket No. 73-00496-33-46040. Applicant: Hamilton College, Clinton, N.Y. 13323. Article: Electron microscope, EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for individual research programs in embryology, genetics, and microbiology. The anatomy department will use the article to study the fine structure of vertebrate germ cells and their interrelations with enveloping somatic cells during the entire life history of the animal. The article will also be used in the course, biology 35, cellular ultrastructure, to teach students rudiments of preparation of biological materials for transmission electron microscopy, primarily thin sections, and the operation of the instrument to obtain the best possible micrographs. Students will be provided with firsthand knowledge of the procedures of electron microscopy for subsequent studies in medical or biological graduate school. Application received by Commissioner of Customs May 2, 1973.

Docket No. 73-00497-33-46040. Applicant: San Francisco State University, Division of Biology, 1600 Holloway, San Francisco, Calif. 94132. Article: Electron microscope, EM 10. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used in the study of sperm cell activation in opisthobranch mollusks to understand the mechanisms of sperm cell maturation; how mature sperm cells are transferred from one individual to another; how viable sperm cells can be stored up to 1 month in the seminal receptacle while remaining inactive; and how they are activated at the precise time of egg laying so they are fertilized just prior to being shed. The article will be used to take low-magnification orientation pictures and to take high-magnification, high-resolution pictures in order to observe the finest structural details in the developing sperm cells, the fine details of the lining cells of the seminal receptacle, and minute differences between activated and inactive sperm cells. In addition, the article will be used in the course, electron microscopy, to prepare students to work independently in electron microscopy, whether it be as electron microscope technicians or using the instrument in original research for a higher degree. Application received by Commissioner of Customs, May 2, 1973.

B. BLANKENHEIMER,
Acting Director,

Office of Import Programs.

[FR Doc.73-9993 Filed 5-18-73; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

HUMAN DRUGS WHICH ARE BIOLOGICAL PRODUCTS

Revocation of a Redelegation of Authority To Administer Certain Provisions of the Federal Food, Drug, and Cosmetic Act

Notice was given in the *FEDERAL REGISTER* of February 25, 1972 (37 FR 4004) that the authority to administer, enforce, and apply all applicable provisions of the Federal Food, Drug, and Cosmetic Act, as amended, with respect

to those human drugs that are biological products within the meaning of section 351 of the Public Health Service Act, as amended (42 U.S.C. 262), was redelegated by the Assistant Secretary for Health and Scientific Affairs (currently the Assistant Secretary for Health), to the Commissioner of Food and Drugs and the Director, National Institutes of Health. The authority so redelegated was to be exercised in accordance with a memorandum of understanding between the Commissioner of Food and Drugs, and the Director, National Institutes of Health, which memorandum was attached to the concurrent redelegation and set forth with particularity the functions which were to be undertaken by each agency.

1. Effective July 1, 1972, the Division of Biologics Standards was transferred from the National Institutes of Health to the Food and Drug Administration, where it assumed bureau status and is known as the Bureau of Biologics.

2. The February 25, 1972 redelegation of authority, in light of this transfer, was no longer applicable and was revoked by the Assistant Secretary for Health.

3. The revocation did not affect the delegations of authority previously made to the Commissioner of Food and Drugs relating to authorities under the Federal Food, Drug, and Cosmetic Act (35 FR 606 as amended) and the Public Health Service Act, section 351, regulation of biological products (Memorandum to the Commissioner of Food and Drugs from the Assistant Secretary for Health, June 10, 1972).

Effective date.—The revocation was effective April 24, 1973.

Dated May 14, 1973.

S. H. CLARKE,
Acting Assistant Secretary for
Administration and Manage-
ment.

[FR Doc.73-9990 Filed 5-18-73; 8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Insurance Administration

[Docket No. N-73-154]

ADVISORY BOARD FOR THE NATIONAL INSURANCE DEVELOPMENT PROGRAM

Notice of Meeting

Pursuant to the provisions of section 10(a) of Public Law 92-463, effective January 5, 1973, notice is hereby given that members of the Advisory Board for the National Insurance Development Program will meet Friday, June 1, 1973, in the departmental conference room of the Department of Housing and Urban Development, 451 Seventh Street SW., Washington, D.C., at 10 a.m.

The purpose of the meeting will be to discuss: (1) The need for preinspection in commercial burglary policies under the Federal crime insurance program, (2) the national flood insurance program's response to recent and current flood disasters, (3) report on the status of riot reinsurance and FAIR plan programs, and (4) remedying the problems which

inhibit full insurance availability for property insurance.

Individuals (within the limitations of conference room facilities) who are interested in the programs of the Federal Insurance Administration are invited. A period at the end of the morning and the afternoon sessions will be provided for questions from the audience.

GEORGE K. BERNSTEIN,

Federal Insurance Administrator.

[FR Doc.73-10105 Filed 5-18-73;8:45 am]

ATOMIC ENERGY COMMISSION

[Dockets Nos. 50-282 and 50-306]

NORTHERN STATES POWER CO.

Availability of Final Environmental Statement

Pursuant to the National Environmental Policy Act of 1969 and the U.S. Atomic Energy Commission's regulations in appendix D to 10 CFR part 50, notice is hereby given that the final environmental statement prepared by the Commission's Directorate of Licensing, related to the proposed issuance of operating licensing for Prairie Island Nuclear Generating Plant Units 1 and 2 by Northern States Power Co. in Burnside Township, Goodhue County, is available for inspection by the public in the Commission's public document room at 1717 H Street NW., Washington, D.C., and in the Environmental Library of Minnesota, 1222 Southeast Fourth Street, Minneapolis, Minn. The final environmental statement is also being made available at the Minnesota State Planning Agency, suite 802, 550 Cedar Street, St. Paul, Minn. 55101.

The notice of availability of the draft environmental statement for the Prairie Island Nuclear Generating Plant Units 1 and 2, and requests for comments from interested persons was published in the FEDERAL REGISTER on January 24, 1973 (38 FR 2345). The comments received from Federal, State, and local officials and interested members of the public have been included as appendixes to the final environmental statement.

Single copies of the final environmental statement may be obtained by writing the U.S. Atomic Energy Commission, Washington, D.C. 20545, attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Dated at Bethesda, Md., this 14th day of May 1973.

For the Atomic Energy Commission.

GORDON K. DICKER,

*Chief, Environmental Projects
Branch No. 2, Directorate of
Licensing.*

[FR Doc.73-9940 Filed 5-18-73;8:45 am]

CIVIL SERVICE COMMISSION

ACCOUNTANT AND INTERNAL REVENUE AGENT, WORLDWIDE

Minimum Rates and Rate Ranges

Under authority of 5 U.S.C. 5303 and Executive Order 11073, the Civil Service Commission has established special minimum salary rates and rate ranges as follows:

Geographic coverage: Worldwide.

Effective date: First day of the first pay period beginning on or after May 27, 1973.

PER ANNUM RATES

Grade	1	2	3	4	5	6	7	8	9	10
GS-5	\$9,403	\$9,750	\$10,007	\$10,354	\$10,521	\$10,778	\$11,035	\$11,292	\$11,549	\$11,806
GS-7	10,471	10,788	11,105	11,422	11,739	12,056	12,373	12,690	13,007	13,324

All new employees in the specified occupational level will be hired at the new minimum rates.

As of the effective date, all agencies will process a pay adjustment to increase the pay of employees on the roles in the affected occupational levels. An employee, who immediately prior to the effective date was receiving basic compensation at one of the statutory rates, shall receive basic compensation at the corresponding numbered rate authorized by this notice on or after each date. The pay adjustment will not be considered an equivalent increase within the meaning of 5 U.S.C. 5335.

Under the provisions of section 3-2b, chapter 571, FPM, agencies may pay the travel and transportation expenses to first post of duty under 5 U.S.C. 5723, of new appointees to positions cited.

UNITED STATES CIVIL SERVICE COMMISSION,

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

[FR Doc.73-10003 Filed 5-18-73;8:45 am]

DEPARTMENT OF COMMERCE

Revocation of Authority to Make a Non-career Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Commerce to fill by noncareer executive assignment in the excepted service the position of Deputy Under Secretary of Commerce, Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,

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

[FR Doc.73-10005 Filed 5-18-73;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

CROP KING CHEMICAL CO.

Notice of Application for Registration of Pesticide Containing DDT

Notice is hereby given of the receipt of application for registration of a pesticide containing DDT for use on caneberries, blueberries, strawberries, ornamentals, cranberries, stone fruits, grapes, hops, potatoes, dry peas, mint and pome fruits by the Crop King Chemical Co. of Yakima, Wash., pursuant to the provisions of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (86 Stat. 973).

Notice is given in order that any Fed-

eral agency or any other interested person may comment in writing with respect to this matter. Please address such comments to the Director, Registration Division, Office of Pesticides Programs, Environmental Protection Agency, Washington, D.C. 20460, and refer to application No. 682-AA.

DAVID D. DOMINICK,
*Assistant Administrator
for Categorical Programs.*

MAY 15, 1973.

[FR Doc.73-10014 Filed 5-18-73;8:45 am]

LOUISIANA DEPT. OF AGRICULTURE

Notice of Application for Registration of Pesticide Containing DDT

Notice is hereby given of the receipt of application for registration of a pesticide containing DDT for use on stored sweet potatoes by the Louisiana Department of Agriculture, Baton Rouge, La., pursuant to the provisions of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (86 Stat. 973).

Notice is given in order that any Federal agency or any other interested person may comment in writing with respect to this matter. Please address such comments to the Director, Registration Division, Office of Pesticides Programs, Environmental Protection Agency, Washington, D.C. 20460, and refer to application No. 19751-R.

DAVID D. DOMINICK,
*Assistant Administrator
for Categorical Programs.*

MAY 15, 1973.

[FR Doc.73-10015 Filed 5-18-73;8:45 am]

PAINT AND VARNISH INDUSTRY ADVISORY COMMITTEE

Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given that a meeting of the Paint and Varnish Industry Advisory Committee will be held from 8:30 a.m. to 4:30 p.m. on June 12, 1973, in the National Environmental Research Center, wing B, classroom 2, Research Triangle Park, N.C.

This is the first meeting of the Committee since it was formally established. The meeting will be primarily concerned with a review of the second interim report prepared by Air Resources, Inc., contractor for the study on manufacturing paints, varnishes, resins, etc.

The meeting will be open to the public. Any member of the public wishing to participate or present comments should contact Mr. John T. Dale, Executive Sec-

retary, Paint and Varnish Industry Advisory Committee, 919-688-8146, extension 295.

ROBERT L. SANSOM,
Assistant Administrator
for Air and Water Programs.

[FR Doc.73-10066 Filed 5-18-73;8:45 am]

RUSSELL CHEMICAL CO.

Notice of Application for Registration of Pesticide Containing DDT

Notice is hereby given of the receipt of an application for registration of a pesticide containing DDT for use on citrus by the Russell Chemical Co. of Pomona, Calif., pursuant to the provisions of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (86 Stat. 973).

The application is for use against the following pests: Katydid, fruit tree leaf roller, western tussock moth, cutworms, thrips, cabbage looper, anise swallowtail butterfly and beet armyworm.

Notice is given in order that any Federal agency or any other interested person may comment in writing with respect to this matter. Please address such comments to the Director, Registration Division, Office of Pesticides Programs, Environmental Protection Agency, Washington, D.C. 20460, and refer to application No. 19759-R.

DAVID D. DOMINICK,
Assistant Administrator
for Categorical Programs.

MAY 15, 1973.

[FR Doc. 73-10011 Filed 5-18-73;8:45 am]

THOMPSON-HAYWARD CHEMICAL CO. ET AL.

Notice of Applications for Registration of Pesticide Containing DDT

Notice is hereby given of the receipt of applications for registration of a pesticide containing DDT for use on cotton, against the cotton pest complex, pursuant to the provisions of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (86 Stat. 973), by the following firms:

Company name and city:	Application No.
Thompson-Hayward Chemical Co., Kansas City, Kans.	148-RRGE
Daly-Herring Co., Kinston, N.C.	240-ENT
Woolfolk Chemical Works, Fort Valley, Ga.	769-UEA 769-UEF 769-UEI
Valley Chemical Co., Greenville, Miss.	1063-REN
Carolina Chemical, Inc., West Columbia, S.C.	1191-GRO 1191-GEL 1191-GEU 1191-GEN 1191-GEF
Cotton States Chemical Co., West Monroe, La.	1339-ERU
PCX, Inc., Raleigh, N.C.	1598-ERO 1598-ERT 1598-EEF 1598-EER
W. R. Grace & Co., Memphis, Tenn.	2124-TIA 2124-TIL
Stephens Industries, Dawson, Ga.	2459-ELG 2459-ELE

Application No.	Company name and city:
3238-AO	Standard Spray & Chemical Co., Lakeland, Fla.
3743-GRE	Southern Agricultural Chemicals, Kingstree, S.C.
3743-GRG	Smith-Douglass, Norfolk, Va.
4185-LEN	
4185-LRT	
4185-LRI	
4185-LRO	
5905-ERI	Helena Chemical Co., Memphis, Tenn.
5905-ERO	Cleveland Chemical Co., Cleveland, Miss.
8867-GE	Ring Around Products, Montgomery, Ala.
8867-EO	Riverside Chemical Co., Memphis, Tenn.
8934-IE	
9779-ENN	
9779-ENR	
9779-ROO	
2269-RAE	Gold Kist, Inc., Atlanta, Ga.
1258-OALO	Olin Corp., Little Rock, Ark.
AAOATO	
AI	
7401-EEO	Voluntary Purchasing Groups, Inc., Bonham, Tex.

Notice is given in order that any Federal agency or any other interested person may comment in writing with respect to this matter. Please address such comments to the Director, Registration Division, Office of Pesticides Programs, Environmental Protection Agency, Washington, D.C. 20460, and refer to "DDT-Cotton" or to the application number.

DAVID D. DOMINICK,
Assistant Administrator
for Categorical Programs.

MAY 15, 1973.

[FR Doc.73-10010 Filed 5-18-73;8:45 am]

WOOLFOLK CHEMICAL WORKS

Notice of Application for Registration of Pesticide Containing DDT

Notice is hereby given of the receipt of application for registration of a pesticide containing DDT for use on cotton, beans, corn, tomatoes, peppers, and peanuts by the Woolfolk Chemical Works of Fort Valley, Ga., pursuant to the provisions of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (86 Stat. 973).

Notice is given in order that any Federal agency or any other interested person may comment in writing with respect to this matter. Please address such comments to the Director, Registration Division, Office of Pesticides Programs, Environmental Protection Agency, Washington, D.C. 20460, and refer to Application No. 769-UEL.

DAVID D. DOMINICK,
Assistant Administrator
for Categorical Programs.

MAY 15, 1973.

[FR Doc.73-10013 Filed 5-18-73;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

CABLE TV BUREAU

Schedules of Regional Meetings

MAY 14, 1973.

A series of 12 regional meetings will be held throughout the United States by

the Cable TV Bureau during the months of June and July to answer questions by small market system operators on the cable TV rules and regulations.

Bureau representatives will meet with the operators in all-day sessions in centralized locations chosen for maximum accessibility for area operators.

The following is a list of meeting dates and cities:

Little Rock, Ark., June 4; 11 a.m. at Holiday Inn, Downtown.
Jackson, Miss., June 6; 11 a.m. at Coliseum Ramada Inn, Jackson.
Austin, Tex., June 8; 11 a.m. at Holiday Inn, North.
Cincinnati, Ohio, June 25; 11 a.m. at Holiday Inn, South.
Harrisburg, Penn., June 27; 11 a.m. at Holiday-East.
Syracuse, N.Y., June 29; 11 a.m. at Holiday Inn-North.
 Fargo, N. Dak., July 9.
 Omaha, Nebr., July 11.
 Oklahoma City, Okla., July 13.
 Boise, Idaho, July 23.
 Spokane, Wash., July 25.
 Portland, Ore., July 27.

Meeting times and locations for the July sessions will be released later.

Future meetings will be announced as scheduled.

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

[FR Doc.73-10041 Filed 5-18-73;8:45 am]

[Report 648]

COMMON CARRIER SERVICES INFORMATION¹

Domestic Public Radio Services Applications Accepted for Filing²

MAY 14, 1973.

Pursuant to §§ 1.227(b)(3) and 21.30 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the list below, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be

¹ All applications listed below are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

² The above alternative cutoff rules apply to those applications listed below as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (part 21 of the rules).

noted that the cutoff dates are set forth in the alternative—applications will be entitled to consideration with those listed below filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

APPENDIX

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

- 8161-C3-P-73, Answering Exchange, Inc. (new): C.P. for a new two-way station to operate on 152.09 MHz at 2345 Symmes Street, Cincinnati, Ohio.
- 8162-C2-P-73, Aisignal International, Inc. (KSV991): C.P. to add antenna location (No. 2), to operate on 152.24 (one-way) at Sheldar Plaza South, 400 South Country Road 18, Minneapolis, Minn.
- 8163-C2-P-73, Aisignal International, Inc. (KIE953): C.P. to add antenna location (No. 4), to operate on 35.58 MHz (one-way) at 1 West Court Square, Decatur, Ga.
- 8164-C2-P-73, Hancock Rural Telephone Corp. (new): C.P. to add a new two-way station to operate on 454.450 MHz at Hancock County Road, 600 North Maxwell, Ind.
- 8165-C2-P-73, Southern Bell Telephone & Telegraph Co. (KIK572): C.P. to change antenna system, replace transmitter and change power, operating on 152.66 MHz at 712 Florida Avenue, Cocoa, Fla.
- 8166-C2-P-73, Radiocall, Inc. (KUA217): C.P. to change antenna system, control point location and replace transmitter, operating on 35.58 MHz (one-way) at 1519 Nuuanu Avenue, Honolulu, Hawaii.
- 8167-C2-P-73, E. H. Cannon (new): C.P. to operate a new two-way station on 454.200 MHz at 1 mile west of Cotulla, Tex.
- 8168-C2-P-73, same as above (new): C.P. to operate on 454.050 and 454.100 MHz (a new two-way station) at 0.3 mile north of Hondo, Tex.
- 8169-C2-P-73, Northwestern Bell Telephone Co. (KAA813): C.P. to change antenna system and antenna height, on 152.72 MHz at 604 Ninth Street, Des Moines, Iowa.
- 8170-C2-P-(2)-73, Answer Iowa, Inc. (KAL879): C.P. to add frequencies 454.025 and 454.250 MHz at 732 18th Street, Des Moines, Iowa.
- 8171-C2-P-73, The United Telephone Co. of Pennsylvania (new): C.P. for a new one-way paging station to operate on 35.22 MHz at 6.25 miles northwest of Carlisle, Pa.
- 8172-C2-P-73, Radio Relay Corp. (KQC877): C.P. to add antenna location No. 4, to operate on 35.58 MHz at 7333 Manning Road, Miamisburg, Ohio.
- 8173-C2-AL-73, Tappen Zee Answering Service, Inc. (KEC933): Consent to assignment of license from Tappen Zee Answering Service, Inc., assignor to Radiophone Corp. of New Jersey, assignee. Station KEC933 Ossining, N.Y.

Renewals of Licenses expiring July 1, 1968.
Term: July 1, 1973, to July 1, 1978.

Licensee and Call Sign

- Ace Telephone Association, KAK621.
Ashtabula Telephone Co., KFL820.
Ablon Telephone Co., Inc., KFL886.
Allied Telephone Co. of Arkansas, Inc., KPF885.
Same as above, KLB683.
Same, KLB697.
Same, KLB774.
Allied Telephone Co. of Missouri, Inc., KAH865.
Same as above, KBM511.
Allied Telephone Co. of Oklahoma, Inc., KLB684.
Same as above, KLB508.
Allied Utilities Corp., KLF649.
Arvig Telephone Co., Inc., KCI305.
Bloomington Home Telephone Co., KSJ817.
Blue Earth Valley Telephone Co., KBM521.
Boone County Telephone Co., KLB775.
Burdette Telephone Co., KDT214.
California-Pacific Utilities Co., KEK279.
Camden Rural Telephone Co., KQK716.
Camden Telephone Co., Inc., KSJ810.
Carolina Telephone & Telegraph Co., KFL937.
Same as above, KFL 939.
Same, KPF924.
Same, KIJ362.
Same, KIJ363.
Same, KIJ788.
Cascade Utilities, Inc., KOP324.
Chesapeake & Potomac Telephone Co., KGA586.
Same as above, KGC590.
Chillicothe Telephone Co., KQK709.
Clara City Telephone Exchange Co., KFL948.
Coviche Telephone Co., KFL882.
Delcambre Telephone Co., Inc., KKK968.
Doniphan Telephone Co., KAA485.
Same as above, KLF575.
Eagle Valley Telephone Co., KDT221.
Eastern Oregon Telephone Co., KFL944.
Same as above, KRH637.
Empire Telephone Corp., KEK286.
Farmers' Mutual Telephone Co., KBM520.
Farmers' Telephone Cooperative, Inc., KIJ355.
Same as above, KIJ582.
Same, KIJ756.
Fidelity Telephone Co., KDN401.
Foresthill Telephone Co., Inc., KMM619.
Fort Bend Telephone Co., KLB615.
Garden Valley Telephone Co., KGI280.
General Telephone Co. of Florida, KIA768.
Same as above, KIJ397.
Same, KIJ440.
Same, KRS647.
Same, KRS694.
Same, KRS703.
Same, KRS704.
General Telephone Co. of Indiana, KSA260.
Same as above, KSA309.
Same, KSA623.
Same, KSA624.
Same, KSJ800.
Same, KSJ809.
Geneva Telephone Co., KQA650.
Harrisonville Telephone Co., KSJ819.
Haviland Telephone Co., Inc., KAK634.
Same as above, KAK646.
Hawaiian Telephone Co., KUA 220.
Same as above, KLF527.
Same, KRM978.
Same, KUA216.
Same, KUA221.
Same, KUA222.
Hendricks Telephone Corp., KFL938.
Highland Telephone Co., KRS897.
Hillsborough & Montgomery Telephone Co., KEJ890.

Licensee and Call Sign

- Home Telephone Co., KJU817.
Hopkinton Telephone Co., KCI302.
Inman Telephone Company, Inc., KIJ781.
Jefferson Telephone Co., KAA691.
Kalama Telephone Co., KRH646.

- Lewisport Telephone Co., Inc., KFL874.
La Crosse Telephone Corp., KSJ806.
La Crosse Telephone Corp., KRS631.
Lafourche Telephone Co., Inc., KKM250.
Same as above, KQZ731.
Lakeland Telephone Co., KDN394.
McDonough Telephone Cooperative, KSJ766.
Marshall Telephone Co., Inc., KRH638.
Mid-Rivers Telephone Cooperative, Inc., KOK415.
Midwest Telephone Co., Inc., KSJ613.
Same as above, KSJ825.
Monroeville Telephone Co., KGI279.
Nevada Telephone & Telegraph, KQZ763.
Nocona Telephone Co., KLB696.
Northeast Louisiana Telephone Co., Inc., KLF511.
Northeastern Pennsylvania Telephone Co., KGH856.
Northwest Telephone Co., KSJ614.
Same as above, KSJ752.
Same, KSJ751.
Nucla-Naturita Telephone Co., KAL882.
Oklahoma Allied Telephone Co., KLB620.
Same as above, KLB875.
Orwell Telephone Co., KLF475.
Platteville Telephone Co., KSJ826.
Prairie Grove Telephone Co., KLB622.
Public Service Telephone Co., KPF884.
Rhinelander Telephone Co., KLF637.
Rochester Telephone Co., Inc., KSJ623.
San Marcos Telephone Co., Inc., KLB717.
Santa Rosa Telephone Coop., Inc., KLB328.
Santa Rosa Telephone Coop., Inc., KLB327.
Same as above, KLB329.
Somerset Telephone Co., KCI293.
Same as above, KCC805.
Same, KCC804.
Same, KCC486.
St. Joseph Telephone & Telegraph Co., KIJ457.
Township Telephone Co. of Chaumont, N.Y., KQZ786.
Unity Telephone Co., KLF540.
Viroqua Telephone Co., KRS673.
Webster County Telephone Co., KFL949.
West Jersey Telephone Co., KEC942.
West Texas Rural Telephone Co., Inc., KUA223.
Same as above, KSV906.
Wheat State Telephone Co., Inc., KBM514.

RURAL RADIO SERVICE

- 8174-C6-P-73, the Mountain States Telephone & Telegraph Co. (KPI66): C.P. to change antenna system, points of communications, power, frequency, and to replace transmitter, operating on 157.77 MHz.
- 8175-C6-MP-73, Public Service Telephone Co. (WIV48): Modification of permit to change antenna system, frequency, and to replace transmitter, operating on 157.92 MHz at Nakomis, 8.7 km east of Reynolds, Ga.
- 8176-C6-MP-73, same as above (WIV47): Modification of permit to change antenna system, frequency, and to replace transmitter, operating on 152.66 MHz at 104 Winston Street, Reynolds, Ga.
- 8177-C6-P-73, Texas Telephone & Telegraph Co. (new): C.P. for a new rural subscriber station to operate on 158.07 MHz at 7.3 miles east of Hemphill, Tex.

POINT-TO-POINT MICROWAVE RADIO SERVICE

- 8177-C1-P-73, American Telephone & Telegraph Co. (KIT29): 3 miles southeast of Conyers, Ga. Latitude 33°37'42" N, longitude 83°58'47" W. C.P. to change polarization from V to H on frequencies 3710, 3810, 3870, 3950, 4030, and 4110 MHz toward Granson, Ga.; add frequencies 3810V, 3890V, 3970V, 4050V, and 4130V MHz toward Grayson, Ga.

- 8118-C1-P-73, same (KIT30): 0.5 mile south-east of Grayson, Ga. Latitude 33°53'08" N., longitude 83°56'45" W. C.P. to change polarization from V to H on frequencies 3750, 3830, 3910, 3990, 4070, and 4150 MHz toward Rockdale, Ga.; add frequencies 3850V, 3930V, 4010V, 4090V, and 4170V MHz toward Rockdale, Ga.; add frequencies 3710V, 3790V, 3850H, 3870V, 3930H, 3950V, 4010H, 4030V, 4090H, 4110V, and 4170H MHz toward new point of communication at Buford, Ga.
- 8119-C1-P-73, same (new): 1 mile north of Buford, Ga. Latitude 34°08'08" N., longitude 84°00'07" W. C.P. for a new station on frequencies 3750V, 3810H, 3830V, 3890H, 3910V, 3970H, 3990V, 4050H, 4070V, 4130H, and 4150V MHz toward Grayson, Ga.; frequencies 3750V, 3810H, 3830V, 3890H, 3910V, 3970H, 3990V, 4050H, 4070V, 4130H, and 4150V MHz toward Dahlgren, Ga.
- 8120-C1-P-73, same (new): 5 miles east-southeast of Dahlgren, Ga. Latitude 34°30'49" N., longitude 83°53'53" W. C.P. for a new station on frequencies 3710V, 3790V, 3850H, 3870V, 3930H, 3950V, 4010H, 4030V, 4090H, 4110V, and 4170H MHz toward Buford, Ga.
- 8121-C1-P-73, same (KNE99): 1587 Franklin Street, Oakland, Calif. Latitude 37°48'22" N., longitude 122°16'05" W. C.P. to add frequency 4198V MHz toward Round Top, Calif.
- 8122-C1-P-73, same (KNE97): 3.7 miles east of Clayton, Calif. Latitude 37°55'48" N., longitude 121°52'08" W. C.P. to add frequency 4198V MHz toward Round Top, Calif.; frequency 4198H MHz toward Lodi, Calif.
- 8123-C1-P-73, same (KNE98): 5.3 miles northeast of Oakland Civic Center, California. Latitude 37°51'03" N., longitude 122°11'30" W. C.P. to add frequency 4190V MHz toward Oakland, Calif.; frequency 4190V MHz toward Clayton, Calif.
- 8124-C1-P-73, same (KNE96): 1.2 miles west-northwest of Lodi, Calif. Latitude 38°08'31" N., longitude 121°18'58" W. C.P. to add frequency 4190H MHz toward Clayton, Calif.
- 8125-C1-P-73, same (KKH72): 405 North Broadway, Oklahoma City, Okla. Latitude 35°28'16" N., longitude 97°30'53" W. C.P. to add frequency 3890H MHz toward Noble, Okla.
- 8126-C1-P-73, same (KKC95): 2 miles south of Glencoe, Okla. Latitude 36°11'52" N., longitude 96°55'27" W. C.P. to change antenna system, points of communication, add transmitter, and add frequencies 3970H and 4050H MHz toward Olive, Okla.
- 8114-C1-P-73, United Video, Inc. (new): 0.2 mile east of Highway 1, Racepoint, Ga. Latitude 30°59'53" N., longitude 82°07'33" W. Change frequency 6197.2H MHz to 6197.2V MHz toward Toledo, Ga., on azimuth 170°12'.
- 8127-C1-P-73, American Telephone & Telegraph Co. (new): 4.2 miles east of Olive, Okla. Latitude 36°02'37" N., longitude 96°24'05" W. C.P. for a new station on frequencies 3770H and 3805H MHz toward Glencoe, Okla.; frequencies 3770H, 3850H, 3930H, 4010H, and 4090H MHz toward Tulsa Junction, Okla.
- 8128-C1-P-73, same (new): 1.2 miles south of Tulsa, Okla. Latitude 36°07'46" N., longitude 96°02'07" W. C.P. for a new station on frequencies 3730H and 3810H MHz toward Olive, Okla.
- 8129-C1-P-73, same (KNE99): 1587 Franklin Street, Oakland, Calif. Latitude 37°48'22" N., longitude 122°16'05" W. C.P. 3830H, 3910H, 3990H, 4070H, and 4150H MHz toward new point of communication at Burdell Mountain, Calif.
- 8130-C1-P-73, same (new): 2.5 miles north of Novato, Calif. Latitude 38°08'42" N., longitude 122°35'35" W. C.P. for a new station on frequencies 10,715H, 10,795H, 10,875H, 11,035H, 11,115H, and 2114.6H MHz toward Three Peaks, Calif.; frequencies 3790H, 3870H, 3950H, 4030H, and 4110H MHz toward Oakland, Calif.
- 8131-C1-P-73, same (new): 5.5 miles north-northeast of Point Reyes station, California. Latitude 38°08'53" N., longitude 122°47'39" W. C.P. for a new station on frequencies 11,245H, 11,235H, 11,485H, 11,565H, 11,645H, and 2164.6H MHz toward Burdell Mountain, Calif.
- 8132-C1-P-73, Illinois Bell Telephone Co. (KSN55): 211 North Church Street, Rockford, Ill. Latitude 42°16'23" N., longitude 89°05'39" W. C.P. to change polarization from V to H on frequencies 6390.0 MHz toward Monroe Center; change frequency from 6271.4V to 6241.7V MHz toward Monroe Center; delete frequencies 6189.8V, 6308.4V, 10,715V, and 10,955H MHz; add frequencies 6360.3V and 6330.7H MHz toward Monroe Center, Ill.
- 8133-C1-P-73, same (KSN56): 0.8 mile north-east of Monroe Center, Ill. Latitude 42°06'07" N., longitude 88°59'03" W. C.P. to change frequency from 6187.6H to 6108.3V toward De Kalb, Ill.; change frequency from 6049.0H to 5989.7V MHz toward De Kalb, Ill.; change polarization from V to H on frequencies 6108.3 and 5989.7 MHz toward Rockford, Ill.; delete frequencies 11,645V, 11,405H, 6056.4V, and 5937.8V MHz toward Rockford, Ill.; add frequencies 6137.9H and 6078.6H MHz toward De Kalb, Ill.; frequencies 6137.9V and 6078.6V MHz toward Rockford, Ill.
- 8134-C1-P-73, same (KSN57): 1500 South Seventh Street, De Kalb, Ill. Latitude 41°54'45" N., longitude 88°44'50" W. C.P. to delete frequencies 10,995V, 10,755H, 6323.3H, and 6204.7H MHz toward Monroe Center, Ill.; frequencies 10,715H, 10,955V, 6308.4V, and 6189.8V MHz toward Little Rock, Ill.; and frequencies 6390.0V and 6330.7V MHz toward Monroe Center, Ill.; frequencies 6375.2H, 6315.9H, 6256.5H, and 6197.2H MHz toward Plano, Ill.
- 8135-C1-P-73, Southwestern Bell Telephone Co. (KXR87): 2 miles south of Glencoe, Okla. Latitude 36°11'52" N., longitude 96°55'27" W. C.P. to add antenna, change antenna system, and add frequencies 11,485H and 11,325H MHz toward new point of communications at Stillwater, Okla.
- 8136-C1-P-73, Southwestern Bell Telephone Co. (new): 514 South Main Street, Stillwater, Okla. Latitude 36°06'58" N., longitude 97°03'31" W. C.P. for a new station on frequencies 11,035V and 10,875V MHz toward Glencoe R., Okla.
- 8137-C1-MP-73, the Mountain States Telephone & Telegraph Co. (KPR76): 2 miles north of Salt Lake City, Utah. Latitude 40°48'18" N., longitude 111°53'48" W. Modification of C.P. to change frequencies from 10,995 MHz to 10,955H MHz toward Stansbury Island, Utah.
- 8138-C1-MP-73, American Telephone & Telegraph Co. (KKT66): 3.4 miles east-southeast of Crosby, Tex. Latitude 29°53'47" N., longitude 95°00'28" W. Modification of license to change polarization from H to V on frequencies 4090 and 4170 MHz toward Houston, Tex.
- 8140-C1-P-73, the Chesapeake & Potomac Telephone Co. of Virginia (KZS66): 1 mile west of Fort Defiance, Va. Latitude 38°14'32" N., longitude 78°59'24" W. C.P. to add point of communication, transmitter, antenna, and add frequency 6115.7V MHz toward Harrisonburg, Va.
- 8141-C1-P-73, same (new): 1.4 miles north-northeast of Harrisonburg, Va. Latitude 38°29'23" N., longitude 78°50'54" W. C.P. for a new station on frequency 6367.7V MHz toward Fort Defiance, Va.
- 8142-C1-P-73, American Telephone & Telegraph Co. (KJH90): 6 miles south-southeast of Modoc, Clarks Hill, S.C. Latitude 33°39'39" N., longitude 82°10'47" W. C.P. to add frequency 4198V MHz toward Augusta, Ga.
- 8143-C1-P-73, same (KIL30): 937 Green Street, Augusta, Ga. Latitude 33°28'30" N., longitude 81°58'10" W. C.P. to change antenna system, complete tower work, and add frequency 4190 V MHz toward Clarks Hill, S.C.
- 8144-C1-P-73, American Microwave & Communications, Inc. (KSV63): On Rudyard Highway, approximately 4 miles east of Trout Lake, Mich. Latitude 46°11'09" N., longitude 84°56'49" W. C.P. to change polarization on frequencies 5982.3, 6041.6, and 6160.2 MHz toward Kincheloe AFB, Mich., from vertical to horizontal.
- 8145-C1-MP-73, Nebraska Consolidated Communications Corp. (WOH43): 18th and Farnam, Omaha, Nebr. Latitude 41°15'28" N., longitude 95°56'24" W. Modification of C.P. to change frequency 11,365H to 10,975H MHz toward Gretna, Nebr., on azimuth 241°13'.
- 8147-C1-P-73, Southern Bell Telephone & Telegraph Co. (KIB53): 614 Pendleton Street, Waycross, Ga. Latitude 31°12'49" N., longitude 82°21'34" W. C.P. to change antenna system, alarm center location, and add frequency 2162H MHz toward new point of communication at Folkston, Ga. (8147-C1-P-73)
- 8148-C1-P-73, Southern Bell Telephone & Telegraph Co. (new): 1 mile north of Newell, Folkston, Ga. Latitude 31°12'49" N., longitude 82°01'20" W. C.P. for a new station on frequency 2112H MHz toward Waycross, Ga.; frequency 2128V MHz toward Folkston, Ga. Informative: Western Tele-Communications, Inc. The following three applications were inadvertently dismissed without prejudice as reported on Public Notice February 26, 1973, FCC Report No. 637-A, and have now been reinstated.
- 8327-C1-P-70, Western Tele-Communications, Inc. (new): Denver Technological Center, 4 miles east of Littleton, Colo. Latitude 39°37'03" N., longitude 104°53'36" W. Frequency 6004.5H MHz toward Colorow Hill, Colo., on azimuth 292°39'.
- 8328-C1-P-70, same (new): Colorow Hill, 2 miles southwest of Golden, Colo. Latitude 39°43'54" N., longitude 105°14'58" W. Frequency 6256.5H MHz toward Denver, Colo., on azimuth 112°25'; frequency 6375.2V MHz toward Almagre Mountain, Colo., on azimuth 168°06'.
- 8329-C1-P-70, same (new): Almagre Mountain, 8 miles west of Broadmoor, Colo. Latitude 38°46'25" N., longitude 104°59'30" W. Frequency 5974.8H MHz toward Colorow Hill, Colo., on azimuth 348°16'.
- 8156-C1-P-73, Western Tele-Communications, Inc. (new): C.P. for a new station, Rochester Repeater, 3 miles west-southwest of Rochester, Minn. Latitude 43°58'21" N., longitude 92°31'40" W. Transmitting frequency 6212.0H MHz toward Lake City on azimuth 8°41' and 10995.0H MHz toward Rochester terminal on azimuth 44°10' and 6226.9H MHz toward Chatfield on azimuth 107°15'.

8157-C1-P-73, same (new): C.P. for a new station 3.5 miles east-northeast of Columbus, Wis. Latitude 43°21'57" N., longitude 88°56'46" W. Transmitting frequency 5974.8V MHz toward Lake Wisconsin on azimuth 281°02' and 5974.8V MHz toward Plat on azimuth 105°38'.

8158-C1-P-73, same (new): C.P. for a new station 1.3 miles north-northeast of Plat, Wis. Latitude 43°13'29" N., longitude 88°15'58" W. Transmitting frequency 6226.9V MHz toward Columbus on azimuth 286°06' and 6226.9H MHz toward Milwaukee on azimuth 125°57'.

8159-C1-P-73, Western Tele-Communications, Inc. (new), change location to 1 mile northwest of Rubicon, Wis. Latitude 43°20'53" N., longitude 88°28'15" W. C.P. to add frequency 6345.5H MHz toward Jefferson, Wis., via power split on azimuth 221°31'.

8160-C1-P-73, same (WLJ68): Jefferson, 5 miles northwest of Port Atkinson, Wis. Latitude 42°59'38" N., longitude 88°53'49" W. C.P. to add frequency 5974.8H MHz toward Madison, Wis., on azimuth 278°01'. (Informative: Midwestern Relay proposes to deliver the television signal WMVS-TV, Milwaukee, Wis., to a CATV system in Madison, Wis.)

MAJOR AMENDMENT

5703-C1-P-70, Western Tele-Communications, Inc. (new), change location to corner of Emerald Street and University Avenue, St. Paul, Minn. Latitude 44°57'48" N., longitude 93°12'26" W. Transmitting frequency 5989.7H MHz toward Ellsworth azimuth 114°23'.

5704-C1-P-70, same (new), change location to 5.5 miles west-northwest of Ellsworth, Wis. Latitude 44°45'44" N., longitude 92°35'23" W. Transmitting frequency 6212.0H MHz toward St. Paul azimuth 294°49' and 6182.4H MHz toward Lake City azimuth 189°35'.

5705-C1-P-70, same (new), change location to 7 miles west of Lake City, Minn. Latitude 44°26'52" N., longitude 92°25'35" W. Transmitting frequency 5960.0V MHz toward Ellsworth azimuth 339°42' and 5960.0H MHz toward Rochester repeater azimuth 188°46'.

5706-C1-P-70, same (new), change location, to Chatfield, 2 miles southeast of Predmore, Minn. Latitude 43°55'10" N., longitude 92°17'33" W. Transmitting frequency 5974.8V MHz toward Rochester repeater azimuth 287°25' 5945.2H MHz toward Rushford azimuth 111°29'.

5707-C1-P-70, same (new), Rochester Terminal—Rochester, Minn., change frequency to 11685.0H MHz and change azimuth to 224°13' toward Rochester repeater.

5708-C1-P-70, same (new), change location to 2.5 miles southwest of Rushford, Minn. Latitude 43°46'23" N., longitude 91°47'00" W. Transmitting frequency 6197.2H MHz toward Chatfield azimuth 291°50' and 6197.2H MHz toward La Crosse repeater azimuth 89°30'.

5709-C1-P-70, Western Tele-Communications, Inc. (new), change location to La Crosse repeater, 1 mile east of La Crosse, Wis. Latitude 43°46'31" N., longitude 91°11'18" W. Transmitting frequency 5945.2H MHz toward Rushford azimuth 269°55' and 10995.0H MHz toward La Crosse terminal azimuth 45' and 5974.8V MHz toward Norwalk azimuth 84°04'.

5710-C1-P-70, same (new), La Crosse terminal—La Crosse, Wis., change frequency to 11685.0H MHz and change azimuth to 128°42' toward La Crosse repeater.

5711-C1-P-70, same (new), change location to 1 mile, south-southwest of Norwalk, Wis. Latitude 43°48'57" N., longitude 90°37'53" W. Transmitting frequency 6197.2V MHz toward La

Crosse repeater azimuth 264°27' and 6226.9V MHz toward Reedsburg azimuth 127°02'.

5712-C1-P-70, same (new), change location to 2.75 miles southwest of Reedsburg, Wis. Latitude 43°30'30" N., longitude 90°04'26" W. Transmitting frequency 5945.2V MHz toward Norwalk azimuth 307°25' and 5974.8H MHz toward Lake Wisconsin azimuth 98°23'.

5713-C1-P-70, same (new), change location to Lake Wisconsin, 7 miles east of Baraboo, Wis. Latitude 43°27'18" N., longitude 89°35'12" W. Transmitting frequency 6226.9H MHz toward Reedsburg azimuth 278°43' and 6226.9V MHz toward Columbus azimuth 100°35' and 10715.0V MHz toward Madison azimuth 168°50'.

5715-C1-P-70, same (new), Madison, Wis., change frequency to 11685.0H MHz and change azimuth to 348°54' toward Lake, Wis.

5720-C1-P-70, Western Tele-Communications, Inc. (new), Milwaukee, Wis., change frequency to 5974.8H MHz and change azimuth to 306°11' toward Plat and change frequency to 5945.2H MHz toward Racine on azimuth 162°18'.

5721-C1-P-70, same (new) Racine, Wis., change frequency to 6226.9H MHz toward Milwaukee on azimuth 342°24' and change frequency to 6226.9H MHz toward Waukegan on azimuth 191°32'.

5722-C1-P-70, same (new), Waukegan, Ill., change frequency to 5945.2V MHz toward Racine on azimuth 11°28' and change frequency to 5974.8H MHz and change azimuth to 157° toward Chicago.

5724-C1-P-70, same (new), change location to John Hancock Building, Chicago, Ill., latitude 41°53'56" N., longitude 87°37'24" W. Transmitting frequency 6197.2V MHz toward Waukegan azimuth 337°10'. (Informative: Western Tele-Communications, Inc., has adopted the above applications previously filed by Mitran, Inc., to provide specialized common carrier services between St. Paul, Minn., and Chicago, Ill., and various intermediate points.)

6480-C1-P-73, Union Telephone Co. (KPV43): Frequency amended to read 2175.4V MHz toward Hickey Mountain (KPV44).

6481-C1-P-73, same frequency to Urie (KPV43) amended to 2125.4V. Correction of coordinates for Hickey Mountain corrected to latitude 41°06'24" N., longitude 110°21'27" W.

1891-C1-P-73, same Manila. Frequency amended towards Hickey Mountain to 2168.2V.

4258-C1-P-73, American Microwave & Communications, Inc. (KSV63): 4 miles east of Trout Lake, Mich. Latitude 46°11'09" N., longitude 84°56'49" W. C.P. to change polarization on frequency 6100.9 MHz from horizontal to vertical toward Sault Ste. Marie, Mich.

Corrections

7660-C1-P-73, Indiana Bell Telephone Co. (KSL96): 1.5 miles southeast of Kirkville, Ind. Latitude 39°01'19" N., longitude 86°36'02" W. Correct to read: C.P. to add frequency 6375.2V MHz toward Bloomington, Ind. (All other particulars same as report in public notice dated April 30, 1973.)

5575-C1-P-73, Western Tele-Communications, Inc. (new): Correct public notice of February 5, 1973, to read: C.P. for a new station 3.9 miles southwest of Tecumseh, Nebr. Latitude 40°19'31" N., longitude 96°14'38" W. Transmitting frequency 3770V MHz toward Elwood on azimuth 356°49' and 3770H MHz toward Bern on azimuth 149°03'.

6450-C1-P-73, KHC Microwave proposes to provide the television signal of KHTV, Houston, Tex., to Opelousas, La.

In public notice report No. 636, February 20, 1973, page 8 in entry for 5969-C1-P-73, add: Frequency 6123.1H MHz on azimuth 191°30' toward Mount Vaca, Calif.

Page 9 in entry for 5972-C1-P-73, change frequency 6226.9V to read 6315.9V MHz and add frequency 6226.9V MHz on azimuth 207°56' toward St. John Mountain.

Page 9 in entry for 5979-C1-P-73. Change the word "Springwater" to read "Springfield".

LOCAL TELEVISION TRANSMISSION SERVICE

8139-C1-P-73, Paul E. Taft doing business as Taft Broadcasting Co. (new): 7238 Wynwood Street, Houston, Tex. Latitude 29°47'38" N., longitude 95°26'42" W. C.P. for a new station on frequency 11,725H MHz.

SATELLITE COMMUNICATIONS SERVICE

Domestic

28-DSE-P-71, American Telephone & Telegraph Co. Brazos, Tex. Application withdrawn at request of the applicant.

Major Amendments

50/55/54-DSE-P-71—RCA Global Communications, Inc., RCA Alaska Communications, Inc. Adds required microwave radiation level study to application for Earth stations near Los Angeles, San Francisco, and New York.

5-DSE-P-73—CML Satellite Corp. Changes location of Phoenix, Ariz., Earth station to 33°17'40" N., latitude, 111°50'53" W., longitude; changes emission slightly to 36,000F9; changes operating range of azimuths slightly to between 118° and 203°; significantly decreases maximum EIRP in the horizontal plane to -25dBW/4kHz; describes artificial pit shielding to be employed; substitutes amended coordination results.

1/3-DSE-P-71—Western Union Telegraph Co. Adds detailed information concerning precipitation scatter interference; including calculation of contour; determination of main beam, common volume intersections, assessment of probability of interference, and conclusions.

Corrections

In public notice report No. 645, April 23, 1973.—Page 19, in entry for 19-DSE-P-73 RCA Global Communications, Inc. Correct Poughkeepsie, N.J., to read Poughkeepsie, N.Y.

[FR Doc.73-9920 Filed 5-18-73; 8:45 am]

FEDERAL MARITIME COMMISSION

AMERICAN MAIL LINE, LTD., AND EVERETT ORIENT LINE, 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, on or before June 11, 1973. 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:

Mr. W. R. Purnell, assistant vice president, American Mail Line, Ltd., 601 California Street, suite 610, San Francisco, Calif. 94108.

Agreement No. 8974-2 between American Mail Line and Everett Orient Line, modifies the basic agreement to reflect a revised division of the through rates and transshipment expenses on cargo transshipped at ports in Japan as set forth in the agreement. The apportionment on the through rates and transshipment expenses at Hong Kong or Singapore remains unchanged.

The basic agreement, as presently worded, provides that the through rates and transshipment expenses at ports in Japan, Hong Kong, or Singapore shall be apportioned on the basis of two-thirds to the originating carrier and one-third to the delivering carrier.

Dated May 14, 1973.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.73-10026 Filed 5-18-73; 8:45 am]

**MOORE-McCORMACK LINES, INC., AND
NAVALE ET COMMERCIALE HAVRAISE
PENINSULAIRE**

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, on or before June 11, 1973. 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:

J. D. Straton, manager, Rates and Conferences, Moore-McCormack Lines, Inc., 2 Broadway, New York, N.Y. 10004.

Agreement No. 9296-1 modifies an approved transshipment agreement between the two lines listed above by:

- (1) Broadening the geographic scope to include the Seychelles Islands;
- (2) Expanding the transshipment ports to include all Madagascar ports;
- (3) Revising the division of freight revenues and transshipment expenses; and
- (4) Reflecting the present official name of Navale et Commerciale Havraise Peninsulaire.

Dated May 15, 1973.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.73-10025 Filed 5-18-73; 8:45 am]

**N.V. MAILSCHIP ANTILLEN AND
HOLLAND AMERICA CRUISES N.V.**

Notice of Issuance of Casualty Certificate

Notice is hereby given that the following have been issued a Certificate of Financial Responsibility to Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages pursuant to the provisions of section 2, Public Law 89-777 (80 Stat. 1356, 1357) and Federal Maritime Commission General Order 20, as amended (46 CFR part 540):

N.V. Mailschip Antillen and Holland America Cruises N.V. (Holland America Cruises), c/o Holland America Cruises, Pier 40—North River, New York, N.Y. 10014.

Dated May 16, 1973.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.73-10023 Filed 5-18-73; 8:45 am]

**N.V. MAILSCHIP ANTILLEN AND
HOLLAND AMERICA CRUISES N.V.**

Notice of Issuance of Performance Certificate

Notice is hereby given that the following have been issued a certificate of financial responsibility for indemnification of passengers for nonperformance of

transportation pursuant to the provisions of section 3, Public Law 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, as amended (46 CFR pt. 540):

N.V. Mailschip Antillen and Holland America Cruises N.V. (Holland America Cruises), c/o Holland America Cruises, Pier 40—North River, New York, N.Y. 10014.

Dated May 16, 1973.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.73-10024 Filed 5-18-73; 8:45 am]

FEDERAL RESERVE SYSTEM

BANCORP CORP.

Order Approving Acquisition of Bank

BancOhio Corp., Columbus, Ohio, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under § 3(a)(3) of the act (12 U.S.C. 1842(a)(3)) to acquire 100 percent (less directors' qualifying shares) of the voting shares of the successor by merger to The Cummings Bank Co., Carrollton, Ohio (Bank). The bank into which Bank is to be merged has no significance except as a means to facilitate the acquisition of the voting shares of Bank. Accordingly, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with § 3(b) of the act. The time for filing comments and views has expired, and none has been timely received. The Board has considered the application in light of the factors set forth in § 3(c) of the act (12 U.S.C. 1842(c)).

Applicant, the largest bank holding company in Ohio, controls 36 banks with aggregate deposits of \$2.1 billion,¹ representing 8.6 percent of total commercial bank deposits in the State. Bank (\$13.4 million in deposits), the second largest of three banks located in the Carrollton banking market (approximated by Carroll County), controls approximately 42 percent of deposits in commercial banks in the market.

Although applicant has subsidiaries in each of three counties that border Carroll County, it does not presently operate in the Carrollton banking market. Applicant's subsidiary closest to Bank is located 18 miles away, and there is no significant competition between Bank and any of applicant's subsidiaries. Consummation of the acquisition would not appear to alter the concentration of deposits and loans nor reduce the number of banking alternatives present in the area. In view of Ohio's restrictive branching law, the sparse population and rural orientation of the intervening areas, Carroll County's limited economic

¹ All banking data are of June 30, 1972, and reflect holding company formations and acquisitions approved through April 30, 1973.

prospects, and the low population to banking office ratio, it does not appear likely that meaningful competition between Bank and applicant would develop in the future. Accordingly, the Board concludes that competitive considerations are consistent with approval of the application.

The financial and managerial resources and future prospects of applicant are regarded as satisfactory; those of Bank are regarded as generally satisfactory and are expected to improve under the leadership of applicant. Accordingly, considerations relating to the banking factors are consistent with approval of the application.

Applicant proposes to provide Bank with credit analysis, loan advisory services, and trust services. Considerations relating to the convenience and needs of the community to be served are consistent with approval of the application. It is the Board's judgment that the proposed acquisition would be in the public interest and that the application should be approved.

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

By order of the Board of Governors,¹ effective May 14, 1973.

[SEAL] **TYNAN SMITH,**
Secretary of the Board.
[FR Doc.73-10027 Filed 5-18-73; 8:45 am]

CONSOLIDATED BANKSHARES OF FLORIDA, INC.

Acquisition of Bank

Consolidated Bankshares of Florida, Inc., Fort Lauderdale, Fla., has applied for the Board's approval under section 3(a)(5) of the Bank Holding Company Act (12 U.S.C. 1842(a)(5)) to acquire 80 percent or more of the voting shares of North American Mortgage Corp., St. Petersburg, Fla., a registered bank holding company, and thereby indirectly acquire voting shares of American Bank of St. Petersburg, St. Petersburg, Fla., and of the American National Bank of Clearwater, Clearwater, Fla. Consolidated Bankshares would also acquire the mortgage banking business of the parent North American Mortgage Corp. The factors that are considered in acting on the applications are set forth in sections 3(c) and 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1842(c) and 1843(c)(8)).

The applications may be inspected at the office of the Board of Governors or

¹ Voting for this action: Chairman Burns and Governors Brimmer, Sheehan, and Bucher. Absent and not voting: Governors Mitchell and Daane.

at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the applications should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than June 11, 1973.

Board of Governors of the Federal Reserve System, May 14, 1973.

[SEAL] **CHESTER B. FELDBERG,**
Assistant Secretary of the Board.
[FR Doc.73-10028 Filed 5-18-73; 8:45 am]

FIRST ALABAMA BANCSHARES, INC.

Acquisition of Bank

First Alabama Bancshares, Inc., Birmingham, Ala., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of the successor by merger to Citizens Bank of Guntersville, Guntersville, Ala. 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 June 11, 1973.

Board of Governors of the Federal Reserve System, May 14, 1973.

[SEAL] **CHESTER B. FELDBERG,**
Assistant Secretary of the Board.
[FR Doc.73-10029 Filed 5-18-73; 8:45 am]

FIRST INTERNATIONAL BANCSHARES, INC.

Acquisition of Bank

First International Bancshares, Inc., Dallas, Tex., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to the First National Bank of Odessa, Odessa, Tex. The factors that are considered in acting on the application are set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than June 11, 1973.

Board of Governors of the Federal Reserve System, May 14, 1973.

[SEAL] **CHESTER B. FELDBERG,**
Assistant Secretary of the Board.
[FR Doc.73-10030 Filed 5-18-73; 8:45 am]

FIRST INTERNATIONAL BANCSHARES, INC.

Acquisition of Bank

First International Bancshares, Inc., Dallas, Tex., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to the First National Bank of Harlingen, Harlingen, Tex. The factors that are considered in acting on the application are set forth in section 3(c) of the act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than June 11, 1973.

Board of Governors of the Federal Reserve System, May 14, 1973.

[SEAL] **CHESTER B. FELDBERG,**
Assistant Secretary of the Board.
[FR Doc.73-10031 Filed 5-18-73; 8:45 am]

GENERAL SERVICES ADMINISTRATION

Property Management and Disposal Service (Wildlife Order 104; U-Mass-693)

NANTUCKET (GREAT POINT) LIGHT Transfer of Lands

Pursuant to section 2 of Public Law 537, 80th Congress, approved May 15, 1948 (16 U.S.C. 667c), notice is hereby given that:

1. By letter from the General Services Administration, Boston, Mass., regional office, dated May 1, 1973, the property comprising approximately 39.8 acres of unimproved land, identified as Nantucket (Great Point) Light, Nantucket Island, Mass., has been transferred to the Department of the Interior.

2. The above-described property was conveyed for use as a migratory bird refuge in accordance with the provisions of section 1 of said Public Law 537 (16 U.S.C. 667b).

Dated May 11, 1973.

THOMAS M. THAWLEY,
Commissioner.

[FR Doc.73-10034 Filed 5-18-73; 8:45 am]

INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

VALLEY CAMP COAL CO.

Application for Renewal Permit; Notice of Opportunity for Public Hearing

Application for renewal permit for noncompliance with the Interim Mandatory Dust Standard (2.0 mg/m³) has been received as follows:

ICP docket No. 20632, Valley Camp Coal Co., Triadelphia, W. Va., USBM ID No. 46 01440 0; Section ID No. 012 (2 north), section ID No. 013 (3 north), section ID No. 019 (27 south), section ID No. 020 (7 south), section ID No. 021 (7 north), section ID No. 024 (16 east).

In accordance with the provisions of section 202(b)(4) (30 U.S.C. 842(b)(4)) of the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742, et seq., Public Law 91-173), notice is hereby given that requests for public hearing as to an application for renewal may be filed on or before June 5, 1973. Requests for public hearing must be filed in accordance with 30 CFR pt. 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the Panel on request.

A copy of the application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, room 800, 1730 K Street NW., Washington, D.C. 20006.

GEORGE A. HORNBECK,
Chairman,
Interim Compliance Panel.

MAY 16, 1973.

[FR Doc.73-9988 Filed 5-18-73;8:45 am]

NATIONAL SCIENCE FOUNDATION ADVISORY PANEL FOR PSYCHOBIOLOGY Notice of Meeting

MAY 16, 1973.

Pursuant to the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that a meeting of the Advisory Panel for Psychobiology will be held on June 1, 2, and 3, 1973, at 1800 G Street NW., Washington, D.C. 20550. The June 1 session will begin at 9 a.m. and the June 2 and 3 sessions will begin at 9:30 a.m. Specific room numbers are indicated in the agenda below. The purpose of this panel is to provide advice and recommendations: (a) Concerning the impact of the NSF support of psychobiology; and (b) as part of the review and evaluation process for specific proposals and projects.

The agenda for this meeting shall include (open portion identified in parentheses):

JUNE 1 SESSION, ROOM 511 (OPEN TO THE PUBLIC)

- Panel discussion of the following topics:
1. Policies regarding support of research:
 - Criteria for selection of projects.
 - Optional use of limited budget.
 - Long-term emphases.
 - Strengths and weaknesses of "protected" programs (as for new investigators).
 2. Role of advisory panel:
 - Types of proposals reviewed.
 - Reactions to outside reviews.
 - Feedback on actions.
 - Balance among research areas.
 - Composition of panel.
 3. Role of outside reviewers:
 - Explanation of scale of overall ratings.
 - Feedback on actions.
 - Ways of acknowledging service.

4. Program procedures:
 - Workload and ways to save time.
 - Site visits.
 - Public announcements of opportunities or emphases.

JUNE 2 AND 3 SESSIONS, ROOM 338

The agenda for this portion of the meeting shall be devoted to the review and evaluation of specific research proposals or projects.

The June 1 session will be open to the public on a space-available basis. Individuals who plan to attend should notify Dr. Henry S. Odbert, program director, psychobiology program, by telephone (202-632-4264) or by mail (room 333, 1800 G Street NW., Washington, D.C. 20550) not later than close of business, May 30, 1973.

The June 2 and 3 sessions are concerned with matters which are within the exemptions of the Freedom of Information Act, 5 U.S.C. 552(b) and will not be open to the public in accordance with the determination by the Director of the National Science Foundation dated January 15, 1973, pursuant to the provisions of section 10(d) of the Federal Advisory Committee Act.

For further information concerning this panel, contact Dr. Henry S. Odbert, program director, psychobiology program, room 333, 1800 G Street NW., Washington, D.C. 20550. Summary minutes relative to open portion of this meeting may be obtained by contacting the Management Analysis Office, room K-720, 1800 G Street NW., Washington, D.C. 20550.

JOHN E. KIRSCH,
Assistant Director
for Administration.

MAY 15, 1973.

[FR Doc.73-10017 Filed 5-18-73;8:45 am]

OFFICE OF ECONOMIC OPPORTUNITY

ACCOUNTING SYSTEM SURVEY AND AUDIT GUIDE FOR OEO GRANTS

Notice of Issuance and Availability of Manual

The Office of Economic Opportunity will issue OEO Manual 2410-1 entitled "Accounting System Survey and Audit Guide for OEO Grants" in May 1973. This manual prescribes certain special requirements for coverage of OEO grants in connection with audits by independent accountants and governmental auditors. OEO Manual 2410-1 is not intended to be a complete manual of audit procedures, nor is it intended to supplant the accountant's judgment as to the work required to meet generally accepted auditing standards and to render informative reports. OEO Manual 2410-1 is applicable to all grant programs awarded under titles I-D, II, III-B, and VII of the Economic Opportunity Act of 1964, as amended.

OEO Manual 2410-1 will be distributed upon publication to all OEO grantees

who are affected thereby and is available without cost from:

OEO Publications and Distribution Center,
5458 Third Street NE., Washington, D.C.
20011.

HOWARD PHILLIPS,
Acting Director.

[FR Doc.73-9989 Filed 5-18-73;8:45 am]

OFFICE OF EMERGENCY PREPAREDNESS

ARKANSAS

Amendment to Notice of Major Disaster

Notice of major disaster for the State of Arkansas, dated April 27, 1973, and published May 3, 1973 (38 FR 11013), and amended May 8, 1973, and published May 14, 1973 (38 FR 12636), is hereby further amended to include the following counties among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of April 27, 1973:

The counties of:

Ashley	Lawrence
Clay	Lincoln
Crittenden	Mississippi
Desha	Randolph
Drew	

(Catalog of Federal Domestic Assistance Program No. 50.002, Disaster Assistance.)

Dated May 15, 1973.

ELMER F. BENNETT,
Acting Director,
Office of Emergency Preparedness.

[FR Doc.73-9991 Filed 5-18-73;8:45 am]

NEW MEXICO

Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in me by the President under Executive Order 11575 of December 31, 1970; and by virtue of the act of December 31, 1970, entitled "Disaster Relief Act of 1970" (84 Stat. 1744); notice is hereby given that on May 11, 1973, the President declared a major disaster as follows:

I have determined that the damage in certain areas of the State of New Mexico from severe storms, snow melt and flooding, beginning about March 23, 1973, is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 91-606. I therefore declare that such a major disaster exists in the State of New Mexico. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11575 to administer the Disaster Relief Act of 1970 (Public Law 91-606) I hereby appoint Mr. George E. Hastings, Regional Director, OEP Region 6, to act as the Federal Coordinating Officer to perform the duties specified by section 201 of that act for this disaster.

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

The counties of:

Colfax	Sandoval
Harding	Taos
Mora	Union
McKinley	Valencia
San Miguel	

(Catalog of Federal Domestic Assistance Program No. 50.002, Disaster Assistance.)

Dated May 15, 1973.

ELMER F. BENNETT,
Acting Director,
Office of Emergency Preparedness.
[FR Doc.73-9992 Filed 5-18-73;8:45 am]

POSTAL RATE COMMISSION

POSTAL FACILITIES

Notice of Visits

May 16, 1973.

In furtherance of the Postal Rate Commission's training program noticed in the FEDERAL REGISTER on September 20, 1972 (37 FR 19404), Commissioners will be visiting the Washington, D.C. post office and associated facilities in the Washington area on May 29, June 5, and 12, 1973.

No particular matter at issue in contested proceedings before the Commission nor the substantive merits of a matter that is likely to become a particular matter at issue in contested proceedings before the Commission will be discussed. A report on the visit will be on file in the Commission's docket room.

Place of visit	Date of visit
Washington, D.C., 20th Street Station.	Tuesday, May 29, 1973.
Washington, D.C., Post Office.	Tuesday, June 5, 1973.
Prince Georges Sectional Center Facility.	Tuesday, June 12, 1973.

By direction of the Commission.

JOSEPH A. FISHER,
Secretary.

[FR Doc.73-10016 Filed 5-18-73;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[70-5349]

AMERICAN NATURAL GAS CO. ET AL.

Holding Company Transactions

MAY 14, 1973.

In the matter of American Natural Gas Co., 30 Rockefeller Plaza, New York, N.Y. 10020; American Natural Gas Production Co., American Natural Gas Service Co., Michigan Wisconsin Pipe Line Co., Wisconsin Gas Co., Michigan Consolidated Gas Co.

Notice of proposed acquisition by registered holding company of common stock of, and bank borrowings by, nonutility subsidiary company to finance lease acquisitions; bank borrowings by holding

company; exception from consolidated tax allocation provisions.

Notice is hereby given that American Natural Gas Co. (American Natural), a registered holding company, and its wholly-owned nonutility subsidiary company, American Natural Gas Production Co. (Production Company), together with the other subsidiary companies of American Natural named above, have filed with this Commission an application-declaration and an amendment thereto pursuant to the Public Utility Holding Company Act of 1935 (Act), designating sections 6, 7, 9, 10, and 12(f) of the act and rules 43 and 45 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the amended application-declaration, which is summarized below, for a complete statement of the proposed transactions.

The American Natural System (System) is engaged, among other things, in a broad program to increase the System's natural gas reserves and, as part of that program, proposes to participate in offshore lease sales scheduled for June 19, 1973, by the U.S. Department of the Interior. More specifically, Production Co., which is the gas exploration and drilling subsidiary of American Natural, has agreed to participate with several nonaffiliated oil and gas producing companies (the participants) in bidding for tracts in the Texas offshore area. A total of 129 such tracts are being offered for competitive bidding by the Interior Department. It is stated that bids accepted by the Department must be paid in full within 30 days after acceptance; and Production Co.'s commitment for possible lease acquisitions is expected not to exceed \$50 million. As a participant, Production Co. will acquire a fixed working interest in leases acquired, although it will bear a slightly higher share of the lease costs in order to compensate the other participants for the substantial geological and other costs they incurred in preparing for the bid. On subsequent bids as a member of this participant group, Production Co. will bear only its proportional share of lease costs.

It is further stated that exploration and drilling on leases acquired by the participants will commence as soon as possible; that Michigan Wisconsin Pipe Line Co. (Michigan Wisconsin), a wholly-owned interstate pipeline subsidiary of American Natural, has agreed to make advance payments to the participants covering the expenses relating to exploration, development and production of gas; that these payments (including an initial advance payment to Production Co. estimated at approximately \$10 million) will be made in accordance with the Federal Power Commission's order No. 465 in docket No. R-411 and will be includable in Michigan Wisconsin's rate base; and that, in consideration for the advance payments, Michigan Wisconsin will have the right to purchase all the recoverable gas from the tracts leased by the participants.

To finance its aforesaid commitment of up to \$50 million, Production Co. proposes to issue and sell: (a) Its notes to banks in an amount not exceeding \$20 million at any one time outstanding, and (b) shares of its \$100 par value common stock to American Natural in an aggregate par amount up to \$30 million. The amount of common stock thus sold to the parent company will at all times be equal to at least 150 percent of Production Co.'s outstanding indebtedness to the banks. To accommodate the proposed sale of its common stock, Production Co. proposes to amend its certificate of incorporation to increase its authorized common stock from 80,000 shares to 380,000 shares.

Production Co. has obtained loan commitments from the following banks, all of Detroit, Mich., in the maximum amount indicated for each:

National Bank of Detroit	\$10,000,000
Detroit Bank and Trust Co.	4,000,000
Manufacturers National Bank of Detroit	4,000,000
Michigan National Bank of Detroit	2,000,000
	20,000,000

The borrowings will be evidenced by unsecured 90-day notes with right of renewal. The notes will mature 3 years after the date of the related credit agreement; will bear interest at the annual rate of 1 percent above the prime rate in effect at the lending bank on the date of each borrowing and adjusted for changes in the prime rate; and will be prepayable at any time without penalty.

Production Co. will pay a commitment fee of one-half of 1 percent per annum on any unused portion of the commitment. Production Co. may reduce the amount of the commitment at any time. There will be no compensating balance requirements.

American Natural proposes to borrow from two New York banks up to \$30 million, on its unsecured promissory notes, in the amounts indicated below for each bank:

First National City Bank	\$18,000,000
Manufacturers Hanover Trust Co.	12,000,000
	\$30,000,000

The proceeds will be used by American Natural, to the extent required, solely to purchase shares of Production Co. as indicated above. The notes will mature July 1, 1974; will bear interest at the prime rate in effect at the lending bank on the date of borrowing and adjusted for changes in the rate; and will be prepayable at any time without penalty. American Natural will be required to maintain compensating balances with the lending banks, which is expected to result in an effective interest cost approximately one percentage point above an assumed prime rate of 7 percent. There is no commitment fee.

American Natural and its subsidiary companies (including Production Co.) join annually in filing a consolidated Federal income tax return. The application-declaration states that certain inequities, and detriments to the system's

efforts to develop new gas reserves, would result if the group's consolidated income tax liabilities were continued to be allocated in strict accordance with the provisions of rule 45(b)(6) under the act; and, pursuant to subparagraph (a) of rule 45, authorization is requested with respect to the tax years 1972, 1973, and 1974, to allocate the consolidated Federal income taxes in a manner which would deviate in certain respects from the method prescribed by rule 45(b)(6). The proposed deviation, more fully set forth below, involves operations of Production Co.

Since its incorporation in 1957, Production Co. has engaged in exploration and drilling for natural gas on a relatively small scale. In 11 of the 16 years 1957-72, it incurred tax losses which have been included in the consolidated tax returns and resulted in commensurate consolidated tax savings. Prior to 1972, these losses and resultant tax reductions were for the most part relatively small. However, it is stated that in 1972 Production Co. expanded its lease acquisition and exploration activities in the Hugoton-Anadarko Basin from which its affiliate Michigan Wisconsin purchases substantial gas supplies; that largely as a result of this activity Production Co. realized a tax loss in 1972 estimated at \$1,928,000, with a related estimated saving in consolidated taxes of \$926,000; that this activity is being continued in 1973; and that the remittance of said 1972 tax saving to Production Co. through the proposed deviation from rule 45(b)(6), would provide Production Co. with funds to assist in financing continuation of that gas supply program.

Production Co.'s proposed program for participation in the Texas offshore bidding for oil and gas leases will significantly expand its efforts to increase the system's gas reserves. The filing states that normally several years elapse before newly-discovered gas reserves can be developed and marketed; and that during these early years a large portion of the related expenses for gas exploration and development, although capitalized per books, are deducted as current expenses for Federal income tax purposes and thus produce tax losses and commensurate savings in the consolidated tax liability. With respect to the proposed offshore bidding, and based upon various assumptions as to the success of the participants in obtaining leases, the amount of the lease bonuses paid, the exploration and development costs incurred, and the time within which such costs are incurred, it is estimated that Production Co. could experience losses for Federal income tax purposes in the range of \$8,500,000 and \$9,500,000 in the years 1973 and 1974 respectively, which at present tax rates could result in the allocation of \$4,000,000 and \$4,500,000 in related tax credits to Production Co. in those years. It is further stated that allocation of these tax savings to system companies other than Production Co. under the provisions of rule 45(b)(6) would adversely affect Production Co.'s ability to finance continued efforts to en-

large the system's future gas reserves. In addition, it is stated that the proposed deviation to permit an allocation to Production Co. of such consolidated tax savings would provide Production Co. with the funds necessary to service the debt incurred under its proposed \$20 million lines of credit.

Accordingly, applicants-declarants seek authorization to allocate consolidated income taxes applicable to the years 1972, 1973, and 1974 in a manner other than prescribed by rule 45(b)(6), by application of the following procedure:

1. In any such taxable year, when the operations of Production Co. result in a tax loss, then the consolidated Federal income tax to be allocated among the system companies would be based upon the tax that would have resulted had Production Co. been excluded from the consolidated Federal income tax return.

2. The funds retained by virtue of the reduction in tax resulting from inclusion of Production Co.'s tax loss in the consolidated Federal income tax return would be paid to Production Co.

3. In future years, when Production Co. has taxable income, it may be entitled to tax credits as a result of the net operating loss carryback and carryover provisions of section 172(b) of the Internal Revenue Code, in order to comply with the separate return limitations required by rule 45(b)(6). To the extent that Production Co. receives tax benefits pursuant to paragraphs 1 and 2 above, such benefits would be applied to reduce any credits in future years to which Production Co. might otherwise be entitled under the separate return limitations of rule 45(b)(6).

4. Subject to paragraph 3, in no event will the tax allocated to any subsidiary company of American Natural exceed the amount of tax computed as if such subsidiary company had always filed its tax returns on a separate return basis.

Under "full cost" accounting adopted by Production Co. its gas exploration and development costs are capitalized and subsequently amortized, i.e., charged to income on a unit of production basis as the gas or oil is produced and sold. Production will defer on its books any funds received pursuant to paragraphs 1 and 2 above, and will charge the deferral as the capitalized exploration and development costs are amortized.

It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. Fees and expenses to be incurred in connection with the proposed transactions are estimated at \$4,000, including counsel fees of \$1,000.

Notice is further given that any interested person may, not later than June 4, 1973, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration, as amended, 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 ad-

ressed: 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 applicant-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective as provided in rule 23 of the general rules and regulations promulgated under the act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

RONALD F. HUNT,
Secretary.

[FR Doc. 73-10038 Filed 5-18-73; 8:45 am]

[70-5345]

DELMARVA POWER & LIGHT CO.

Notice of Proposed Issue and Sale of First Mortgage and Collateral Trust Bonds at Competitive Bidding

MAY 15, 1973.

Notice is hereby given that Delmarva Power & Light Co. (Delmarva), 800 King Street, Wilmington, Del. 19899, a registered holding company and a public utility company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating sections 6 and 7 of the act and rule 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

Delmarva proposes to issue and sell, subject to the competitive bidding requirements of rule 50, \$25 million principal amount of first mortgage and collateral trust bonds, — percent series due July 1, 2003. The interest rate (which shall be a multiple of one-eighth of 1 percent) and the price to be paid to Delmarva, exclusive of accrued interest (which shall be not less than 100 percent nor more than 102.75 percent of the principal amount thereof), for the bonds will be determined by the competitive bidding. The bonds will be issued under a mortgage and deed of trust, dated October 1, 1943, between Delmarva and Chemical Bank, successor trustee, as heretofore supplemented and as to be further supplemented by a 44th supplemental indenture to be dated as of July 1, 1973, which includes a prohibition until July 1, 1973, against refunding the issue

with the proceeds of funds borrowed at a lower effective interest cost.

It is stated that the net proceeds from the sale of the bonds will be applied toward the retirement of unsecured short-term notes issued primarily for interim financing of the construction programs of Delmarva and its subsidiary companies and for other corporate purposes. As of May 1, 1973, such short-term notes outstanding amounted to \$38,400,000. Delmarva estimates its 1973 construction program at \$119,681,000 and contemplates the sale of additional permanent securities and unsecured short-term notes during 1973.

The declaration states that the issuance and sale of the bonds is subject to the approval of the Public Service Commission of Delaware, and indicates that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction. A statement of the fees and expenses to be incurred by Delmarva in connection with the sale of the bonds will be supplied by amendment.

Notice is further given that any interested person may, not later than June 5, 1973, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in rule 23 of the general rules and regulations promulgated under the act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

RONALD F. HUNT,
Secretary.

[FR Doc.73-10037 Filed 5-18-73; 8:45 am]

[File No. 7-4407]

PBW STOCK EXCHANGE, INC.

Application for Unlisted Trading Privileges and Opportunity for Hearing

MAY 11, 1973.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and rule 12f-1 thereunder, for unlisted trading privileges in the debentures of the following company, which securities are listed and registered on one or more other national securities exchanges:

MEMOREX CORP.

5½ percent Convertible subordinated debentures, due April 1, 1990.

Upon receipt of a request, on or before May 27, 1973, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

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

RONALD F. HUNT,
Secretary.

[FR Doc.73-10006 Filed 5-18-73; 8:45 am]

[File No. 500-1]

WESTGATE-CALIFORNIA CORP.

Order Suspending Trading

MAY 11, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the class A common stock (\$5 par value), class B common stock (\$5 par value), 6 percent cumulative preferred (\$10 par value), 5 percent cumulative preferred (\$70 par value), 6½ percent convertible subordi-

nated debentures due 1987, 6 percent subordinated debentures due 1979 and all other securities of Westgate-California Corp., 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 11 a.m. e.d.t., on May 11, 1973, and continuing through May 20, 1973.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.73-10035 Filed 5-18-73; 8:45 am]

SMALL BUSINESS ADMINISTRATION GOVERNMENT PROCUREMENT OF FLUID MILK

Change in Definition of Small Business for Purpose of Bidding

The purpose of this notice by the Small Business Administration is to remind interested parties that on May 1, 1973, the procurement size standard for Census Classification Code 2026, Fluid Milk, was reduced to 625 employees (from 750 employees) and will be further reduced to 500 employees effective May 1, 1974.

The regulation amendment providing for such changes was published in the FEDERAL REGISTER on May 5, 1972 (37 FR 9104).

Dated May 7, 1973.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.73-9982 Filed 5-18-73; 8:45 am]

[Delegation of Authority No. 30—Amdt. 4]

REGION IV

Delegation of Authority To Conduct Program Activities in the Field Offices

Delegation of Authority No. 30 (Region IV) (37 FR 17603) as amended (38 FR 1159, 38 FR 3553, 38 FR 7290) is hereby further amended as follows:

PART I—FINANCING PROGRAM

Sec. B. Other financing authority.

3. (b) For "fully undisbursed" or "partially disbursed" business, economic opportunity, disaster, displaced business consumer protection (meat, egg, poultry), occupational safety and health, and coal mine health and safety, and strategic arms limitation economic injury loans:

- (1) Chief and Assistant Chief, Regional Financing Division.
- (2) Supervisory Loan Officer, Regional Financing Division.
- (3) District Director.
- (4) Chief, District Financing Division.
- (5) Branch Manager, Gulfport, Miss., Branch Office.

(c) For business, economic opportunity, disaster, displaced business, consumer protection (meat, egg, poultry), coal mine health and safety and occupational safety and health, and strategic arms limitation economic injury loans personally approved under delegated authority:

- (1) Chief and Assistant Chief, Regional Financing Division.
- (2) Supervisory Loan Officer, Regional Financing Division.
- (3) District Director.
- (4) Chief, District Financing Division.
- (5) Branch Manager, Gulfport, Miss., Branch Office.

Effective date.—September 28, 1972.

WILEY S. MESSICK,
Regional Director,
Region IV.

[FR Doc. 73-9983 Filed 5-18-73; 8:45 am]

[Delegation of Authority No. 30—Amdt. 2]

REGION X

Delegation of Authority To Conduct Program Activities in Region X

Delegation of Authority No. 30, Region X (37 FR 17628) as amended (38 FR 2246) is hereby further amended by revising part IV, section D, paragraph 1, to add item c. This amendment extends authority to Chiefs, District Loan Administration Divisions, to take certain necessary actions in connection with the administration and management of 406 Contracts.

PART IV—LOAN ADMINISTRATION (LA) PROGRAM

Sec. D. Section 406 Contract Management Authority.

1. To take all necessary actions in connection with the administration and management of contracts, executed by the Associate Administrator for Financial Assistance under the authority granted in section 406 of the Economic Opportunity Act of 1964 as amended, except changes, amendments, modifications, or termination of the original contract:

- (a) Chief, Regional LA Division.
- (b) District Director.
- (c) Chief, District LA Division.

Effective date.—May 5, 1973.

DANIEL B. WARD,
Regional Director, Region X.

[FR Doc. 73-9984 Filed 5-18-73; 8:45 am]

TARIFF COMMISSION

CONSUMPTION OF KNIVES, FORKS, AND SPOONS WITH STAINLESS STEEL HANDLES

Notice of Report to the President

The U.S. Tariff Commission, on May 9, 1973, reported to the President its determination of the apparent United States consumption of knives, forks, and spoons with stainless steel handles for the calendar year 1972.

The Commission's report shows that consumption of knives, forks, and spoons with stainless steel handles amounted to 45,791,000 dozen pieces in 1972. Also shown in the report are data on domestic manufacturers' shipments of domestically produced articles, exports, and imports for each of the 2 most recent years.

The report is the second in a series of annual reports required pursuant to headnote 2(c) to part 2, subpart D of the appendix to the Tariff Schedules of the United States.

Copies of the report are available upon request as long as the limited supply lasts. Requests should be addressed to the Secretary, U.S. Tariff Commission, Eighth and E Street NW., Washington, D.C. 20436.

By order of the Commission,

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc. 73-10008 Filed 5-18-73; 8:45 am]

KNIVES, FORKS, AND SPOONS WITH STAINLESS STEEL HANDLES

Report to the President

MAY 9, 1973.

Pursuant to headnote 2(c) to part 2, subpart D of the Appendix to the Tariff Schedules of the United States, the U.S. Tariff Commission herein reports its determination of the apparent U.S. consumption of knives, forks, and spoons with stainless-steel handles for the calendar year 1972. The Commission has determined that apparent U.S. consumption of knives, forks, and spoons with stainless-steel handles was 45,790,827 dozen pieces in 1972.

The data for each of the components used in the computation of apparent annual consumption of knives, forks, and spoons with stainless-steel handles are shown in the table below.

KNIVES, FORKS, AND SPOONS WITH STAINLESS-STEEL HANDLES: SHIPMENTS BY U.S. MANUFACTURERS, U.S. EXPORTS, U.S. IMPORTS FOR CONSUMPTION, AND APPARENT U.S. CONSUMPTION 1972

[In thousands of dozen pieces]

Components	Quantity
Total shipments by U.S. manufacturers ¹	22,707
Exports	436
Imports for consumption	23,520
Apparent U.S. consumption ²	45,791

¹ Includes only shipments of domestically produced products.

² Total shipments by U.S. manufacturers, plus imports, minus exports.

Source: Shipments and exports as reported to the Tariff Commission by the domestic producers; imports compiled from official statistics of the Bureau of Customs.

By order of the Commission:

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc. 73-10009 Filed 5-18-73; 8:45 am]

DEPARTMENT OF LABOR

Office of the Secretary

CHICAGO, ILL., AND SIOUX CITY, IOWA, PLANTS OF ZENITH RADIO CORP.

Notice of Certification of Eligibility of Workers To Apply for Adjustment Assistance

Under date of March 29, 1973, the U.S. Tariff Commission made a report of the results of its investigation (TEA-W-177) under section 301(c)(2) of the Trade Expansion Act of 1962 (76 Stat. 884) in response to a petition for determination of eligibility to apply for adjustment assistance on behalf of workers formerly employed by Zenith Radio Corp. In this report, the Commission, found that articles like or directly competitive with radio receivers and radio-phonograph combination sets produced by the Zenith Radio Corp. are, as a result in major part of concessions granted under trade agreements, being imported into the United States in such increased quantities as to cause, or threaten to cause, the unemployment or underemployment of a significant number or proportion of the workers of such company or an appropriate subdivision thereof.

Upon receipt of the Tariff Commission's affirmative finding, the Department, through the Director of the Office of Foreign Economic Policy, Bureau of International Labor Affairs, instituted an investigation.

Following this, the Director made a recommendation to me relating to the matter of certification (Notice of Delegation of Authority and Notice of Investigation, 34 FR 18342; 37 FR 2472; 38 FR 9195; 29 CFR pt. 90). In the report she noted that concession generated U.S. imports as well as imports by the company of articles like or directly competitive with radio receivers produced at Chicago plant No. 2 and the Sioux City, Iowa plant, and radio-phonograph combination sets produced at Chicago plants No. 1 and No. 6 and the Sioux City plant increased substantially. As a result the company reduced domestic production of radio receivers and radio-phonograph combinations and employment levels of workers producing those articles declined. Unemployment and underemployment caused in major part by import competition began at Chicago plants No. 6 and No. 2 in September and October 1970, and at the Sioux City plant in November 1970. Production of radio-phonograph combinations was transferred from plant No. 6 to plant No. 1 in March 1972. Production of radio-phonograph combinations was terminated at the Sioux

City plant in May 1971, and production of radio receivers at that plant was terminated in December 1972. After due consideration I make the following certifications:

All hourly employees of Zenith Radio Corp.'s plant No. 1, Chicago, Ill., engaged in the production of radio-phonograph combinations in departments 526, assembly; 527, repair; 568, quality control; and radio-phonograph combination production support and subassembly personnel, who became unemployed or underemployed after February 28, 1972, are eligible to apply for adjustment assistance under title III, chapter 3, of the Trade Expansion Act of 1962.

All hourly employees of Zenith Radio Corp.'s plant No. 2, Chicago, Ill., engaged in the production of radio receivers in departments 145, cabinet assembly; 146, chassis assembly; 148, final test, balance and repair; and 149, final cabinet assembly, who became unemployed or underemployed after October 19, 1970, are eligible to apply for adjustment assistance under title III, chapter 3, of the Trade Expansion Act of 1962. All hourly employees of Zenith Radio Corp.'s plant No. 6, Chicago, Ill., engaged in the production of radio-phonograph combinations in departments 202, stereo peaking and balance; 203, radio balance; 204, chassis assembly; 226, final assembly; 233, final repair; and 236, material handling, who became unemployed or underemployed after September 7, 1970, and before March 27, 1972, are eligible to apply for adjustment assistance under title III, chapter 3, of the Trade Expansion Act of 1962.

All hourly employees of Zenith Radio Corp.'s plant No. 8, Sioux City, Iowa, engaged in the production of radio-phonograph combinations in department 821, chassis assembly; 825, inspection; 826, repair; and 834, final assembly, who became unemployed or underemployed after November 2, 1970, and before June 1, 1971, and employees engaged in the production of radio receivers in those departments who became unemployed or underemployed after November 2, 1970, and before January 1, 1973, are eligible to apply for adjustment assistance under title III, chapter 3, of the Trade Expansion Act of 1962.

Signed at Washington, D.C., this 14th day of May 1973.

JOEL SEGALL,
Deputy Under Secretary
for International Affairs.

[FR Doc.73-10022 Filed 5-18-73;8:45 am]

GENERAL INSTRUMENT CORP.; TAEWELL, VA., PLANT

Notice of Certification of Eligibility of Workers To Apply for Adjustment Assistance

Under date of February 9, 1973, the U.S. Tariff Commission made a report of the results of its investigation (TEA-W-166), under section 301(c)(2), of the Trade Expansion Act of 1962 (76 Stat. 884), in response to a petition for determination of eligibility to apply for adjustment assistance on behalf of the workers of the Tazewell, Va., plant of General Instrument Corp. In this report, the Commission, being equally divided, made no finding with respect to whether articles like or directly competitive with the aluminum electrolytic capacitors produced by the Tazewell, Va., plant of General Instrument Corp. are, as a result in major part of concessions granted under

trade agreements, being imported into the United States in such increased quantities as to cause, or threaten to cause, unemployment or underemployment of a significant number or proportion of workers of such firm, or an appropriate subdivision thereof. The President subsequently decided, under the authority of section 330(d)(1) of the Tariff Act of 1930, as amended, to consider the findings of those Commissioners who found in the affirmative as the finding of the Commission.

Upon receipt of the President's authorization, the Department, through the Director of the Office of Foreign Economic Policy, Bureau of International Labor Affairs, instituted an investigation.

Following this, the Director made a recommendation to me relating to the matter of certification (notice of delegation of authority and notice of investigation, 34 FR 18342; 37 FR 2472; 38 FR 10190; 29 CFR pt. 90). In the recommendation, she noted that imports of aluminum electrolytic capacitors from both foreign competitors and General Instrument, facilities abroad had increased in the years immediately prior to the Tazewell plant's closing. In 1971, production of aluminum electrolytic capacitors at the Tazewell plant declined to a 4-year low while imports of these items increased substantially over the prior year. This decline in production continued in 1972, until the plant closed in September. Layoffs of employees caused in major part by increased imports of aluminum electrolytic capacitors began in January 1971, and thereafter paralleled the downward trend in production. After due consideration I make the following certification:

All hourly and salaried employees of the Tazewell, Va., plant of General Instrument Corp., who became unemployed or underemployed after January 3, 1971, are eligible to apply for adjustment assistance under title III, chapter 3, of the Trade Expansion Act of 1962.

Signed at Washington, D.C. this 14th day of May 1973.

JOEL SEGALL,
Deputy Under Secretary,
International Affairs.

[FR Doc.73-10020 Filed 5-18-73;8:45 am]

H. H. SCOTT, INC., MAYNARD, MASS.

Investigation Regarding Certification of Eligibility of Workers To Apply for Adjustment Assistance

The Department of Labor, has received a Tariff Commission report containing an affirmative finding under section 301(c)(2), of the Trade Expansion Act of 1962, with respect to solid state radio receivers, radio phonograph combination sets, loudspeakers, and amplifiers in its investigation of a petition for determination of eligibility to apply for adjustment assistance filed on behalf of workers of H. H. Scott, Inc., Maynard, Mass. (TEA-W-189). In view of the report and responsibilities delegated to the Secretary of Labor under section 8 of Executive Order 11075 (28 FR 473), the Director, Office of Foreign Economic Pol-

icy, Bureau of International Labor Affairs, has instituted an investigation, as provided in 29 CFR 90.5 and this notice. The investigation relates to the determination of whether any of the group of workers covered by the Tariff Commission report should be certified as eligible to apply for adjustment assistance provided for under title III, chapter 3, of the Trade Expansion Act of 1962, including the determination of related subsidiary subjects and matters, such as the date unemployment or underemployment began or threatened to begin and the subdivision of the firm involved to be specified in any certification to be made, as more specifically provided in subpart B of 29 CFR pt. 90.

Interested persons should submit written data, views or arguments relating to the subjects of investigation to the Director, Office of Foreign Economic Policy, U.S. Department of Labor, Washington, D.C., on or before May 28, 1973.

Signed at Washington, D.C., this 14th day of May 1973.

GLORIA G. VERNON,
Director, Office of
Foreign Economic Policy.

[FR Doc.73-10019 Filed 5-18-73;8:45 am]

ROSE-BRO SHOE CO., INC., BOSTON, MASS.

Notice of Certification of Eligibility of Workers To Apply for Adjustment Assistance

Under date of February 23, 1973, the U.S. Tariff Commission made a report of the results of its investigation (TEA-W-168), under section 301(c)(2), of the Trade Expansion Act of 1962 (76 Stat. 884), in response to a petition for determination of eligibility to apply for adjustment assistance on behalf of the workers of Rose-Bro Shoe Co., Inc., Boston, Mass. In this report, the Commission, being equally divided, made no finding with respect to whether articles like or directly competitive with the footwear for women produced by the Rose-Bro Shoe Co., are, as a result in major part of concessions granted under trade agreements, being imported into the United States in such increased quantities as to cause, or threaten to cause unemployment or underemployment of a significant number or proportion of the workers of such firm, or an appropriate subdivision thereof. The President subsequently decided, under the authority of section 330(d)(1), of the Tariff Act of 1930, as amended, to consider the findings of those Commissioners who found in the affirmative as the finding of the Commission.

Upon receipt of the President's authorization, the Department through the Director of the Office of Foreign Economic Policy, Bureau of International Labor Affairs instituted an investigation.

Following this, the Director made a recommendation to me relating to the matter of certification (notice of delegation of authority and notice of investigation, 34 FR 18342; 37 FR 2472; 38

FR 10190; 29 CFR pt. 90). In the recommendation she noted that imports like or directly competitive with women's footwear produced by Rose-Bro Shoe Co. increased substantially while the company's production and employment declined. In 1971, the introduction of new styles attracted new customers resulting in increased production and a sharp increase in employment. Employment peaked in February 1972 at a level higher than in any of the previous 23 months. These gains were short-lived. Sales and production began to decline from February's high level of activity as concession-generated imports gained an increasingly greater share of Rose-Bro's markets. In February 1972 the company initiated permanent reductions in its labor force, and finally ceased manufacturing on September 29, 1972. After due consideration I make the following certification:

All hourly and piecework employees of Rose-Bro Shoe Co., Inc., Boston, Mass., who became unemployed or underemployed after February 4, 1972, are eligible to apply for adjustment assistance under title III, chapter 3, of the Trade Expansion Act of 1962.

Signed at Washington, D.C., this 14th day of May 1973.

JOEL SEGALL,
Deputy Under Secretary,
International Affairs.

[FR Doc.73-10021 Filed 5-18-73; 8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 246]

Assignment of Hearings

MAY 16, 1973.

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 69633 sub 105, Associated Truck Lines, Inc., now assigned June 4, 1973, at Columbus, Ohio, will be held in hearing room 2, Public Utilities Commission of Ohio, 111 North High Street.

MC-500 sub 5, Rudie Wilhelm Warehouse Co., doing business as Wilhelm Trucking Co., MC-1872 sub 80, Ashworth Transfer, Inc., MC-83539 sub 365, C & H Transportation Co., Inc., MC-125433 sub 45, P-B Truck Line Co., now being assigned hearing June 18, 1973 (1 week), at Portland, Ore., in a hearing room to be later designated. MC 31389 sub 151, McLean Trucking Co., continued to June 26, 1973, at the offices of the Interstate Commerce Commission, Washington, D.C.

MC-126034 subs 1, 3, and 4, Bucks County Construction Co., now assigned May 29, 1973, at Philadelphia, Pa., is postponed indefinitely.

MC 138070, A. T. D. Trucking Corp., now assigned June 6, 1973, at New York, N.Y., will be held at 208 Tax Court, 26 Federal Plaza.

MC-C-7840, The Millenbourg Tours, Inc. v. Lillian Hofmeister, now assigned June 5, 1973, at Baltimore, Md., will be held in room G30A, Federal Building, Charles Center, 31 Hopkins Plaza.

MC 134765 sub 8, Specialty Transport, Inc., now assigned June 4, 1973, MC 55898 sub 48, Harry A. Decato, doing business as Decato Bros. Trucking Co., now assigned June 5, 1973, and MC-FC-73286, L & V Trucking Co., Inc., transferee, and S & H Transfer, Inc., transferor, now assigned June 7, 1973, at Boston, Mass., will be held on the fifth floor, 150 Causeway Street.

MC 107295 sub 634, Pre-Fab Transit Co., now assigned June 6, 1973, at Kansas City, Mo., is canceled and application is dismissed.

MC-109098 sub 2, Fogg's Daily Service, now assigned May 31, 1973, at Philadelphia, Pa., is postponed indefinitely.

MC 78276 sub 6, Mazzeo & Sons Express, now assigned June 6, 1973, at Miami, Fla., will be held in room 717, Federal Building, 51 Southwest First Avenue.

FD 27345, Chicago, Milwaukee, St. Paul & Pacific Railroad Co. Discontinuance of passenger trains Nos. 118, 119, 601, 605, 604, and 610 between Fox Lake, Ill., and Walworth, Wis., now being assigned hearing June 25, 1973 (2 days), at Chicago, Ill., June 27, 1973 (1 day), at Fox Lake, Ill., and June 27, 1973, at 8 p.m., at Walworth, Wis., in hearing rooms to be later designated.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-10046 Filed 5-18-73; 8:45 am]

[Notice 278]

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 pt. 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 on or before June 11, 1973. 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-74251¹ (corrected). By order entered April 12, 1973, the Motor

¹ Corrected to reflect the inclusion of the operating rights set forth in certificate No. MC-109417 (sub-No. 1) as approved for transfer.

Carrier Board approved the transfer to Ohio Valley Charter Service, Inc., East Liverpool, Ohio, of the operating rights set forth in certificates Nos. MC-109417 (sub-No. 1) and MC-109417 (sub-No. 2), issued April 30, 1968, and April 1, 1971, respectively, to John W. Young, doing business as Inter-City Transit and Ohio Valley Charter Service, East Liverpool, Ohio, authorizing the transportation of passengers and their baggage and express in the same vehicle with passengers, between specified points in Ohio and West Virginia; passengers and their baggage, in round-trip charter service, beginning and ending at points in Columbiana and Mahoning Counties (except Youngstown), Ohio, and extending to points in Pennsylvania, Maryland, West Virginia, Virginia, Michigan, New York, Florida, and the District of Columbia; passengers and their baggage in the same vehicle in special operations, in round-trip sightseeing and pleasure tours, beginning and ending at points in Carroll, Jefferson, and Mahoning Counties, Ohio, and Hancock County, W. Va., and extending to points in the United States; and passengers and their baggage in the same vehicle, in round-trip charter service, beginning and ending at points in Carroll, Jefferson, and Mahoning Counties, Ohio, and Hancock County, W. Va., and extending to points in the United States. James R. Allison, 25 East Rebecca Street, East Palestine, Ohio, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-10050 Filed 5-18-73; 8:45 am]

[Notice 64]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 14, 1973.

The following are notices of filing of application, 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, for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of *Ex parte MC-67* (49 CFR pt. 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, on or before June 5, 1973. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

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

MOTOR CARRIERS OF PROPERTY

No. MC 19778 (sub-No. 85 TA), filed May 4, 1973. Applicant: MILWAUKEE MOTOR TRANSPORTATION CO., 516 West Jackson Boulevard, room 508, Chicago, Ill. 60606. Applicant's representative: W. E. Gallagher (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except class A and B explosives), between Billings, Mont., on the one hand, and, on the other, Roundup, Mont., restricted to traffic having a prior or subsequent movement by rail, for 180 days. Supporting shipper: Chicago, Milwaukee, St. Paul, and Pacific Railroad Co., 516 West Jackson Boulevard, Chicago, Ill. 60606. Send protests to: William J. Gray, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, 219 South Dearborn Street, room 1086, Chicago, Ill. 60604.

No. MC 74321 (sub-No. 78 TA), filed May 3, 1973. Applicant: B. F. WALKER, INC., 850 17th Street, Denver, Colo. 80202. Applicant's representative: Richard P. Kissinger (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Parts and accessories* used in the assembly and construction of electrical substations, *circuit breakers and switches*, from all points in the United States (except Alaska, Hawaii, Idaho, Nevada, Utah, Montana, and Wyoming), to Springdale, Ark., for 180 days. Supporting shipper: Electrical Division, H. K. Porter Co., Springdale, Ark. Send protests to: District Supervisor Roger L. Buchanan, Bureau of Operations, Interstate Commerce Commission, 2022 Federal Building, 1961 Stout Street, Denver, Colo. 80202.

No. MC 98154 (sub-No. 12 TA), filed May 3, 1973. Applicant: BRUCE CARTAGE, INC., 3460 East Washington Avenue, Saginaw, Mich. 48601. Applicant's representative: Karl L. Gotting, 1200 Bank of Lansing Building, Lansing, Mich. 48933. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt with by retail department stores*, between Saginaw, Mich., and Grand Rapids, Mich., on the one hand, and, on the other, J. C. Penney Co., Inc. stores and warehouses located at points in Michigan, south of a line beginning at Lake Michigan and extending east along the north boundary of Manistee, Wexford and Missaukee Counties, thence south along the east boundary of Missaukee County, to the north boundary of Clare County, thence east along the north boundary of Clare County and the north boundary of Gladwin County to the east boundary of Gladwin County, thence south along the east boundary of Gladwin County, and Midland County, to a point due west of Kawkawlin, Mich., thence east along an imaginary line drawn east and west through Kawkawlin, Mich., to Saginaw Bay, for 150 days. Restriction: The operations authorized herein are subject to the

following conditions: Said operations are restricted against the transportation of traffic to or from stores and warehouses located in Monroe, Washenaw, Oakland, Macomb, St. Clair, and Wayne Counties, Mich., and said operations are restricted to the transportation of traffic originating at Ridgefield, N.J.

NOTE.—Applicant has authority to transport the commodities requested herein except that the same is restricted against transportation of articles weighing in the aggregate more than 500 pounds from one consignee at one location to one consignee at one location on any one day, except traffic moving from Wauwatosa, Wis.; Secaucus and Jersey City, N.J., and Statesville, N.C. which is not subject to said restriction. The purpose of this application is to eliminate such restriction insofar as shipments are made to stores and warehouses of J. C. Penney Company, Inc., from the point of Ridgefield, N.J.

Supporting shipper: W. E. Hertwig, traffic specialist, J. C. Jenney Co., Inc., 1301 Avenue of the Americas, New York, N.Y. 10019. Send protests to: C. R. Fleming, District Supervisor, Bureau of Operations, Interstate Commerce Commission, room 225, Federal Building, Lansing, Mich. 48933.

No. MC 107496 (sub-No. 889 TA), filed April 30, 1973. Applicant: RUAN TRANSPORT CORP., P.O. Box 855, Third and Keosauqua Way, Des Moines, Iowa 50209. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sodium sulfate*, in bulk, in tank vehicles, from Danville, Ill., to points in Wisconsin, Missouri, Kentucky, and Indiana, for 150 days. Supporting shipper: Tee-Pak, Inc., 2 North Riverside Plaza, Chicago, Ill. 60606. Send protests to: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 107678 (sub-No. 51 TA), filed May 3, 1973. Applicant: HILL & HILL TRUCK LINE, INC., Mail: P.O. Box 9698, 14942 Talcott Street, Houston, Tex. 77015. Applicant's representative: Jay W. Elston, Bank of the Southwest Building, Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bentonite clay; foundry molding sand treating compounds; foundation water impedance boards; lignite coal*, treated and untreated, from the plant-sites of American Colloid Co. at or near Gascoyne, N. Dak.; Belle Fourche, S. Dak.; Upton and Lovell, Wyo., to points in Arkansas, Colorado, Louisiana, New Mexico, Oklahoma, and Texas, for 180 days. Supporting shipper: American Colloid Co., 5100 Suffolk Court, Skokie, Ill. 70076. Send protests to: John S. Redus, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 61212, Houston, Tex. 77061.

No. MC 108449 (sub-No. 354 TA), filed May 4, 1973. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road "C," St. Paul, Minn. 55113. Appli-

cant's representative: W. A. Myllenbeck (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Mankato, Minn., to Sioux Falls, S. Dak., for 180 days. Supporting shipper: Fisca Oil Co., Inc., P.O. Box 3363, Kansas City, Kans. 66103. Send protests to: District Supervisor Raymond T. Jones, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building, 110 South 4th Street, Minneapolis, Minn. 55401.

No. MC 114274 (sub-No. 21 TA), filed April 27, 1973. Applicant: VITALIS TRUCK LINES, INC., 137 Northeast 48th Street Place, mailing: P.O. Box 1703, (box zip 50306), Des Moines, Iowa 50313. Applicant's representative: William H. Towle, 127 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from Iowa City, Iowa, to points in Kansas, and Missouri, for 180 days. Restricted to traffic originating at the facilities of Heinz, U.S.A., Division of H. J. Heinz Co. at Iowa City, Iowa, and destined to points in the named destination States. Supporting shipper: Heinz, U.S.A., Division of H. J. Heinz Co., P.O. Box 57, Pittsburgh, Pa. 15230. Send protests to: Herber W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 116077 (sub-No. 340 TA), filed May 2, 1973. Applicant: ROBERTSON TANK LINES, INC., 2000 West Loop South, suite 1800, Houston, Tex. 77027. Applicant's representative: J. C. Browder (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ground clay*, in bulk, in tank vehicles, from the plantsite of Morton Chemical Co., Weeks, La., to the plantsite of Humko Products, Memphis, Tenn., for 180 days. Supporting shipper: Morton Chemical Co., 110 North Wacker Drive, Chicago, Ill. 60606. Send protests to: John C. Redus, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 61212, Houston, Tex. 77061.

No. MC 119789 (sub-No. 158 TA), filed May 4, 1973. Applicant: CARAVAN REFRIGERATED CARGO, INC., 1612 Irving Boulevard, P.O. Box 6188, Dallas, Tex. 75222. Applicant's representative: James N. Weatherly (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in containers (except frozen foods, meats, meat products, meat by-products, dairy products, salad dressing, yeast, and uncooked bakery goods, and commodities in bulk) from Avery Island, La., to points in California, for 180 days. Restricted to the transportation of traffic originating at Avery Island, La.

NOTE.—Carrier does not intend to seek authority.

Supporting shipper: McIlhenny Co., Avery Island, La. 70513. Send protests to: E. K. Willis, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Commerce Street, room 13C12, Dallas, Tex. 75202.

No. MC 119789 (sub-No. 159 TA), filed May 4, 1973. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, 1612 E. Irving Boulevard, Dallas, Tex. 75222. Applicant's representative: James N. Weatherly (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Synthetic fabric and synthetic yarn*, from Waynesboro, Va., to points in Arizona, California, Oklahoma, and Libertyville, Ill. and Milwaukee, Wis., for 180 days.

NOTE.—Carrier does not intend to tack authority.

Supporting shipper: Thiokol Fibers Division, Box 460, Waynesboro, Va. 22980. Send protests to: E. K. Willis, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Commerce Street, room 13C12, Dallas, Tex. 75202.

No. MC 123805 (sub-No. 10 TA), filed May 3, 1973. Applicant: G. H. LOMAX, Rural Route No. 1, 1519 Wellman, Hannibal, Mo. 63401. Applicant's representative: Thomas P. Rose, Jefferson Building, Jefferson City, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Crushed stone*, including agricultural limestone, but excluding mineral filler, in bulk, in dump vehicles, from points in Pike County, Mo., to points in Fulton County, Ill., for 180 days. Supporting shipper: Wayne B. Smith, Inc., Louisiana, Mo. 63353. Send protests to: Vernon V. Coble, District Supervisor, Bureau of Operations, 600 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 124078 (sub-No. 546 TA), filed May 4, 1973. Applicant: SCHWERTMAN TRUCKING CO., 611 South 28th Street, Milwaukee, Wis. 53215. Applicant's representative: Richard H. Prevette (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sand*, in bulk, from Lipe, Tenn., to Mineral Wells and Jackson, Miss., for 180 days. Supporting shipper: Hardy Sand Co., P.O. Box 629, Evansville, Ind. 47701 (Harry P. Hardy, Partner). Send protests to: District Supervisor John E. Ryden, Bureau of Operations, Interstate Commerce Commission, 135 West Wells Street, room 807, Milwaukee, Wis. 53203.

No. MC 133119 (sub-No. 18 TA), filed May 4, 1973. Applicant: HEYL TRUCK LINES, INC., 235 Mill Street, P.O. Box 206, Akron, Iowa 51001. Applicant's representative: A. J. Swanson, 521 South 14th Street, Box 80806, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fresh meats*, from Plainview, Tex., to ports of entry on the International Boundary

line, between the United States and Canada located in the State of New York, for 180 days. Supporting shipper: Missouri Beef Packers, Inc., 630 Amarillo Building, Amarillo, Tex. 79101. Send protests to: Carroll Russell, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 711 Federal Office Building, Omaha, Nebr. 68102.

NOTE.—Until corresponding Canadian authority is obtained, applicant intends to interline at the International Boundary line for furtherance into Canada.

No. MC 134806 (sub-No. 12 TA), filed May 4, 1973. Applicant: B-D-R TRANSPORT, INC., P.O. Box 813, Brattleboro, Vt. 05301. Applicant's representative: Francis J. Ortman, 1100 17th St. NW., Suite 613, Washington, D.C. 20036. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Footwear and such commodities* as are dealt in by retailers of skiing equipment and tennis equipment, between the plantsite and warehouse facilities of Head Ski Division of AMF, Inc., in Boulder County, Colo., on the one hand, and, on the other hand, Salt Lake City, Utah; Reno, Nev.; Buffalo, N.Y.; Springfield, Mass. and Taicottville, Conn., under contract with Head Ski Division of AMF, Inc., for 180 days. Supporting shipper: Head Ski Division, AMF, Inc., 4801 North 63d Street, Boulder, Colo. 80301. Send protests to: District Supervisor Martin P. Monaghan, Jr., Interstate Commerce Commission, Bureau of Operations, 52 State Street, room 5, Montpelier, Vt. 05602.

No. MC 135007 (sub-No. 30 TA), filed May 4, 1973. Applicant: AMERICAN TRANSPORT, INC., P.O. Box 37406, Millard, Nebr. 68137 and Office: 7850 F Street, Omaha, Nebr. 68127. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, P.O. Box 80806, Lincoln, Nebr. 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Floor covering, floor tile and rugs*, from a point at or near Merced, Calif., to points in Washington, Oregon, Nevada, Idaho, Arizona, Montana, Wyoming, Colorado, New Mexico, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Iowa, Missouri, Arkansas, and Louisiana, under continuing contract with William Volker & Co., for 180 days. Supporting shipper: William Volker & Co., 945 California Drive, P.O. Box 529, Burlingame, Calif. 94010. Send protests to: Carroll Russell, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 711 Federal Office Building, Omaha, Nebr. 68102.

No. MC 135007 (sub-No. 31 TA), filed May 4, 1973. Applicant: AMERICAN TRANSPORT, INC., P.O. Box 37406, Millard, Nebr. 68137 and Office: 7850 F Street, Omaha, Nebr. 68127. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, Box 80806, Lincoln, Nebr. 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *New finished furniture*, from San Marcos and Taylor, Tex., to points in

Washington, Oregon, California, Idaho, Utah, Nevada, Arizona, Montana, Wyoming, New Mexico, North Dakota, and South Dakota, under continuing contract with William Volker & Co., for 180 days. Supporting shipper: William Volker & Co., 945 California Drive, P.O. Box 529, Burlingame, Calif. 94010. Send protests to: Carroll Russell, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 711 Federal Office Building, Omaha, Nebr. 68102.

No. MC 135007 (sub-No. 32 TA), filed May 4, 1973. Applicant: AMERICAN TRANSPORT, INC., P.O. Box 37406, Millard, Nebr. 68137 and Office: 7850 F Street, Omaha, Nebr. 68127. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, Box 80806, Lincoln, Nebr. 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Window shades, shutters, slats, rollers, roller fixtures, and equipment, materials and supplies* used in the manufacture and installation of the above-named commodities (except in bulk), from Ogdensburg, N.Y. and Chicago, Ill., to points in Oregon, Washington, Texas, California, Nebraska, Missouri, Colorado, and Utah, under continuing contract with William Volker & Co., for 180 days. Supporting shipper: William Volker & Co., 945 California Drive, P.O. Box 529, Burlingame, Calif. 94010. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 711 Federal Office Building, Omaha, Nebr. 68102.

No. MC 135696 (sub-No. 2 TA), filed April 9, 1973. Applicant: LAKE PORT TRUCKING AND LEASING INC., Martin-Williston Road, Genoa, Ohio 43430. Applicant's representative: A. Charles Tell, Columbus Center, 100 E. Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, from North Baltimore, Ohio, to points in Michigan, Indiana, Kentucky, Pennsylvania, Illinois, New York, Wisconsin, and West Virginia, for 180 days. Supporting shipper: Industrial Molasses Corp., 6800 France Avenue South, Minneapolis, Minn. 55435. Send protests to: District Supervisor Keith D. Warner, Bureau of Operations, Interstate Commerce Commission, 313 Federal Office Building, 234 Summit Street, Toledo, Ohio 43604.

No. MC 135760 (sub-No. 11 TA), filed May 1, 1973. Applicant: COAST REFRIGERATED TRUCKING CO. INC., P.O. Box 188, Holly Ridge, N.C. 28445. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Pork products*, in vehicles equipped with mechanical refrigeration, from Detroit, Mich., to points in California and Washington, for the account of Frederick & Herrud, Inc., Detroit, Mich., for 180 days. Supporting shipper: Frederick & Herrud,

Inc., 1487 Farnsworth, Detroit, Mich. 48211. Send protests to: Archie W. Andrews, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 26896, Raleigh, N.C. 27611.

No. MC 138679 TA, filed May 4, 1973. Applicant: DENNIS BRATSCH, doing business as BRATSCH TRUCKING, Route 1, Olivia, Minn. 56277. Applicant's representative: F. H. Kroeger, 2288 University Avenue, St. Paul, Minn. 55114. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Milwaukee, Wis., to Olivia, Minn., for 180 days. Supporting shipper: Olivia Bottling Co., Olivia, Minn. Send protests to: District Supervisor A. N. Spath, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 138680 TA, filed May 4, 1973. Applicant: JOHN S. HEROLD, doing business as GRANITE CITY MOVING & STORAGE, 2229 Highway 152, St. Cloud, Minn. 56301. Applicant's representative: John S. Herold (same address as above). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Military household goods and personal effects*, between points in Big Stone, Chippewa, Douglas, Grant, Lac qui Parle, Pope, Stevens, Swift, Traverse, Yellow Medicine, Benton, Isanti, Kandiyohi, Meeker, McLeod, Sherburne, Stearns, and Wright Counties, Minn., for 180 days. Supporting shipper: Department of the Army (Department of Defense). Send protests to: District Supervisor A. N. Spath, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building, 110 South Fourth Street, Minneapolis, Minn. 55401.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.
[FR Doc. 73-10051 Filed 5-18-73; 8:45 am]

[Notice 65]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 15, 1973.

The following are notices of filing of application, 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, 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 pt. 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, on or before June 5, 1973. One copy of such protests must be served on the applicant, or its authorized representative, if any, and

the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

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

MOTOR CARRIERS OF PROPERTY

No. MC 263 (sub-No. 207 TA), filed May 1, 1973. Applicant: GARRETT FREIGHTLINES, INC., 2055 Garrett Way, P.O. Box 4048, Pocatello, Idaho 83201. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Monticello, Utah, and Phoenix, Ariz., serving no intermediate points: from Monticello over U.S. Highway 163 to Junction U.S. Highway 160 at Kayenta, Ariz., thence over U.S. Highway 160 to Junction U.S. Highway 89, thence over U.S. Highway 89 to Junction Interstate Highway 17, thence over Interstate Highway 17 to Phoenix, and return over the same route; (2) between Junction U.S. Highways 160 and 666 (south of Cortez, Colo.) and Kayenta, Ariz., serving no intermediate points, with service at Kayenta for joinder only: from Junction U.S. Highways 160 and 666 (south of Cortez, Colo.) over U.S. Highway 160 to Junction U.S. Highway 163 at Kayenta, Ariz., and return over the same route, for 180 days.

NOTE—Applicant does intend to tack authority and interline with other carriers. Applicant also intends to tack with MC-263 and outstanding sub numbers and to interline at Phoenix, Ariz.

Supporting shippers: There are approximately 141 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: District Supervisor C. W. Campbell, Interstate Commerce Commission, Bureau of Operations, 550 West Fort, Box 07, room 455, Boise, Idaho.

No. MC 52861 (sub-No. 29 TA), filed May 7, 1973. Applicant: WILLS TRUCKING, INC., 2535 Center Street, Cleveland, Ohio 44113. Applicant's representative: Paul F. Berry, 88 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Pig iron*, from the plant site of the Hanna Furnace Corp. at Detroit, Mich., to points in Ohio, for 180 days. Supporting shipper: The Hanna Furnace Corp., subsidiary of National Steel Corp., Ecorse, Detroit, Mich. 48229. Send protests to: Franklin D. Bail, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Building, 1240 East Ninth Street, Cleveland, Ohio 44199.

No. MC 106497 (sub-No. 77 TA), filed May 7, 1973. Applicant: PARKHILL TRUCK CO., a corporation, P.O. Box 912, Joplin, Mo. 64801 and Office: Bus Loop I-44 East. Applicant's representative: A. N. Jacobs, P.O. Box 113, Joplin, Mo. 64801. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Building panels*, from plant site of Star Manufacturing Co. in Oklahoma City, Okla., to all points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Star Manufacturing Co., 8600 South Interstate 35, Oklahoma City, Okla. 73109. Send protests to: John V. Barry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 600 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 113908 (sub-No. 266 TA), filed May 7, 1973. Applicant: ERICKSON TRANSPORT CORP., P.O. Box 3180, Glenstone Station, 2105 East Dale Street, Springfield, Mo. 65804. Applicant's representative: B. B. Whitehead (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Wine and beverage spirits*, in bulk, in tank and/or hopper vehicles, from Lake Alfred, Fla., to Port Sulfur and New Orleans, La., for 180 days. Supporting shipper: Florida Distillers Co., 530 Dakota Avenue, Lake Alfred, Fla. 33850. Send protests to: John V. Barry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 600 Federal Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 114211 (sub-No. 197 TA), filed May 7, 1973. Applicant: WARREN TRANSPORT, INC., 324 Manhard Street, P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Robert J. Molinaro (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Tractors* (except those with vehicle beds, bed frames, or fifth wheels), (2) *Agricultural, industrial and construction machinery and equipment*, (3) *Attachments*, (4) *Engines*, (5) *equipment* designed to be used in conjunction with the above-described commodities, and (6) *Parts and castings*, from Charles City, Iowa, to ports of entry located at Detroit and Port Huron, Mich., for 180 days. Supporting shipper: White Farm Equipment Co., White Motor Corp., 300 Lawler Street, Charles City, Iowa 50616. Send protests to: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 117799 (sub-No. 53 TA), filed May 7, 1973. Applicant: BEST WAY FROZEN EXPRESS, INC., room 205, 3033 Excelsior Boulevard, Minneapolis, Minn. 55416. Applicant's representative: Ken O. Petrick (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Bananas*, from Tampa, Fla., to Los Angeles, Calif., for 180 days. Supporting shipper: Turbana

Banana Corp., Coral Gables, Fla. 33134. Send protests to: District Supervisor A. N. Spath, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 115695 (sub-No. 4 TA), filed May 2, 1973. Applicant: SOUTHEAST TRANSPORT CORP., P.O. Box 13662, Savannah, Ga. 31406. Applicant's representative: Virgil H. Smith, Suite 12, 1587 Phoenix Boulevard, Atlanta, Ga. 30349. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron or steel articles*, from the plantsite and warehouse of Valiant Steel & Equipment, Inc., Chatham County, Ga., to points in Alabama, Florida, North Carolina, South Carolina, Tennessee, and Virginia, for 180 days. Supporting shipper: Valiant Steel & Equipment, Inc., P.O. Box 17598, Atlanta, Ga. 30316. Send protests to: District Supervisor G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC 118989 (sub-No. 96 TA), filed May 7, 1973. Applicant: CONTAINER TRANSIT, INC., 5223 South Ninth Street, Milwaukee, Wis. 53221. Applicant's representative: Robert H. Levy, 29 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Plastic drum inserts* from the plant or warehouse facilities of Container Corp. of America at or near Addison, Ill., to Van Wert, Ohio and (2) *Containers, container ends, parts and accessories* for containers and fibre cores and tubes, from the plant and warehouse facilities of Continental Can Co., Inc., at or near Van Wert, Ohio, to points in Illinois, Indiana, Michigan, Kentucky, Missouri, Pennsylvania, West Virginia, and Wisconsin, for 180 days. Supporting shippers: Container Corp. of America, 500 East North Avenue, Carol Stream, Ill. (James Raudenbush, Central Traffic Manager) and Continental Can Co., Inc., 150 South Wacker Drive, Chicago, Ill. 60056 (David G. Kelly, Central Region Traffic Manager). Send protests to: District Supervisor John E. Ryden, Bureau of Operations, Interstate Commerce Commission, 135 West Wells Street, room 807, Milwaukee, Wis. 53203.

No. MC 134262 (sub-No. 5 TA), filed May 7, 1973. Applicant: FARMERS FEED & SUPPLY TRANSPORTATION, INC., Boyden, Iowa 51234. Applicant's representative: Patrick E. Quinn, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Dry fertilizers*, in bag or in bulk (except in tank vehicles), (A) from the plantsite of Anvil Mineral Co. at or near Bay Springs, Miss., and (B) from the plantsite of International Soil Conditioner Corp. at or near Caldwell, Tex., to points in South Dakota, Nebraska, Iowa, Minnesota, Kansas, and Wisconsin, for 180 days. Restriction: Restricted to a transportation service to be performed under a continuing contract

or contracts with Farmers Feed & Supply, Inc. Supporting shipper: Farmers Feed & Supply, Inc., Boyden, Iowa 51234. Send protests to: Carroll Russell, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 711 Federal Office Building, Omaha, Nebr. 68102.

No. MC 135643 (sub-No. 5 TA), filed March 22, 1973. Applicant: SAFE TRANSPORT, INC., 610 Cooper Street, Hamilton, Ill. 62341. Applicant's representative: Robert Lawley, 4 West Old State Capitol Plaza, Springfield, Ill. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Rough-sawn cooperage stock, barrel staves and heading*, from Pinckneyville, Ill., to Louisville, Ky., for the account of Blue Grass Cooperage Co., a division of Brown-Forman Distillers Corp., for 180 days. Supporting shipper: Wayne S. Franklin, Director of Traffic, Brown-Forman Distillers Corp., P.O. Box 1089, Louisville, Ky. 40201. Send protests to: District Supervisor Richard K. Shullaw, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 South Dearborn Street, room 1086, Chicago, Ill. 60604.

No. MC 136640 (sub-No. 2 TA), filed May 7, 1973. Applicant: R. ALLEN TRANSPORT, P.O. Box 321, Pocomoke City, Md. 21851. Applicant's representative: S. Michael Richards, P.O. Box 225, Webster, N.Y. 14580. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Frozen onion rings* when moving in mixed shipments with agricultural commodities otherwise exempt from economic regulations under section 203(B) (6) of the act, from Boston, Mass., to New Orleans, La.; Memphis, Tenn.; Birmingham, Montgomery and Florence, Ala.; Jacksonville, Fla. and Little Rock, Ark., for 180 days. Supporting shipper: Boston Bonnie, Inc., Trilling Way, Boston, Mass. 02210. Send protests to: Robert D. Caldwell, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 12th Street and Constitution Avenue, NW., Washington, D.C. 20423.

No. MC 136885 TA, filed May 7, 1973. Applicant: DOUELL TRUCKING CO., P.O. Box 842, San Jose, Calif. 95106. Applicant's representative: Raymond A. Greene, Jr., 100 Pine Street, San Francisco, Calif. 94111. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *General commodities*, from points in California, to the Mescalero Indian Reservation, Mescalero, N. Mex., for 180 days. Supporting shipper: The Mescalero Apache Tribe, Mescalero, N. Mex. Send protests to: District Supervisor Claud W. Reeves, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Ave., Box 36004, San Francisco, Calif. 94102.

No. MC 136888 TA, filed May 7, 1973. Applicant: MIKE H. LANDOLT, doing business as MIKE LANDOLT TRUCKING, 5805 SW. Tucker Avenue, Beaver-

ton, Ore. 97005. Applicant's representative: William G. Southwell, 2400 SW. Fourth Avenue, Portland, Ore. 97201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sand, gravel, and crushed rock*, between points in Clark County, Wash., on the one hand, and, on the other, points in Multnomah, Clackamas and Washington Counties, Ore., for 180 days. Supporting shipper: Pacific Building Materials, 3510 SW. Bond Avenue, Portland, Ore. 97201. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 450 Multnomah Building, 319 SW. Pine Street, Portland, Ore.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-10052 Filed 5-18-73;8:45 am]

[Notice 276]

MOTOR CARRIER TRANSFER PROCEEDINGS

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-FC-74463. By application filed May 9, 1973. ARROW BUS COMPANY, INC., 52 East 11th Street, Clifton, N.J., seeks temporary authority to lease the operating rights of LOUISE TRAVERS, doing business as BURLINGTON TOURS, P.O. Box 205, Park Station, Paterson, N.J., under section 210a(b). The transfer to ARROW BUS COMPANY, INC., of the operating rights of LOUISE TRAVERS, doing business as BURLINGTON TOURS, is presently pending.

Dated May 16, 1973.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-10048 Filed 5-18-73;8:45 am]

MOTOR CARRIER TRANSFER PROCEEDINGS

[Notice 275]

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-FC-74462. By application filed April 26, 1973. (Correction) (HUNTER TRUCK LINES, INC., seeks temporary authority to lease the operating rights of FREILER INDUSTRIES, INC.), published in the May 7, 1973, issue of the FEDERAL REGISTER. Prior notice should be modified to read as follows: FREILER INDUSTRIES, INC., P.O. Box 636, Amite, La. 70422, seeks temporary authority to lease the operating rights of HUNTER TRUCK LINES, INC., 201 W. Pine St., Ponchatoula, La. 70454, under section 210a(b). The transfer to FREILER

TRUCK LINES, INC., of the operating rights of HUNTER TRUCK LINES, INC., is presently pending.

Dated May 16, 1973.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-10047 Filed 5-18-73;8:45 am]

[Notice 277]

MOTOR CARRIER TRANSFER PROCEEDINGS

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-FC-74481. By application filed May 9, 1973, WESTCHESTER AND NEW JERSEY TRANSPORTATION CO., INC., 170 Fordham Drive, Matawan, N.J. 07747, seeks temporary authority to lease the operating rights of LECON TRANS., INC., Johnson Avenue, Jersey City, N.J., under section 210a(b). The transfer to WESTCHESTER AND NEW JERSEY

TRANSPORTATION CO., INC., of the operating rights of LECON TRANS., INC., is presently pending.

Dated May 16, 1973.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-10049 Filed 5-18-73;8:45 am]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

ORGANIZATION FOR ECONOMIC COOP- ERATION AND DEVELOPMENT, PETRO- LEUM ADVISORY COMMITTEE

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770) notice is hereby given that the Petroleum Advisory Committee of the Organization for Economic Cooperation and Development will meet at 9:30 a.m., on May 22, 1973, in room 5061, Department of the Interior, Washington, D.C.

The Petroleum Advisory Committee of the OECD was formally established in October 1962 (USDI Departmental Manual 521 DM1), in order that the Department of the Interior, the Department of State, and the U.S. delegate to the OECD Oil Committee might obtain the views of the oil industry.

The purpose of the meeting is to provide advice on the international aspects of the oil industry to the U.S. delegate to the Special Committee for Oil of the OECD and to consider preparation of U.S. positions in connection with a meeting of the Oil Committee to be held in Paris on June 13-14, 1973.

Discussions at the meeting will involve matters relating to foreign policy and, pursuant to the provisions of section 10(d) of Public Law 92-463, I determine that the discussions of the Advisory Committee will be concerned with matters listed in 5 U.S.C. 552(b) and that the meeting be closed to the public.

JOHN B. RIGG,
Deputy Assistant Secretary-
Energy and Minerals.

MAY 15, 1973.

[FR Doc.73-10235 Filed 5-18-73;11:42 am]

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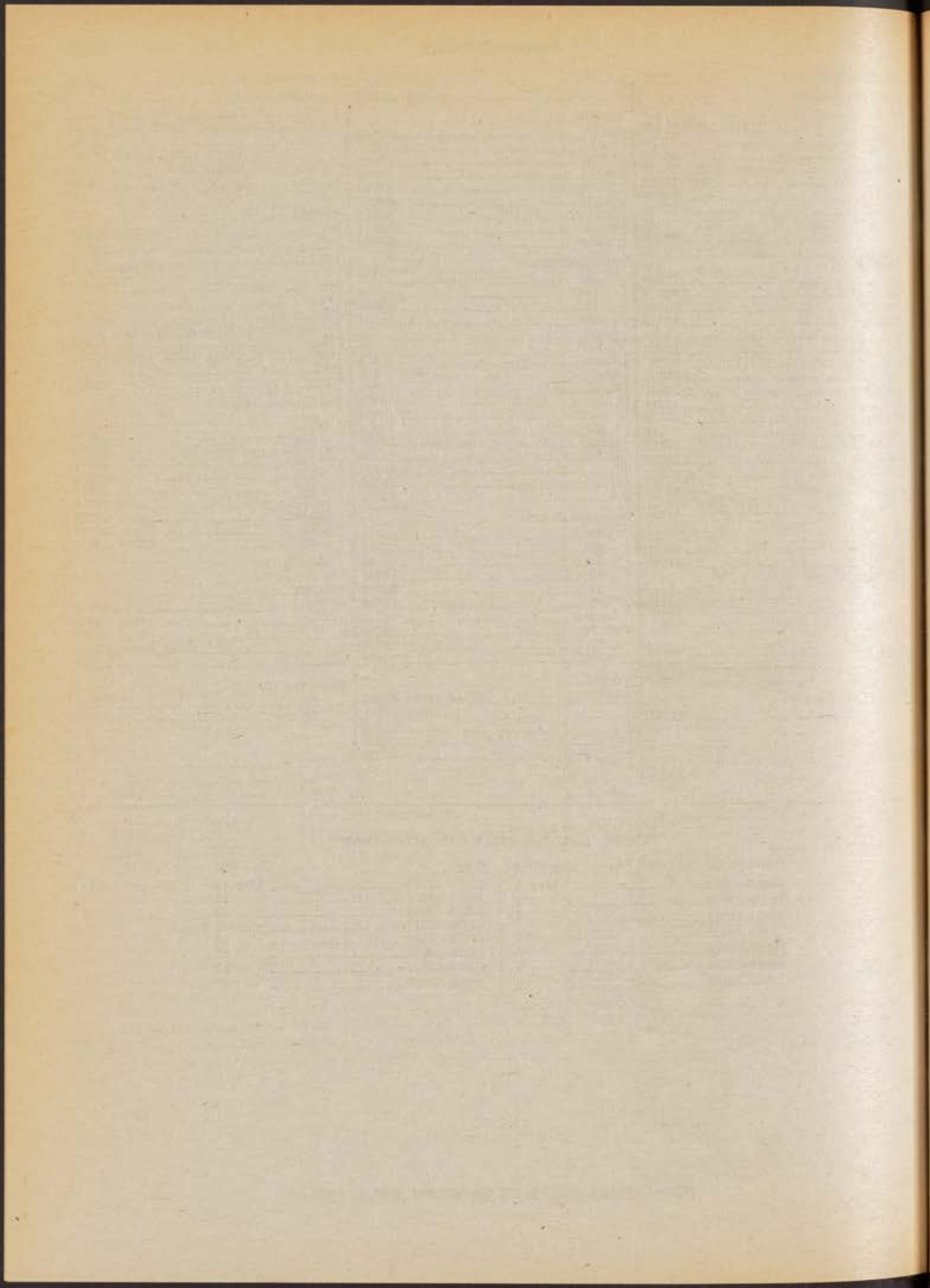
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federal register

MONDAY, MAY 21, 1973

WASHINGTON, D.C.

Volume 38 ■ Number 97

PART II



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

**Health Services and Mental
Health Administration**

■

POLICIES OF GENERAL APPLICABILITY; HEALTH SERVICES FUNDING

Proposed Rules

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Services and Mental Health
Administration

[42 CFR Part 50]

POLICIES OF GENERAL APPLICABILITY

Notice of Proposed Rulemaking

Notice is hereby given that the Administrator, Health Services and Mental Health Administration, with the approval of the Secretary of Health, Education, and Welfare proposes to add a new part 50 to title 42, Code of Federal Regulations, and to adopt within that part a new subpart A. This part will implement new policies of the Health Services and Mental Health Administration of general applicability. Subpart A of part 50 will govern the implementation of a new funding policy for health services delivery projects supported with funds administered by HSMHA.

The proposed subpart A will establish, as a condition of support for specified health services delivery projects, the requirement that, such health services delivery projects must be or become basically self-sustaining community-based operations with diminishing need for direct or indirect HSMHA support. Such action is taken because demonstration projects are inherently made for a limited period of time and as a result of the conclusion that the cost and scarcity of health services in general require that the provision of health services through the present grant or contract funding mechanisms be made more efficient, effective, and equitable. This requirement will be carried out through more intensive efforts on the part of health services delivery projects to (1) maximize the amount of project services paid for through third party reimbursement mechanisms, (2) garner fully all other Federal, State, local, and private sources of funding and (3) charge beneficiaries according to their ability to pay for services provided. A list of the programs subject to this new policy is found in § 51.101(a) of the proposed rule.

This policy does not change the present policy that in such projects no person is to be denied services solely because of his inability to pay therefor. Neither does the proposed policy affect the requirements in some programs that priority is to be given to persons from low-income families, that only such persons may be served, or that projects in areas with concentrations of such families are to receive priority in funding.

The draft document from which the proposed rule was developed, "Interim Policy Statement—Health Services Funding (10/26/72 Draft)," was circulated to many interested parties with an opportunity for their comment upon the proposed policy statement prior to December 6, 1972. Any comments received from such circulation will be considered along with the comments solicited in this notice of proposed rule making prior to adopting any rule.

Notice is also given that interested parties may address comments, data, views and arguments, in writing, in triplicate to the Associate Deputy Administrator for Health Services Delivery, Health Services and Mental Health Administration, room 17-25, Parklawn Building, 5600 Fishers Lane, Rockville, Md. 20852. All comments received in response to this notice will be available for public inspection at the address referred to above on weekdays between the hours of 9 a.m. and 5 p.m. All relevant material received not later than June 20, 1973 will be considered.

Effective date.—Part 50, subpart A, will be effective upon republication in the FEDERAL REGISTER, except that, as noted in § 50.101(a) (6) (Alcoholism) and (7) (Narcotic addiction), such regulations will be applicable only to awards made after July 1, 1973.

It is therefore proposed to amend 42 CFR by adding a new part 50, subpart A, in the manner set forth below.

Dated March 29, 1973.

FREDERICK L. STONE,
Acting Administrator, Health
Services and Mental Health
Administration.

Approved May 14, 1973.

CASPAR W. WEINBERGER,
Secretary.

PART 50—POLICIES OF GENERAL APPLICABILITY

Subpart A—Health Services Funding

Sec.	
50.101	Applicability.
50.102	Definitions.
50.103	General policy.
50.104	Project application.
50.105	Project requirements.
50.106	Project evaluation.
50.107	Income earned—Continuation support.

AUTHORITY.—Secs. 215, 304, 310, 314(e), 329, 1001, 1006, and 1101, Public Health Service Act, as amended; 58 Stat. 690, 81 Stat. 534, 76 Stat. 592, 80 Stat. 1186, 84 Stat. 188, 84 Stat. 1506 and 1507, 86 Stat. 137; 42 U.S.C. 216, 242b, 242h, 246(e), 254b, 300, 300a-4, and 300b; secs. 220, 223, 242, 243, 246, 247, 251, 252, and 256, Community Mental Health Centers Act, as amended; 79 Stat. 427-29, 82 Stat. 1008, 1009, 84 Stat. 59, 1239, and 1851; 42 U.S.C. 2687, 2688c, g, h, j-1, j-2, k, l, and n-1; sec. 410, Drug Abuse Office and Treatment Act of 1973; 86 Stat. 82; 21 U.S.C. 1177.

Subpart A—Health Services Funding

§ 50.101 Applicability.

(a) This subpart is applicable to health services delivery projects which are eligible for support pursuant to the following programs administered by the Health Services and Mental Health Administration:

- (1) Migrant health—section 310 of the PHS Act (42 U.S.C. 242h);
- (2) Health services development (family health centers, health services projects)—section 314(e) of the PHS Act (42 U.S.C. 246(e));
- (3) Family planning—section 1001 of the PHS Act (42 U.S.C. 300);

(4) Health maintenance organizations—sections 304, 314(e), of the PHS Act (42 U.S.C. 242b, 246(e));

(5) Community mental health centers staffing—section 220 of the Community Mental Health Centers Act, as amended (CMHC Act) (42 U.S.C. 2687);

(6) Alcoholism and alcohol abuse (with respect to awards made after July 1, 1973):

(i) Staffing—section 242, CMHC Act (42 U.S.C. 2688g);

(ii) Specialized facilities staffing—section 243, CMHC Act (42 U.S.C. 2688h);

(iii) Special projects—section 246, CMHC Act (42 U.S.C. 2688j-1);

(iv) Prevention and treatment—section 247, CMHC Act (42 U.S.C. 2688j-2);

(7) Narcotic addiction, drug abuse, and drug dependence (with respect to awards made after July 1, 1973):

(i) Staffing—section 251, CMHC Act (42 U.S.C. 2688k);

(ii) Special projects—section 252, CMHC Act (42 U.S.C. 2688l);

(iii) Special treatment and rehabilitation projects—section 256, CMHC Act (42 U.S.C. 2688n-1);

(iv) Special project grants and contracts—section 410, Drug Abuse Office and Treatment Act (21 U.S.C. 1177) (with respect to treatment and rehabilitation);

(8) Sickle cell anemia—section 1101 (a) (1) of the PHS Act (42 U.S.C. 300b (a) (1)).

(b) Notwithstanding paragraph (a) above, nothing in this regulation is intended to impose any conditions which would require charges for services to people unable to pay therefor or which would supersede any requirement that priorities be given to persons from low-income families or to areas with concentrations of such persons.

(c) These regulations supersede any inconsistent regulation applicable to a program listed in paragraph (a) of this section except as otherwise provided with specific reference to this subpart in such other regulation.

§ 50.102 Definitions.

As used in this subpart:

(a) "Secretary" means the Secretary of Health, Education, and Welfare and any other officer or employee of the Department of Health, Education, and Welfare to whom the authority involved has been delegated.

(b) "HSMHA" means the Health Services and Mental Health Administration and any of its constituent agencies.

(c) "Program" means one of the programs listed in § 50.101(a).

(d) "Project" means any discrete health services delivery activity, whether implemented through grant or contract, which is eligible for HSMHA support under any program.

§ 50.103 General policy.

In the delivery of health services:

(a) It is the policy of HSMHA to use its financial and technical resources to:

(1) Assist in improving the effectiveness and efficiency of the health care delivery system in meeting the health care needs of all citizens, with special

emphasis upon the needs of the underserved.

(2) Develop maximum compatibility between health care services delivered with HSMHA support and federally supported third party payment for health benefits and work for the introduction of cost-effective, new health services and practices.

(3) Encourage development of alternate and ongoing funding sources to which HSMHA supported activities can be constructively transferred after initial periods of HSMHA assistance thereby creating a more equitable and efficient use of the total funds available for the delivery of health services.

(b) It is the policy of HSMHA to support new demonstration or resource development activities that provide services only in cases in which it can be demonstrated to the Secretary's satisfaction that resources other than HSMHA grant or contract funds will eventually be available to support such activities on an ongoing basis.

§ 50.104 Project application.

In addition to other requirements imposed by law, regulation, or program guidelines, an approvable application for Federal support under a program listed in § 50.101(a) must contain:

(a) A general plan describing how the applicant intends to comply with the requirements of this subpart with particular reference to plans to transfer constructively within a specific time period to other funding sources and eventually to become self-sustaining;

(b) A specific time-phased financial plan including at least:

(1) Statements of management and program objectives and needs, and planning assumptions;

(2) A description of the financial management arrangements to be utilized in supplementing or supplanting as applicable HSMHA financial support with other sources of funding;

(3) Projections of total income including HSMHA and other funding sources accompanied by supporting inventories and analyses of funding potentials and problems;

(4) Expenditure, cost, and utilization data and other management information which will serve to explain or clarify the plan and otherwise assure that self-support is attainable within the time specified.

(c) Evidence that the applicant has provided not less than 30 calendar days¹

¹ See sec. 247(c)(2), CMHC Act, allowing not more than 30 days for such review.

for review and comment (setting forth dates of submission) by the appropriate area-wide comprehensive health planning (CHP) agency or agencies or, if there is no such agency in the area, to such other public or nonprofit private agency or organization, if any, which performs similar functions, and to the State comprehensive health planning (CHP) agency. The applicant shall forward comments received to the awarding authority or indicate that no response was received within the time provided.

§ 50.105 Project requirements.

In addition to other requirements and conditions imposed by law, regulation or program guidelines, an approvable project must provide the following:

(a) A management structure and methodology to carry out the general plan in § 50.104(a) and the financial plan in § 50.104(b) for supplementing or supplanting (as applicable) HSMHA support with support from other sources within a specified period of time.

(b) Except in cases of persons unable to pay therefor, that charges shall be made for all or certain listed services rendered, such services to be in accordance with lists approved by the Secretary, and such charges to be in accordance with schedules approved by the Secretary which schedules may be based on the provision of services on a prepaid capitation basis: *Provided, however*, That to the extent that payments will be made by third party (including a Government agency) which is authorized or under a legal obligation to pay all or a portion of such charges, effort must be made to obtain such third party payment.²

(c) That where the cost of care and services provided by the project is to be reimbursed by a third party, a written agreement with such third party is required unless otherwise provided by the Secretary for good cause shown.

(d) Maximum coordination of project activities with, and utilization of, the activities of other available health services delivery projects and programs (whether or not such services are supported with Federal funds) and State and local health agencies serving the same population in order to eliminate duplication of effort.

² Policies relating to payments under title XVIII of the Social Security Act (medicare) are set forth in Intermediary Letter No. 97-3, dated March 1973. Policies under title XIX of the Social Security Act (medicaid) are set forth in State Letter No. 1033, dated Apr. 23, 1968, and Information Memoranda to State agencies of June 23, 1970, Jan. 20, 1971, Aug. 24, 1971, and Apr. 24, 1972.

§ 50.106 Project evaluation.

In addition to other criteria established by applicable law, regulation, or program guidelines, the following will be taken into account when evaluating applications for support by HSMHA of any project:

(a) The merit of the plan referred to in § 50.104 (a) and (b) for assuring effective utilization of HSMHA support and supplementing or supplanting (as applicable) such support.

(b) The potential of the project for developing new and effective methods for health services delivery and financing.

(c) The degree to which the project will become self-supporting.

(d) The administrative and management capability of the applicant.

(e) Prior performance, if any, with respect to the project requirements in § 50.105.

(f) The extent to which the patient population of the project is officially enrolled as eligible to receive services (preferably financing services on a prepaid capitation basis).

Section 50.106(f) shall not apply to projects cited in §§ 50.101(a)(5) (community mental health centers), 50.101(a)(6) (alcoholism), and 50.101(a)(7) (narcotic addiction).

§ 50.107 Income earned—continuation support.

In determining the amount of HSMHA support available for continued support of a project there will be taken into account the amount of all income (both Federal and non-Federal shares) generated or estimated to be generated by the project in the previous budget period. Such income may not be used to expand the operational level of the project beyond that proposed in the approved project except to the extent specifically provided in the grant award document. Such provision may allow the use of such income for one or more of the following purposes:

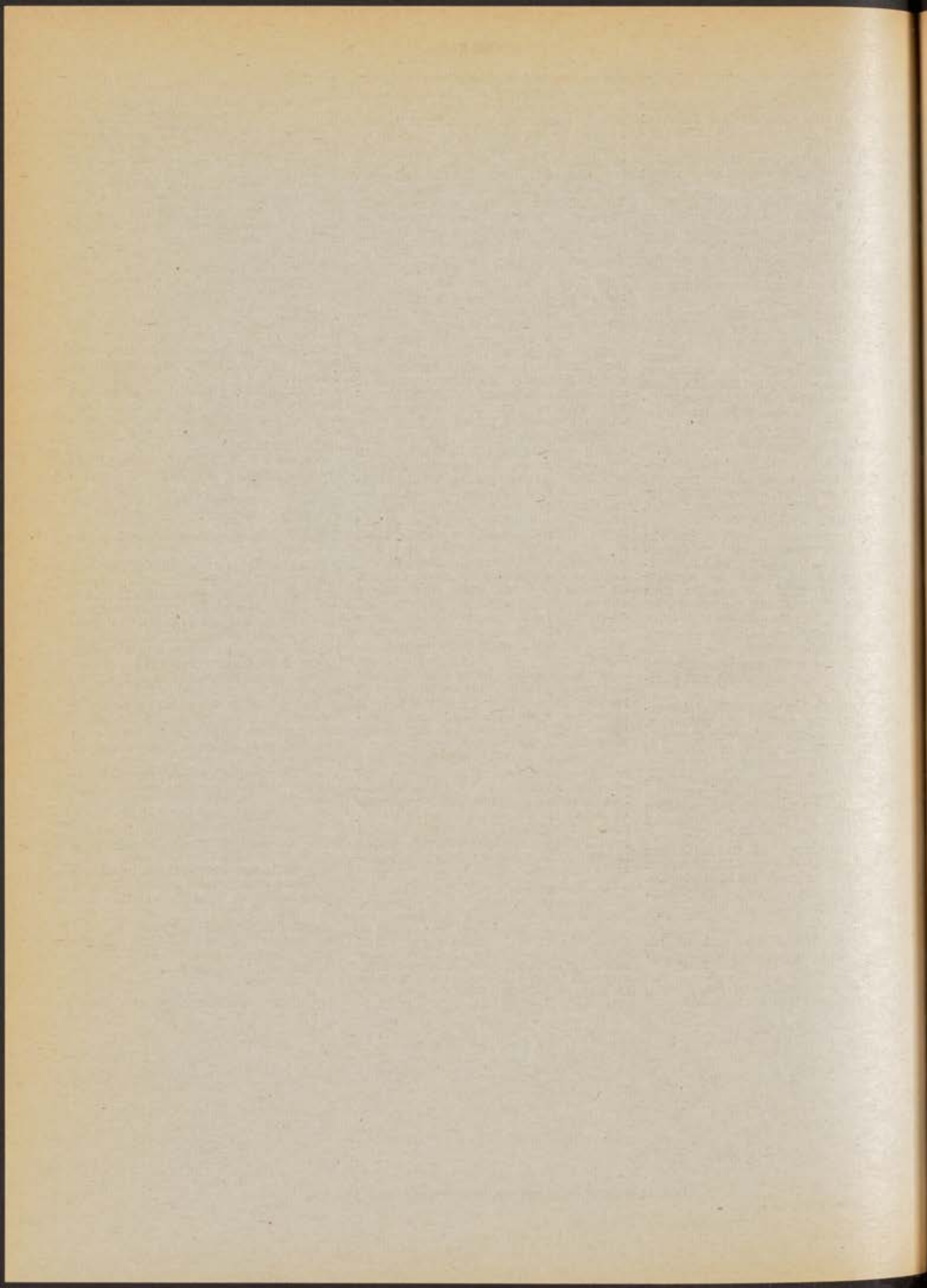
(a) To maintain or increase the approved number of persons served by the project.

(b) To develop and maintain a reserve fund to be used in offsetting underestimates of funding needs for approved project activities.

(c) To improve management and operational capabilities related to the maximization of third party reimbursement revenues.

Section 50.107 shall not apply to projects cited in §§ 50.101(a)(5) (community mental health centers), 50.101(a)(6) (alcoholism), and 50.101(a)(7) (narcotic addiction).

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PART III



DEPARTMENT OF LABOR

Manpower Administration



**Emergency Employment
Assistance**

Determinations and Allocations

DEPARTMENT OF LABOR

Manpower Administration EMERGENCY EMPLOYMENT ASSISTANCE

Notice of Determinations and Allocations

This announcement is published pursuant to section 6(d) of the Emergency Employment Act which requires the Secretary to publish any determination required by section 6 of the act in the FEDERAL REGISTER, and pursuant to section 9(c) of the act which requires him, as soon as practicable after funds are

appropriated to carry out the act for any fiscal year, to publish in the FEDERAL REGISTER the apportionments required by subsections 9 (a) (1) and (b) of the act.

Public Law 93-9 has extended until June 30, 1973 the Joint Resolution under which the Department is authorized to expend the funds which were expected to be available pursuant to the Appropriations Act for fiscal year 1973 (H.R. 15417, 92d Congress) which had passed both Houses of Congress as of July 1, 1972 when the first such continuing resolution was passed, but which was later vetoed. Under these circumstances, the

Secretary has determined to allocate all the funds unexpended as of March 15, 1972. The amounts are, however, different for three reasons: (1) Funds required to be apportioned under section 9 (a) (1) in fiscal year 1973 total \$800 million compared to \$600 million in fiscal year 1972; (2) after 1972 funds were exhausted some funds available for fiscal year 1973 have been obligated and ex-

pend to enable ongoing programs to continue until March 15; and (3) the total amount of the supplementary allocation under section 6, known as the section 6 reserve fund, which was originally published on February 23, 1972, has been reduced for fiscal year 1973.

Funds distributed to Indian reservations, as shown on the third table, include some discretionary funds as well as funds made available under sections 5 and 6. Distribution of other discretionary funds, as for the summer program, has been omitted from all tables.

EMERGENCY EMPLOYMENT ACT DISTRIBUTION OF FUNDS MARCH 15, 1973 - JUNE 30, 1974 SECTION 5 AND SECTION 6 (DOLLARS)

STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
ALABAMA	1344600	2812000	4156600	1172300	5328900
BIRMINGHAM	206300	89000	295300	232500	527800
CEP				232500	232500
HUNTSVILLE	116000		116000	81600	197600
CEP				81600	81600
MOBILE	216800	58300	275100		275100
MONTGOMERY	48200	32100	80300		80300
CALHOUN COUNTY	63400	23400	86800		86800
ETOWAH COUNTY	77200	99400	176600	66700	243300
BALANCE OF JEFFERSON COUNTY	294500		294500	41100	335600
BESSEMER				41100	41100
BALANCE OF MOBILE COUNTY	191500	51500	243000	99300	342300
MORGAN COUNTY	97900		97900		97900
TUSCALOOSA COUNTY	32800	47500	80300		80300
BALANCE OF ALABAMA		2410800	2410800	651100	3061900
BARBOUR COUNTY				19400	19400
CHEKKEE COUNTY				51400	51400
COFFEE COUNTY				28700	28700
CULBERT COUNTY				57700	57700
CULLMAN COUNTY				25400	25400
DALE COUNTY				26800	26800
DEKALB COUNTY				22400	22400
FRANKLIN COUNTY				27300	27300
GENEVA COUNTY				23200	23200
GREENE COUNTY				27700	27700
LAUDERDALE COUNTY				42700	42700
LAWRENCE COUNTY				27900	27900
LOWNDES COUNTY				24000	24000
MACON COUNTY				25900	25900
MARSHALL COUNTY				34700	34700
RANDOLPH COUNTY				75600	75600
ST CLAIR COUNTY				27400	27400
TALLADEGA COUNTY				82900	82900
ALASKA	719700	1899100	2618800	1371000	3989800
GREATER ANCHORAGE BOROUGH	719700	158100	877800	444300	1322100
BALANCE OF ALASKA		1741000	1741000	926700	2667700

EMERGENCY EMPLOYMENT ACT
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SECTION 5 AND SECTION 6
(DOLLARS)

STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	TOTAL		
ARIZONA	1157100	1071000	2228100	686300	2914400
PHOENIX	639200	210400	849600	356600	1206200
CEP				356600	356600
TUCSON	185600	135200	320800	222300	543100
MNA				222300	222300
BALANCE OF MARICOPA COUNTY				107400	662300
BALANCE OF PIMA COUNTY	289000	170500	459500	19800	19800
BALANCE OF ARIZONA	43300	554900	598200	25600	25600
GRAHAM COUNTY				62000	62000
SANTA CRUZ COUNTY					
YUMA COUNTY					

EMERGENCY EMPLOYMENT ACT
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SECTION 5 AND SECTION 6
(DOLLARS)

STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6	TOTAL
	LOCAL JOBS	STATE JOBS*		
ARKANSAS	520100	3927800	920300	5368200
LITTLE ROCK	45600	38400		84000
JEFFERSON COUNTY	151300	52600		203900
BALANCE OF PULASKI COUNTY	107800	20900		128700
SEBASTIAN COUNTY	180200		32300	212500
FORT SMITH NORTHSIDE			32300	32300
WASHINGTON COUNTY	35200	43100		78300
BALANCE OF ARKANSAS		3772800	888000	4660800
COLUMBIA COUNTY			31400	31400
CRAWFORD COUNTY			19800	19800
CRITTENDEN COUNTY			51900	51900
FAULKNER COUNTY			40300	40300
FRANKLIN COUNTY			39400	39400
HOT SPRING COUNTY			41300	41300
INDEPENDENCE COUNTY			20800	20800
JOHNSON COUNTY			40200	40200
LAWRENCE COUNTY			23400	23400
LEE COUNTY			29900	29900
LINCOLN COUNTY			50100	50100
LOGAN COUNTY			31900	31900
OUCHITA COUNTY			30500	30500
PHILLIPS COUNTY			60400	60400
POLK COUNTY			23900	23900
POPE COUNTY			31100	31100
PRAIRIE COUNTY			34100	34100
RANDOLPH COUNTY			27100	27100
SEANCY COUNTY			37100	37100
TEKARKA			23000	23000
UNION COUNTY			31700	31700
VAN BUREN COUNTY			26800	26800
WHITE COUNTY			33700	33700
			108200	108200

EMERGENCY EMPLOYMENT ACT
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(DOLLARS)

STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
CALIFORNIA	69844800	13667000	83511800	25357400	108869200
ANAHEIM	846500		846500	261900	1108400
BERKELEY	46100	125300	171400	322100	493500
BURBANK	432800		432800	120600	553400
COMPTON	444600		444600	146800	591400
CONCORD	86000		86000		86000
DOWNEY	126100		126100	76100	202200
FREMONT	155400		155400		155400
FRESNO	467600	129700	597300	206200	803500
CEP AREA				206200	206200
FULLERTON	192700	76300	269000	64300	333300
GARDEN GROVE	417700		417700		417700
GLENDALE	231200		231200	112200	343400
HAYWARD	678700	22100	700800	239300	940100
HUNTINGTON BEACH	400200		400200	106300	506500
INGLEWOOD	454700	30300	485000	141900	626900
LAKEMOOD	95200		95200	132600	227800
LONG BEACH	1001700	165000	1165700	287700	1453400
LUS ANGELES	13666900	2805200	16472100	5193600	21665700
MURWALK	155200	97400	252600	59000	311600
OAKLAND	1571700	74900	1646600	442900	2089500
ORANGE CITY	276200		276200	76100	352300
PASADENA	330100		330100	131400	461500
POMONA	194500	164800	359300	103000	462300
RICHMOND	614000	28700	642700	221200	863900
RIVERSIDE	548000	191600	739600	241400	981000
SACRAMENTO	357600	483900	841500	196400	1037900
SAN BERNARDINO	684800	98400	783200	277500	1060700
SAN DIEGO	1569900	389800	1959700	477000	2436700
SAN FRANCISCO (SAME AS SF CO.)	3284700	736700	4021400	1171900	5193300
SAN JOSE	1687100	538800	2225900	684800	2910700
SAN MATEO	197700		197700		197700
SANTA ANA	455600	121500	577100	166100	743200
SANTA CLARA	146600		146600	66800	213400
SANTA MONICA	500700	26800	527500	157900	685400
STOCKTON	401100	110200	511300	168500	679800
SUNNYVALE	86000		86000		86000
TORRANCE	435400		435400	114200	549600
BALANCE OF ALAMEDA COUNTY	671200	163200	834400	106600	941000
PLEASANTON				20200	20200
SAN LEANDRO				60200	60200

EMERGENCY EMPLOYMENT ACT
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(DOLLARS)

STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
UNION CITY					26200
BUTTE COUNTY					1103000
BALANCE OF CONTRA COSTA COUNTY	488000	319800	807800		295200
ANTIOCH	419300		419300		259300
MARTINEZ					76200
PITTSBURG/WEST PITTSBURG					29700
PINDLE					106100
SAN PABLO					19600
BALANCE OF FRESNO COUNTY	1470000	140600	1610600		27700
HUMBOLDT COUNTY	395200	179700	574900		2135400
KERN COUNTY	886500	53100	942000		759400
DELANO					30500
BALANCE OF LOS ANGELES COUNTY	13750700	643300	14394000		30500
MARIN COUNTY	209600		209600		18342600
SAN ANSELMO					269900
SAN RAFAEL					23800
MERCED COUNTY	828700	54400	883100		36500
MONTREY COUNTY	699000	49600	748600		1204700
NAPA COUNTY	63700	45100	108800		932200
NAPA CITY					185100
BALANCE OF ORANGE COUNTY	2404000		2404000		76300
PLACER COUNTY	202900	48100	251000		3070800
BALANCE OF RIVERSIDE COUNTY	559800	54800	614600		320800
BALANCE OF SACRAMENTO COUNTY	905200		905200		914600
BAL OF SAN BERNARDINO COUNTY	1094100	152500	1246600		300000
BALANCE OF SAN DIEGO COUNTY	1425800	104000	1529800		593200
BALANCE OF SAN JOAQUIN COUNTY	1303300	106800	1410100		1839800
SAN LUIS OBISPO COUNTY	87500	31900	119400		329600
BALANCE OF SAN PATEO COUNTY	473000		473000		1877600
DAILY CITY					119400
EAST PALO ALTO POVERTY AREA					694700
PACIFICA					73700
SO. SAN FRANCISCO					21300
SANTA BARBARA COUNTY					21300
ISLA VISTA	577100	97700	674800		63600
LOMPOC					63100
SANTA BARBARA					371800
SANTA MARIA					1046600
BALANCE OF SANTA CLARA COUNTY	1101200		1101200		79100
CUPERTINO					45000
GILROY					182900
					64800
					1372900
					43400
					54900

EMERGENCY EMPLOYMENT ACT
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(DOLLARS)

STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
MOUNTAIN VIEW					
PALO ALTO			74600		74600
SANTA CRUZ COUNTY	638400	216200	98800		98800
SHASTA COUNTY	352700	82000	293900		1148500
SOLANO COUNTY	475900	28500	145200		579900
SONOMA COUNTY	767400	293500	133300		637700
STANISLAUS COUNTY	2543200	176300	1060900		1407500
TULARE COUNTY	486600	100900	346600		3758900
VENTURA COUNTY	1220300	131100	140000		731500
YOLO COUNTY	101100	215800	1351400		1739000
BALANCE OF CALIFORNIA		3763700	83200		400100
			1215900		4979600
COLORADO					
COLORADO SPRINGS	1285200	743500	2028700		2676800
DENVER (SAME AS DENVER CO.)	103500		103500		103500
POVERTY AREA	450400	122300	517600		1090300
LAKENWOOD			517600		517600
PUEBLO	75900		75900		75900
ADAMS COUNTY	63800	39700	103500		103500
ARAPAHOE COUNTY	172500		172500		172500
BOULDER COUNTY	116600	21400	136000		136000
BALANCE OF EL PASO COUNTY	77700	60400	138100		138100
BALANCE OF JEFFERSON COUNTY	69000		69000		69000
LARIMER COUNTY	75800	27700	103500		103500
WELD COUNTY	36200	67300	103500		103500
BALANCE OF COLORADO	43800	32100	75900		75900
CONEJOS COUNTY		372600	130500		503100
CUSTILLA COUNTY			21800		21800
LA PLATA COUNTY			27200		27200
SAGUACHE COUNTY			34500		34500
TRINIDAD MNA			24200		24200
			22800		22800

EMERGENCY EMPLOYMENT ACT
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(DOLLARS)

STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
CONNECTICUT					
BRIDGEPORT	4628300	10411100	15039400	6507800	21547200
HARTFORD	1219000	321200	1540200	779400	2319600
NEW BRITAIN	771100	666100	1437200	682900	2120100
NEW HAVEN	427200	415400	842600	427200	1269800
NORWALK	651700	344100	995800	462500	1458300
STAMFORD	355000	77700	432700	195100	627800
WATERBURY	455800	58700	514500	210000	724500
BALANCE OF CONNECTICUT	748500	221400	969900	487800	1457700
		8306500	8306500	3262900	11569400
DELAWARE					
WILMINGTON	961100	286000	1247100	202000	1449100
KENT COUNTY	538600	39500	578100	119900	698000
BALANCE OF NEW CASTLE COUNTY	93500	70100	163600	163600	327200
DE LA WARR	141000	142900	283900	82100	366000
MIDDLETOWN-ODESSA SECT.				59900	59900
SUSSEX COUNTY	188000	33500	221500	22200	243700
DISTRICT OF COLUMBIA					
WASHINGTON D.C.	2228100		2228100	520000	2748100
	2228100		2228100	520000	2748100

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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	TOTAL	TOTAL	
FLORIDA	5618500	808100	6426600	1732000	8158600
FT. LAUDERDALE	108900		108900		108900
MIAMI	87100		87100	87300	174400
HOLLYWOOD	43600		43600		43600
JACKSONVILLE(SAME AS DUVAL CO)	218100	21400	239500		239500
MIAMI	789400	157900	947300	592900	1540200
MIAMI CEP				592900	592900
MIAMI BEACH	170800		170800	58900	229700
ORLANDO	296100	41500	337600		337600
ST. PETERSBURG	103400		103400		103400
TAMPA	223200	38100	261300	127300	388600
TAMPA MODEL NEIGH.				127300	127300
ALACHUA COUNTY	14100	29400	43500		43500
BAY COUNTY	94100		94100		94100
BREVARD COUNTY	368900		368900	140900	509800
BALANCE OF BROWARD COUNTY	337500		337500		337500
BALANCE OF DADE COUNTY	1060400		1060400	289200	1349600
ESCAMBIA COUNTY	103400		103400		103400
BALANCE OF HILLSBOROUGH COUNTY	87100		87100		87100
LEE COUNTY	87100		87100		87100
LEON COUNTY	27200		27200		27200
MANATEE COUNTY	43600		43600		43600
OKALOOSA COUNTY	45000		45000		45000
BALANCE OF ORANGE COUNTY	236500	35700	272200		272200
PALM BEACH COUNTY	279500	52500	332000		332000
PASCO COUNTY	53600		53600		53600
BALANCE OF PINELLAS COUNTY	141500		141500	148000	141500
POLK COUNTY	367500	45100	412600		560600
SARASOTA COUNTY	49000		49000		49000
SEMINOLE COUNTY	74500		74500		74500
VOLUSIA COUNTY	103400		103400		103400
BALANCE OF FLORIDA		386500	386500	287500	674000
FRANKLIN COUNTY				21800	21800
HARDEE COUNTY				45400	45400
INDIAN RIVER COUNTY				71900	71900
LAKE COUNTY				93000	93000
ST. LUCIE COUNTY				55400	55400

EMERGENCY EMPLOYMENT ACT
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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
GEORGIA					
ATLANTA	1947300	2009900	3957200	2143600	6100800
POVERTY AREA 1	486000	151600	637600	408600	1046200
POVERTY AREA 2				84900	84900
CEP AREA				22000	22000
COLUMBUS	289700	22500	312200	301700	301700
MACON	107400		107400	401500	401500
SAVANNAH	94500		94500	89300	107400
MODEL CITIES AREA				57100	151600
CLAYTON COUNTY	55900		55900	57100	57100
CORB COUNTY	307400		307400	151700	55900
BALANCE OF DEKALB COUNTY	171800		171800		459100
DOUGHERTY COUNTY	87900		87900		171800
ALBANY POVERTY NEIGHBORHOOD				50300	138200
BALANCE OF FULTON COUNTY	43000		43000	50300	50300
RICHMOND COUNTY	303700	108800	412500		43000
BALANCE OF GEORGIA		1727000	1727000	125700	538200
BAINBRIDGE				1260900	2987900
BEN HILL COUNTY				24000	24000
BURKE COUNTY				38700	38700
CHEROKEE COUNTY				135700	135700
COLUMBIA COUNTY				32700	32700
COMETA COUNTY				19400	19400
CRISP COUNTY				44700	44700
DAWSON COUNTY				46000	46000
DODGE COUNTY				19500	19500
DODLY COUNTY				32300	32300
DOUGLAS COUNTY				38300	38300
EFFINGHAM COUNTY				59700	59700
FANNIN COUNTY				26000	26000
FAYETTE COUNTY				20600	20600
FLOYD COUNTY				52900	52900
GILMER COUNTY				20000	20000
GREENE COUNTY				40100	40100
HALL COUNTY				67800	67800
LIBERTY COUNTY				21600	21600
MADISON COUNTY				21800	21800
MCDUFFIE COUNTY				32700	32700
MILLER COUNTY				25400	25400
MITCHELL COUNTY				21400	21400
MURRAY COUNTY				27100	27100

EMERGENCY EMPLOYMENT ACT
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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6 TOTAL
	LOCAL JOBS	STATE JOBS*	
NEWTON COUNTY			27700
PAULDING COUNTY			31300
PIKE COUNTY			26600
POLK COUNTY			40800
PUTNAM COUNTY			28300
SCREVEN COUNTY			22200
TELFAIR COUNTY			27100
TROUP COUNTY			66700
TWIGGS COUNTY			34300
UNION COUNTY			24200
WHITFIELD CC-NO CNTAL AREA			19000
HAWAII			
HONOLULU(SAME AS HONOLULU CO.)	353700	1034700	1388400
AIIEA-WAIMALU	353700	265000	618700
KALIHI PALAYA CEP			23800
NORTHERN CAHU			104000
SECTION OF WAIKIKI			40400
MAIANAE			30500
BALANCE OF HAWAII		769700	34100
HILO SECTION			52700
			52700
IDAHO			
ADA COUNTY	82500	1946100	2028600
BOISE MODEL NEIGHBORHOOD	82500	40200	122700
BALANCE OF IDAHO		1905900	40000
BONNER COUNTY			1945900
			40000

EMERGENCY EMPLOYMENT ACT
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(DOLLARS)

STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
ILLINOIS	11351400	3538400	14889800	5793500	20683300
CHICAGO	5656700	601000	6257700	2735300	8993000
AUSTIN				141800	141800
AVALON PARK-SOUTH CHICAGO				52900	52900
CHATHAM				139700	139700
EAST GARFIELD				200100	200100
EAST SIDE				29300	29300
ENGLEWOOD				217700	217700
GRAND BLVD				95000	95000
GREATER GRAND CROSSING				156000	156000
KENWOOD				35200	35200
LOGAN SQUARE				70800	70800
LOWER WEST SIDE				72600	72600
NEAR NORTH SIDE				87600	87600
NEAR WEST SIDE				111600	111600
NORTH LAWNDALE				240700	240700
OAKLAND				22500	22500
PULLMAN-SOUTH DEERING				25600	25600
RIVERDALE-ALTO				69600	69600
ROSELAND				45700	45700
SOUTH LAWNDALE				156900	156900
SOUTH SHORE				44900	44900
UPTOWN				158800	158800
WASHINGTON PARK				80300	80300
WEST ENGLEWOOD				60000	60000
WEST GARFIELD				186000	186000
WEST PULLMAN				34100	34100
WEST TOWN				104500	104500
WOODLAWN				95400	95400
DECATUR	94000		94000	24200	118200
INNER CITY				24200	24200
EVANSTON	44600		44600	44600	44600
JOLIET	172200		172200	181100	353300
PEORIA	217400	28800	246200	98700	344900
BELOW THE BLUFFS				98700	98700
ROCKFORD	56000	28800	589600	344600	934200
SPRINGFIELD	33200	60900	94100	36200	130300
EAST SIDE				36200	36200
CHAMPAIGN COUNTY	28800	75100	103900		103900
BALANCE OF COOK COUNTY	1222800	138700	1361500	121900	1483400
CHICAGO HEIGHTS				45400	45400

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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
HARVEY CITY					37800
MAYKODD					38700
DU PAGE COUNTY	173300	38900			173300
KANE COUNTY	467500				467500
KANKAKEE COUNTY	107200				107200
LAKE COUNTY	213800	23800			237600
LASALLE COUNTY	179700				179700
MADISON COUNTY	330000	82800			412800
MC HENRY COUNTY	103900				103900
MC LEAN COUNTY	34300	49900			84200
ROCK ISLAND COUNTY	330700	28000			358700
ST CLAIR COUNTY	622000	156100			778100
TAZEWELL COUNTY	79200				79200
VERMILION COUNTY	321200				321200
BALANCE OF WILL COUNTY	298700	32400			331100
BALANCE OF WINNEBAGO COUNTY	59400				59400
BALANCE OF ILLINOIS		2193200			2193200
ALEXANDER COUNTY					882400
BOND COUNTY					58500
BOONE COUNTY					28600
CLINTON COUNTY					65700
FRANKLIN COUNTY					22900
JACKSON COUNTY					42300
JEFFERSON COUNTY					69200
JERSEY COUNTY					39400
LITCHFIELD AREA					41800
MARION COUNTY					27700
MASSAC COUNTY					126700
MERCER COUNTY					81600
PERRY COUNTY					35900
RICHLAND COUNTY					28500
ROCK FALLS					25500
SALINE COUNTY					25900
UNION COUNTY					21900
WHITE COUNTY					34500
WILLIAMSON COUNTY					24000
					81800

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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
INDIANA	5242600	7419600	12662200	3493800	16156000
EVANSVILLE	149600		149600	24100	173700
CEP AREA				24100	24100
FORT WAYNE	332400	91000	423400	740200	423400
GARY	215200		215200	198600	955400
HAMMOND	94200		94200	292800	292800
INDIANAPOLIS/AS MARION CO	1409300	442300	1851600	327200	2178800
CEP AREA				327200	327200
SOUTH BEND	387800	37100	424900	86200	511100
BALANCE OF ALLEN COUNTY	99700		99700		99700
CLARK COUNTY	505300	22000	527300	142800	670100
DELAWARE COUNTY	156000	241300	397300	21000	418300
MUNCIE SE POVERTY AREA				21000	21000
ELKHART COUNTY	138500		138500		138500
GRANT COUNTY	121900		121900		121900
HOWARD COUNTY	77600		77600		77600
BALANCE OF LAKE COUNTY	199400		199400	344500	543900
LAPORTE COUNTY	266500	97200	363700	73800	437500
MICHIGAN CITY				73800	73800
MADISON COUNTY	132900		132900		132900
MORRIS COUNTY	6200	43700	49900		49900
PORTER COUNTY	60900		60900		60900
BALANCE OF ST. JOSEPH COUNTY	455500		455500	100100	555600
TIPPECANOE COUNTY	12900	70200	83100		83100
VIGO COUNTY	45400	48800	94200		94200
WAYNE COUNTY	375400	108700	484100	126700	610800
BALANCE OF INDIANA		6217300	6217300	1308600	7525900

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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
IOWA					
CEDAR RAPIDS	1456400	2052000	3508400	230400	3738800
DAVENPORT	373100		373100		373100
DES MOINES	279400		279400		279400
MCDEL CITY	161800	53700	217500	65400	282900
SIOUX CITY				65400	65400
WATERLOO	85900		85900		85900
DUBUQUE COUNTY	268900	170600	439500	56600	496100
BALANCE OF POLK COUNTY	161400		161400		161400
POTTAWATTAMIE COUNTY	68700		68700		68700
BALANCE OF IOWA	57200		57200		57200
BURLINGTON CITY		1825700	1825700	108400	1934100
OTTUMWA CITY				50400	50400
SOUTH LEE COUNTY				25100	25100
				32900	32900
KANSAS					
KANSAS CITY	2560500	3126100	5686600	1499400	7186000
OVERLAND PARK	354200	272400	626600	157100	783700
TOPEKA	20700		20700		20700
WICHITA	69700	49400	119100		119100
BALANCE OF JOHNSON COUNTY	2033100	341000	2374100	841900	3216000
BALANCE OF KANSAS	82800		82800		82800
BUTLER COUNTY		2463300	2463300	500400	2963700
CHEROKEE COUNTY				84000	84000
CRAWFORD COUNTY				29200	29200
DOUGLAS COUNTY				46300	46300
LABETTE COUNTY				43300	43300
MONTGOMERY COUNTY				47700	47700
BALANCE OF SELWICK COUNTY				55200	55200
SUMNER COUNTY				165600	165600
				29100	29100

COLLEGE OF COMMERCE, INC.
DISTRIBUTION OF FUNDS MARCH 15, 1973 - JUNE 30, 1974
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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
KENTUCKY	1424600	5850000	7274600	2857800	10132400
LEXINGTON	116000	25500	141500	22300	163800
NORTHWEST-SOUTH				22300	22300
LOUISVILLE	735900	177700	913600	601600	1515200
CALIFORNIA				51000	51000
HAZELWOOD				19300	19300
JACKSON				147400	147400
MANLEY				87700	87700
PARK DUVALLE				53500	53500
PARK HILL				49500	49500
PORTLAND				80300	80300
RUSSELL				112900	112900
CAMPBELL COUNTY	21800		21800		21800
DAVIESS COUNTY	191600		191600		191600
HARDIN COUNTY	32700		32700		32700
BALANCE OF JEFFERSON COUNTY	293900	65300	359200	60900	420100
FAIRDALE				38700	38700
NEWBURGH				22200	22200
KENTON COUNTY	32700		32700	41800	74500
COVINGTON MODEL NEIGHBORHOOD				41800	41800
BALANCE OF KENTUCKY		5581500	5581500	2131200	7712700
BATH COUNTY				24800	24800
BELL COUNTY				108100	108100
BOYD COUNTY				50600	50600
BREATHITT COUNTY				21800	21800
BRECKINRIDGE COUNTY				25900	25900
BULLITT COUNTY				28300	28300
CALDWELL COUNTY				48200	48200
CALLOWAY COUNTY				82900	82900
CARLISLE COUNTY				26600	26600
CANTER-ELLIOT				53700	53700
CLAY COUNTY				27700	27700
CLINTON COUNTY				20600	20600
EDMONSON COUNTY				48600	48600
ESTILL COUNTY				68100	68100
FLOYD COUNTY				59900	59900
FULTON COUNTY				45400	45400
GRAVES COUNTY				90600	90600
GRAYSON COUNTY				59100	59100
GREENUP COUNTY				40000	40000
HARLAN COUNTY				64000	64000

EMERGENCY EMPLOYMENT ACT
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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
JACKSON COUNTY					48000
JESSAMINE COUNTY					29500
JOHNSON COUNTY					32300
KNOTT COUNTY					23600
KNOX COUNTY					34700
LAUREL COUNTY					30900
LAWRENCE COUNTY					21200
LESLIE COUNTY					27800
LETCHER COUNTY					24400
LINCOLN COUNTY					59100
LOGAN COUNTY					18800
LYON COUNTY					28400
MADISON COUNTY					49800
MAGUIFFIN COUNTY					51000
MARION COUNTY					32300
MARTIN COUNTY					25400
MCCREARY COUNTY					35500
MCLEAN COUNTY					21000
MEHERRIE COUNTY					46400
NELSON COUNTY					18900
OWSLEY COUNTY					31500
PERRY COUNTY					96900
PIKE COUNTY					26600
POWELL COUNTY					33400
PULASKI COUNTY					35500
ROCKCASTLE COUNTY					45600
ROMAN COUNTY					27700
RUSSELL SPRINGS COUNTY					27400
SCOTT COUNTY					36500
TODD COUNTY					28300
WASHINGTON COUNTY					62700
WAYNE COUNTY					

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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
LOUISIANA					
LAKE CHARLES	482800	4324700	9153300	3991400	13144700
NEW ORLEANS	446400	89300	535700	302700	838400
SHREVEPORT	2388500	818300	3206800	1647400	4854200
BATON ROUGE/E BA. ROUGE PAR	424500	74500	499000	177700	676700
JEFFERSON PARISH	560600	358600	919200	378700	1297900
KENCO TARGET AREA	210900		210900	217600	428500
MERRERO-HARVEY TARGET AREA				95000	95000
WECO TARGET AREA				92100	92100
LAFAYETTE PARISH	75900	22800	98700	30500	30500
SCOTT-DOUSEN				19800	118500
OUACHITA PARISH	234100	62400	296500	107000	403500
RAPIDES PARISH	179200	147700	326900	150300	477200
ST LANDRY PARISH	259100	51200	310300	165300	475600
TERREBONNE PARISH	49400		49400		49400
BALANCE OF LOUISIANA		2699900	2699900	824900	3524800
MAINE					
BALANCE OF MAINE		3807700	3807700	1520200	5327900
MARYLAND					
BALTIMORE	2631100	1276500	3907600	1700600	5608200
ALLEGANY COUNTY	1345400	252200	1597600	762600	2360200
ANNE ARUNDEL COUNTY	60300	42700	103000	45300	148300
LOWER ANNE ARUNDEL POCKET	111800	40300	152100	75700	227800
BALTIMORE COUNTY	375900	70800	446700	75700	75700
DUNDALK				108600	555300
FREDERICK COUNTY	97300		97300	108600	108600
HARFORD COUNTY	78600		78600		97300
MONTGOMERY COUNTY	206200		206200		78600
PRINCE GEORGES COUNTY	190000	35800	225800	104800	206200
MUDEL CITIES NEIGH.				104800	330600
WASHINGTON COUNTY	165600	77200	242800	175400	104300
BALANCE OF MARYLAND		757500	757500	428200	1185700

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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
MASSACHUSETTS	7131800	13253500	20385300	8156800	28542100
BOSTON	1990100	866500	2856600	1259100	4115700
BROCKTON	445100	30000	475100	234100	709200
CAMBRIDGE	264000	21300	285300	89300	374600
FALL RIVER	254500		254900	97700	352600
LOWELL	613500	69000	680400	343400	1023800
LYNN	486000	24400	510400	244200	754600
NEW BEDFORD	550100	47100	597200	278500	875700
NEWTON	180300		180300		180300
QUINCY	391200	46600	437800	202700	640500
SOMERVILLE	398300	40500	438800	194000	632800
SPRINGFIELD	977100	65800	1042900	507200	1550100
WORCESTER	581200	110700	691900	261000	952900
BALANCE OF MASSACHUSETTS		11933700	11933700	4445600	16379300

FEDERAL EMPLOYMENT AGENCY
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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
MICHIGAN	2740350	10926600	38330100	15543700	53873800
ANN ARBOR	16000	68200	84200	45300	129500
CENTRAL CITY POVERTY AREA				45300	45300
DEARBORN	94000		94000	68200	162200
DEARBORN HEIGHTS	139200	57600	196800	54300	251100
DETROIT	9150300	1494200	10644500	4726400	15370900
FLINT	563000	30400	593400	197600	791000
GRAND RAPIDS	1199300	109000	1308300	563400	1871700
KALAMAZOO	156100	211100	367200	139700	506900
LANSING	294600	313300	607900	240400	848300
LIVONIA	184400	23400	207800		207800
PONTIAC	528500	90500	619000		899900
ROYAL OAK	332700	21400	354100		130000
SAGINAW	310200	55700	373900	140100	514000
ST CLAIR SHORES	22400		22400	61100	205500
WARREN	785600		785600	306600	1092200
WESTLAND	175400	30600	206000	56600	262600
BAY COUNTY	680300	29600	709900	320800	1030700
BERKLEN COUNTY	712200	41300	753500	284400	1037900
CALHOUN COUNTY	732800		732800	314400	1071300
BALANCE OF GENESSEE COUNTY	470200	24100	494300	152900	623100
GENESSEE TOWNSHIP				68200	68200
MT MORRIS TOWNSHIP				84700	84700
BALANCE OF INGHAM COUNTY	33400	162000	195400	197400	392800
EAST LANSING				156000	156000
MERIDIAN TOWNSHIP				41400	41400
JACKSON COUNTY	615500	128600	744100	314200	1058300
BALANCE OF KALAMAZOO COUNTY	328800	82100	410900	144700	555600
BALANCE OF KENT COUNTY	544500	30300	574800	169900	744700
LENAWEE COUNTY	462500	57900	520400	230400	750800
BALANCE OF MACOMB COUNTY	1894800	53400	1948200	822900	2771100
MOORE COUNTY	494800	41200	536000	251300	787300
MUSKEGON COUNTY	842300	81600	923900	401700	1325600
BALANCE OF OAKLAND COUNTY	1674300	197900	1872200	514000	2386200
OTTAWA COUNTY	574700	47000	621700	250600	872300
BALANCE OF SAGINAW COUNTY	207500		207500	209600	417300
ST CLAIR COUNTY	732900	28800	761700	350100	1111800
BALANCE OF WASHTENAW COUNTY	445400	461900	907300	380200	1287500
BALANCE OF WAYNE COUNTY	1790900	48100	1839000	526500	2365500
BALANCE OF MICHIGAN		6905400	6905400	2696900	9602300

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	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
MINNESOTA	3170100	6033100	9203200	2218100	11421300
BLOOMINGTON	66000		66000		66000
DULUTH	205000	53500	258500	20400	278900
MODEL CITIES				20400	20400
MINNEAPOLIS	930200	821600	1751800	545800	2297600
ST. PAUL	725800	414000	1139800	334500	1474300
AROKA COUNTY	307200	109200	416400		416400
DAKOTA COUNTY	101600		101600		101600
BALANCE OF HENNEPIN COUNTY	300600	49800	350400		350400
OLMSTED COUNTY	61500	29800	91300		91300
BALANCE OF RAMSEY COUNTY	71100		71100		71100
STEARNS COUNTY	104700	39000	143700	52400	196100
BALANCE OF ST. LOUIS COUNTY	235500		235500		235500
WASHINGTON COUNTY	60900		60900		60900
BALANCE OF MINNESOTA		4516200	4516200	1265000	5781200
MISSISSIPPI	294800	3183700	3458500	319100	3777600
JACKSON	70800	52500	123300		123300
HARRISON COUNTY	145100		145100		145100
JACKSON COUNTY	78900		78900		78900
BALANCE OF MISSISSIPPI		3111200	3111200	319100	3430300
ATTALA COUNTY				33300	33300
CLAIBORNE COUNTY				30700	30700
COPIAH COUNTY				27300	27300
GEORGE COUNTY				19400	19400
GREENE COUNTY				24200	24200
GRENADE COUNTY				29500	29500
KEMPER COUNTY				20000	20000
NESHOMA COUNTY				20700	20700
PANOLA COUNTY				21300	21300
PEARL RIVER COUNTY				40400	40400
WILKINSON COUNTY				29500	29500
YALOBUSHA COUNTY				22800	22800

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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
MISSOURI					
INDEPENDENCE	8432800	2798900	11231700	1880300	13112000
KANSAS CITY	377400	41000	418400		418400
KANSAS CITY	2431500	161100	2592600	567400	3160000
SPRINGFIELD	106000	43100	149100		149100
ST LOUIS	3335600	257100	3592700	886300	4479000
BOONE COUNTY	14600	51600	66200		66200
BUCHANAN COUNTY	185700	81200	266900		266900
BALANCE OF JACKSON COUNTY	452500	41200	493700	100900	594600
JASPER COUNTY	190400	50700	241100		241100
JEFFERSON COUNTY	342700	28600	371300	68700	440000
ST CHARLES COUNTY	307800	30800	338600	64400	403000
ST LOUIS COUNTY	698600	68800	767400	105500	872900
KINLOCK				22400	22400
UNIVERSITY CITY				28200	28200
WILLSTON-PAGE DALE				54900	54900
BALANCE OF MISSOURI		1943700	1943700	87100	2030800
LAFAYETTE COUNTY				20100	20100
PHELPS COUNTY				22900	22900
RIPLEY COUNTY				21200	21200
ST FRANCOIS COUNTY				22900	22900
MONTANA					
CASCADE COUNTY	461400	2855700	3317100	375300	3692400
YELLOWSTONE COUNTY	291600	25100	316700		316700
BALANCE OF MONTANA	169800	52700	222500		222500
		2777900	2777900	375300	3153200
NEBRASKA					
LINCOLN	540400	1288500	1828900	274100	2103000
MALONE	88400	129500	217900	43000	260900
OMAHA				43000	43000
NORTH OMAHA	452000	108300	560300	231100	791400
SOUTH OMAHA				177800	177800
BALANCE OF NEBRASKA		1050700	1050700	53300	53300
					1050700

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	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
NEVADA	1033800	495900	1529700	496100	2025800
LAS VEGAS	736400	79200	815600	103700	919300
BALANCE OF CLARK COUNTY	111600		111600	117700	229300
WASHOE COUNTY	185800	91500	277300	169200	446500
NE RENO BLACK SPRINGS		325200	325200	169200	169200
BALANCE OF NEVADA				105500	430700
NEW HAMPSHIRE	102200	1236300	1338500	140500	1479000
MANCHESTER	102200		102200	69000	171200
MODEL CITY AREA				69000	69000
BALANCE OF NEW HAMPSHIRE		1236300	1236300	71500	1307800
ROCHESTER				27900	27900
SULLIVAN COUNTY				43600	43600

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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6	
	LOCAL JOBS	STATE JOBS*	TOTAL	TOTAL
NEW JERSEY	20958200	4174000	25132200	9779000
CAMDEN	481200	56600	537800	241000
CLIFTON	378400	25200	403600	162800
EAST ORANGE	195000	23400	218400	59900
ELIZABETH	480800	88300	569100	223700
HAMILTON TWP	33000	44000	77000	77000
JERSEY CITY	1577500	130400	1707900	739500
NEWARK	3387100	506300	3893400	1842400
PATERSON	1368100	101300	1469400	705300
TRENTON	244200	234900	479100	178700
WOODBRIIDGE TOWNSHIP	269000	116300	385300	144500
ATLANTIC COUNTY	571400	35600	607000	154500
ATLANTIC CITY				131400
PLEASANTVILLE				23200
HERGEN COUNTY	2009400	144400	2153800	602100
BERGENFIELD				33800
CLIFFSIDE PARK				22000
EAST PATTERSON				37200
ENGLEWOOD				28700
FAIRLAWN				27600
FAIRVIEW				20400
FURT LEE				28000
GARFIELD				115400
HACKENSACK				54000
LODI				79900
LYNDHURST				66400
NEW MILFORD				20100
SADDLE BROOK				23200
WALLINGTON				45400
BURLINGTON COUNTY	1094100	118300	1212400	494100
BALANCE OF CAMDEN COUNTY	651900	112900	764800	230300
CUMBERLAND COUNTY	411200	131600	542800	199400
BALANCE OF ESSEX COUNTY	321900	63100	385000	177000
HELLEVILLE				34700
HUDONFIELD				22800
IRVINGTON				69700
ORANGE				49800
GLoucester COUNTY	610600	101800	712400	299700
BALANCE OF HUDSON COUNTY	1849100	176200	2025300	846600
BALANCE OF MERCER COUNTY	43400	48100	91500	2871900
BALANCE OF MIDDLESEX COUNTY	1477800	591100	2068900	807000
				2875900

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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
MONMOUTH COUNTY	1160900	119800		1280700	1740100
MORRIS COUNTY	359500	49600		409100	409100
OCEAN COUNTY	534700	41200		575900	795600
BALANCE OF PASSAIC COUNTY	481400	34800		516200	856900
HANTHORNE				23700	23700
PASSAIC				211400	211400
RINGWOOD				32900	32900
WEST MILFORD				30900	30900
WEST PATERSON				41800	41800
SOMERSET COUNTY	406600	155400		562000	735100
SUSSEX COUNTY	173000			57500	230500
BALANCE OF UNION COUNTY	387000	70200		457200	584800
LINDEN POVERTY AREA				42800	42800
PLAINFIELD				61100	61100
RAHWAY				23700	23700
BALANCE OF NEW JERSEY		853200		292300	1145500
NEW MEXICO					
ALBUQUERQUE	358300	2509900		2868200	3742000
MNA	358300	111400		469700	699700
SOUTHEAST HEIGHTS				103400	103400
VALLEY AREA				63500	63500
BALANCE OF NEW MEXICO		2398500		63100	63100
				643800	3042300

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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
NEW YORK STATE					
ALBANY	29202600	9830300	39032900		52925000
POVERTY NEIGHBORHOOD	13600	73200	86800		222000
AMHERST TOWN	57900		57900		135200
BABYLON TOWN	551900	86700	638600		57900
BROOKHAVEN TOWN	608300	240400	848700		861100
BUFFALO	1139800	719100	1858900		1165800
CHEEKTOWAGA TOWN	159300		159300		2534200
GREECE TOWN	53000		53000		159300
GREENBURGH TOWN	57900		57900		53000
HUNTINGTON TOWN	144700		144700		57900
ISLIP TOWN	418900	358500	777400		144700
NEW ROCHELLE	95300		95300		1039400
NEW YORK CITY	13144800	1028300	14173100		95300
BROX POVERTY NEIGH.					5805000
KINGS COUNTY					1096000
NEW YORK COUNTY					2633100
QUEENS-VAN WYCK EAST					1941800
NIAGARA FALLS	333000	21700	354700		134100
RAHAPD TOWN	90600		90600		130800
ROCHESTER	797000	259600	1056600		485500
SCHENECTADY	72300		72300		90600
POVERTY AREA					1391400
SMITH TOWN TOWN	35000	47000	82000		55300
SYRACUSE	256300	147900	404200		82000
POV. NEIGH.					601500
TONAWANDA TOWN	101300		101300		197300
UTICA	195600	154100	349700		197300
YONKERS	306000		306000		101300
POVERTY NEIGH.					476900
BALANCE OF ALBANY COUNTY	99400	21200	120600		36500
CORDES MODEL CITY					60500
BROOME COUNTY	406600	150300	556900		60500
CATTARAUGUS COUNTY	297700	34300	332000		155900
CAYUGA COUNTY	206400	37100	243500		35300
CHAUTAUQUA COUNTY	493400	91400	584800		35300
CHEMUNG COUNTY	365100	62200	427300		148600
DUTCHESS COUNTY	80100	79100	159200		123300
POUGHKEEPSIE MODEL CITY					86400
BALANCE OF ERIE COUNTY	602700	137400	740100		211900
JEFFERSON COUNTY	311200	46100	357300		156300
					583600
					255200
					96000
					1200900
					489900

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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5			SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	TOTAL			
BALANCE OF MONROE COUNTY	347300		347300			347300
NASSAU COUNTY	2980300	175400	3155700	821300		3987000
BALANCE OF NIAGARA COUNTY	479400	20900	500300	164800		665100
BALANCE OF ONEIDA COUNTY	362100	108300	470400	134900		605300
BALANCE OF ONONDAGA COUNTY	335000		335000			335000
ONTARIO COUNTY	77900		77900			77900
ORANGE COUNTY	310600	75900	386500	37200		423700
NEWBURGH				37200		37200
OSWEGO COUNTY	278600	97200	375800	132700		508500
RENSSELAER COUNTY	125500		125500	78100		203600
IRONY POW. NEIGH.				78100		78100
BALANCE OF ROCKLAND COUNTY	50500	45900	96400			96400
ST LAWRENCE COUNTY	274600	134900	409500	148000		557500
SARATOGA COUNTY	226800	48200	275000	70900		345900
BALANCE OF SCHENECTADY COUNTY	53000		53000			53000
STEUBEN COUNTY	201800		201800			201800
BALANCE OF SUFFOLK COUNTY	539200		539200	240300		779500
TOMPKINS COUNTY	40200	36900	77100	19300		96400
ITHACA				19300		19300
ULSTER COUNTY	338000	148200	486200	172100		658300
WAYNE COUNTY	286600	147700	434300	174300		608600
BALANCE OF WESTCHESTER COUNTY	390100	34400	424500			424500
BALANCE OF NEW YORK		4960800	4960800	1918000		6878800

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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
NORTH CAROLINA	2375000	2721400	5096400	721800	5818200
CHARLOTTE	199200		199200		199200
DURHAM	73200	31400	104600		104600
GREENSBORO	57700	46900	104600		104600
RALEIGH	21200	48600	69800		69800
WINSTON-SALEM	332400	100400	432800	22600	455400
MODEL NEIGH.				22600	22600
ALAMANCE COUNTY	124100		124100		124100
BUTLER COUNTY	109600		109600		109600
CATAMBA COUNTY	94600		94600		94600
CUMBERLAND COUNTY	235000		235000		235000
DAVIDSON COUNTY	185000		185000		185000
BALANCE OF FORSYTH COUNTY	39800		39800		39800
GASTON COUNTY	84600		84600		84600
BALANCE OF GUILFORD COUNTY	114600		114600		114600
BALANCE OF MECHLENBURG COUNTY	69800		69800		69800
NEW HANOVER COUNTY	69800		69800		69800
ONSLOW COUNTY	118100		118100		118100
RANDOLPH COUNTY	59800		59800		59800
ROHESON COUNTY	210000	52500	262500	64100	326600
ROKIN COUNTY	44800		44800		44800
BALANCE OF WAKE COUNTY	69800		69800		69800
WAYNE COUNTY	61900	30900	92800		92800
BALANCE OF NORTH CAROLINA		2410700	2410700	635100	3045800
BERTIE COUNTY				20200	20200
BLADEN COUNTY				22500	22500
CHEROKEE COUNTY				19600	19600
COLLINGS COUNTY				31100	31100
FRANKLIN COUNTY				57400	57400
GRAHAM COUNTY				40300	40300
GREENE COUNTY				32300	32300
HERFORD COUNTY				33800	33800
Hoke County				23800	23800
MACON COUNTY				19200	19200
MADISON COUNTY				37100	37100
MARTIN COUNTY				31000	31000
PENDER COUNTY				30500	30500
PERSON COUNTY				33500	33500
PITT COUNTY				87700	87700
ROCKINGHAM HAMLET				36600	36600
WILSON COUNTY				78500	78500

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 (DOLLARS)

	SECTION 5		SECTION 6	TOTAL
STATE, PROGRAM AGENT, AND SUB-AREAS	LOCAL JOBS	STATE JOBS*	TOTAL	
NORTH DAKOTA		1579600	1579600	1579600
BALANCE OF NORTH DAKOTA		1579600	1579600	1579600

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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
OHIO	12757200	3720300	16477500	4948800	21426300
AKRON	314000	162500	476500	72100	548600
MODEL NEIGH.				72100	72100
CANTON	275400	22100	297500	77500	375000
CINCINNATI	944000	38700	982700	447200	1429900
CLEVELAND	2044400	185700	2230100	548900	2779000
COLUMBUS	205700	327300	533000	110400	643600
POVERTY NEIGH.				110600	110600
DAYTON	773300	74600	847900	252200	1103100
LORAIN	171600		171600	43400	215000
PARMA	86600		86600		86600
SPRINGFIELD	168100		168100	41500	209600
TOLEDO	396800	158000	554800	97700	654500
CEP				97700	97700
YOUNGSTOWN	67700	26900	94600	358400	453000
ALLEN COUNTY	472200	103600	575800	209000	784800
ASHTABULA COUNTY	171300		171300		171300
BELMONT COUNTY	46100		46100		46100
BUTLER COUNTY	461700	260500	722200	239300	961500
BALANCE OF CLARK COUNTY	66400		66400		66400
CLERMONT COUNTY	612400		612400	283900	896300
COLUMBIANA COUNTY	159800		159800	24400	184200
EAST LIVERPOOL				24400	24400
BALANCE OF CUYAHOGA COUNTY	674000	22900	696900	52200	749100
EAST CLEVELAND				52200	52200
ERIE COUNTY	76900		76900		76900
BALANCE OF FRANKLIN COUNTY	141700	22200	163900		163900
GREENE COUNTY	305400	28400	337800	92100	429900
BALANCE OF HAMILTON COUNTY	461700		461700		461700
JEFFERSON COUNTY	51200		51200		51200
LAKE COUNTY	319100		319100	20500	339600
MENTOR				20500	20500
LICKING COUNTY	107100		107100		107100
NEWARK				32000	32000
BALANCE OF LORAIN COUNTY	223700		223700	272800	496500
BALANCE OF LUCAS COUNTY	61500		61500		61500
BALANCE OF MAHONING COUNTY	194700		194700		194700
MEDINA COUNTY	127100		127100	221200	415900
MIAMI COUNTY	186600		186600		186600
BALANCE OF MONTGOMERY COUNTY	517900		517900	46700	564600
MUSKINGUM COUNTY	66600		66600		66600

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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6	
	LOCAL JOBS	STATE JOBS*	TOTAL	TOTAL
PORTAGE COUNTY				318300
KENT	83200	132400	215600	102700
RICHLAND COUNTY				102700
MANSFIELD	187000		187000	37800
SCIOTO COUNTY				37800
BALANCE OF STARK COUNTY	298300	44200	342500	135900
ALLIANCE	244300	26800	271100	132900
MASSILLON				56200
BALANCE OF SUMMIT COUNTY	246000		246000	76700
TRUMBULL COUNTY	215200		215200	246000
TUSCARAWAS COUNTY	117000	21600	138600	508700
WARREN COUNTY	339000	149100	488100	138600
WAYNE COUNTY	66600		66600	707800
WOOD COUNTY	24400	47300	71700	66600
BALANCE OF OHIO		1865500	1865500	71700
BROWN COUNTY				2343200
CARROLL COUNTY				39200
CRAWFORD COUNTY				51300
FAYETTE COUNTY				35500
FISTORIA CITY				25900
GAUGA COUNTY				19600
HOCKING COUNTY				34800
JACKSON COUNTY				33900
LAWRENCE COUNTY				35600
MEIGS COUNTY				45900
PIKE COUNTY				33500
PREBLE COUNTY				29200
PUTNAM COUNTY				30800
VAN WERT COUNTY				27700
				34800

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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6	
	LOCAL JOBS	STATE JOBS*	TOTAL	TOTAL
OKLAHOMA	969000	2397900	3366900	1494900
OKLAHOMA CITY	256600	62500	319100	58300
POVERTY AREA				58300
TULSA	433200	51200	484400	73700
MODEL NEIGHBORHOOD				73700
CLEVELAND COUNTY	13100	33100	46200	46200
COMANCHE COUNTY	117600		117600	150800
LANTON				33200
BALANCE OF OKLAHOMA COUNTY	148500	68900	217400	33200
BALANCE OF OKLAHOMA		2182200	2182200	217400
ADAIR COUNTY				3511900
ADOKA COUNTY				106700
BRYAN COUNTY				55000
CHEROKEE COUNTY				55000
CHOCTAW COUNTY				38600
CREEK COUNTY				70800
DELAWARE COUNTY				24000
GRADY COUNTY				41200
HASKELL COUNTY				25900
HUGHES COUNTY				39000
LATIMER COUNTY				33100
LEFLORE COUNTY				35300
MAYES COUNTY				31900
MCINTOSH COUNTY				42800
MUSKOGEE COUNTY				79700
OKMULGEE COUNTY				28300
OSAGE COUNTY				28300
OTTAWA COUNTY				100400
PITTSBURG COUNTY				69900
PONTOTOC COUNTY				44600
POTTAWATOMIE COUNTY				53700
RODGERS COUNTY				91100
SEMINOLE COUNTY				32300
SEQUOYAH COUNTY				23300
TILLMAN COUNTY				73800
WAGONER COUNTY				43200
				31700
				51300
				62100

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 (DOLLARS)

STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	TOTAL		
OREGON	4247700	4016200	8263900	1627000	9890900
EUGENE	90900	106900	197800		197800
PORTLAND	1069100	391600	1460700	281200	1741900
CLACKAMAS COUNTY	418000	62400	481200		481200
JACKSON COUNTY	445900	170500	616400	163000	779400
BALANCE OF LANE COUNTY	947900		947900	256700	1204600
MARION COUNTY	383800	542800	926600	236900	1163500
BALANCE OF MULTNOMAH COUNTY	607700		607700	152300	760000
WASHINGTON COUNTY	283600		283600		283600
BALANCE OF OREGON		2742000	2742000	536900	3278900

EMERGENCY EMPLOYMENT ALI
 DISTRIBUTION OF FUNDS MARCH 15, 1973 - JUNE 30, 1974
 SECTION 5 AND SECTION 6
 (DOLLARS)

STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
PENNSYLVANIA	16575600	3510600	20086200	7004500	27090700
ALLENTOWN	68300	41400	109700		109700
ERIE	244400		244400	27700	272100
MODEL NEIGHBORHOOD				27700	27700
PHILADELPHIA	6371400	446500	6817900	1811800	8629700
PITTSBURGH	784600	58900	843500	1012800	1856300
PITTSBURGH-CEP				1012800	1012800
READING	78300		78300	46100	124400
MODEL NEIGH. AREA				46100	46100
SCRANTON	213200	58700	271900	71200	343100
UPPER DARRY	28200	81500	109700		109700
BALANCE OF ALLEGHENY COUNTY	682300	111200	793500	297700	1091200
BRACKENRIDGE-TARENTUM SECT.				22200	22200
CLAIRTON-GLASSPORT SECT.				23100	23100
DUQUESNE				22800	22800
MCKEESPORT				68900	68900
MCKEES ROCKS				20400	20400
TURTLE CREEK VALLEY				140300	140300
ARMSTRONG COUNTY	255600	40900	296500	122600	419100
BEAVER COUNTY	167000		167000		167000
BALANCE OF BERKS COUNTY	105400	40700	146100		146100
BLAIR COUNTY	99400	31100	130500	52600	183100
TYRGIE RED. AREA				52600	52600
BUCKS COUNTY	449900	44600	494500		494500
BUTLER COUNTY	105800	64200	170000		170000
CAMARIA COUNTY	114600	47100	161700	206900	368600
CENTRE COUNTY	10800	72700	83500		83500
CHESTER COUNTY	128600	48900	177500		177500
CRAWFORD COUNTY	210700	31200	241900	77700	319600
CUMBERLAND COUNTY	104400		104400		104400
DAUPHIN COUNTY	74200	160700	234900	38200	273100
HARRISBURG LOWER UPTOWN				38200	38200
BALANCE OF DELAWARE COUNTY	1138200	131400	1269600	456500	1726100
BALANCE OF ERIE COUNTY	94500	41200	135700		135700
FAYETTE COUNTY	446800	136800	583600	242900	826500
FRANKLIN COUNTY	231300	32700	264000	70200	334200
INDIANA COUNTY	76200	76200	152400		152400
BALANCE OF LACKAWANNA COUNTY	321300	186600	507900	178000	685900
LANCASTER COUNTY	202400	69100	271500	31900	303400
LANCASTER MODEL CITY				31900	31900
LAWRENCE COUNTY	235300	26900	262200	78400	340600

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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6	
	LOCAL JOBS	STATE JOBS*	TOTAL	TOTAL
LEBANON COUNTY	73100		73100	73100
BALANCE OF LEHIGH COUNTY	69800	24100	93900	93900
LUZERNE COUNTY	377200	165900	543100	586100
WILKES BARRE				43000
LYCOMING COUNTY				43000
MERCER COUNTY	284100	94700	378800	495300
MONTGOMERY COUNTY	316600	36200	352800	454900
NORTHAMPTON COUNTY	456000	92100	548100	548100
NORTHUMBERLAND COUNTY	278700		278700	278700
SCHUYLKILL COUNTY	303600	75900	379500	506000
SOMERSET COUNTY	242100	96900	339000	425000
WASHINGTON COUNTY	66500	30400	96900	129100
WESTMORELAND COUNTY	130100	56000	186100	226000
YORK COUNTY	684100	156900	841000	346400
BALANCE OF PENNSYLVANIA	250600		250600	532500
BEDFORD COUNTY		600300	600300	1073400
BRADFORD COUNTY				250600
CAMERON COUNTY				1599600
CARBON COUNTY				89300
CLEARFIELD COUNTY				119100
CLINTON COUNTY				27100
COLUMBIA COUNTY				71200
ELK COUNTY				113900
FULTON COUNTY				95100
GREENE COUNTY				50900
HUNTINGDON COUNTY				35700
JEFFERSON COUNTY				24600
MCKEAN COUNTY				27500
POTTER COUNTY				56600
SUSQUEHANNA COUNTY				36600
TIOGA COUNTY				86300
WYOMING COUNTY				31700
				67000
				39400
				27300
RHODE ISLAND	747800	2760600	3508400	5013900
PAWUCKET	264000		264000	312100
PROVIDENCE	188100	215800	403900	1013700
CEP				609800
WARWICK	295700		295700	609800
BALANCE OF RHODE ISLAND		2544800	2544800	381900
				3286200

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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
SOUTH CAROLINA	1291800	2466200	3758000	1413700	5171700
COLUMBIA	67700	76300	144000	25000	169000
POVERTY NEIGH.				25000	25000
AIKEN COUNTY	63700		63700		63700
ANDERSON COUNTY	84900		84900		84900
CHARLESTON COUNTY	281600	37300	318900		550700
CHARLESTON CITY				231800	231800
ISLAND AREA				127500	127500
MT PLEASANT-MCCLELLANVILLE				24000	24000
NOISETTE CREEK				19200	19200
NO. CHARLESTON				36500	36500
FLORENCE COUNTY	86300		86300	24600	24600
GREENVILLE COUNTY	191300	21000	212300		86300
LEXINGTON COUNTY	160000		160000		212300
BALANCE OF RICHLAND COUNTY	38100	42600	80700		160000
BENDALE				44800	125500
OLYNPIA-BLUFF				20400	29400
SPARTANBURG COUNTY	127400		127400	24400	24400
SUXTER COUNTY	90400		90400		127400
YORK COUNTY	100400	45000	145400		90400
BALANCE OF SOUTH CAROLINA		2244000	2244000	62300	207700
				1049800	3293800
SOUTH DAKOTA	174000	1073100	1247100		1247100
MINNEHAHA COUNTY	174000		174000		174000
BALANCE OF SOUTH DAKOTA		1073100	1073100		1073100

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STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
TENNESSEE	1355000	4830600	6185600	1231900	7417500
CHATTANOOGA	134600	30600	165200	124200	289400
CEP				124200	124200
KNOXVILLE	88400	62800	151200		151200
MEMPHIS	531100	88600	619700		961900
CENTRAL CITY				342200	342200
NASHVILLE/ISAME AS DAVICSON CO)	314300	139100	453400		501300
MODEL NEIGHBORHOOD				47900	47900
BALANCE OF HAMILTON COUNTY	100800		100800		100800
BALANCE OF KNOX COUNTY	29600	25900	55500		55500
BALANCE OF SHELBY COUNTY	35300		35300		35300
SULLIVAN COUNTY	120900		120900		120900
BALANCE OF TENNESSEE		4483600	4483600	717600	5201200
BENTON COUNTY				21800	21800
CAMPBELL COUNTY				45800	45800
CARTER COUNTY				79600	79600
COCKE COUNTY				38600	38600
COOREVILLE MODEL CITY				36300	36300
DICKSON COUNTY				30900	30900
FRANKLIN COUNTY				48600	48600
GREENL COUNTY				82800	82800
HICKMAN COUNTY				29500	29500
HOUSTON COUNTY				29000	29000
LAWRENCE COUNTY				42600	42600
MURFRE COUNTY				25500	25500
RHEA COUNTY				33900	33900
ROANE COUNTY				50700	50700
ROBERTSON COUNTY				33200	33200
SCOTT COUNTY				25900	25900
SEQUATCHIE COUNTY				27800	27800
WHITE COUNTY				35100	35100

EMERGENCY EMPLOYMENT ACT
DISTRIBUTION OF FUNDS MARCH 15, 1973 - JUNE 30, 1974
SECTION 5 AND SECTION 6
(DOLLARS)

STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
TEXAS	5838800	3954800	9793600	3486800	13280400
ABILENE	70000		70000		70000
AMARILLO	71200	22200	93400		93400
ARLINGTON	56000		56000	82900	138900
AUSTIN	53800	100200	154000	46100	200100
MODEL NEIGH.				46100	46100
BEAUMONT	139800	33000	172800	76300	249100
CORPUS CHRISTI	190700	22400	213100	51000	264100
POVERTY AREA				51000	51000
DALLAS	602700	125400	728100	275800	1003900
CENTRAL CITY				77300	77300
JEFFERSON TRINITY				52800	52800
SOUTH DALLAS POVERTY AREA				116500	116500
WEST DALLAS-EAGLE FORD				29200	29200
EL PASO	243500	54000	297500	179700	477200
EAST SIDE				30300	30300
FIVE PTS SAN JUAN TIGUA				30900	30900
PASO-DEL VERDE				19200	19200
PIEDROS-DEL VERDE				24900	24900
SO. EL PASO EAST CENT.				39600	39600
WEST CENTRAL CITY				34800	34800
FORT WORTH	416300	39400	455700	416600	872300
HIGHLAND PK-MORN SIDE				416600	416600
GARLAND	70000		70000		70000
HOUSTON	670200	132500	802700	326100	1128800
MODEL NEIGH.				326100	326100
IRVING	84000		84000		84000
LUBBOCK	37000	85500	121200		121200
ODESSA	65300		65300		65300
PASADENA	46600		46600		46600
SAN ANTONIO	810300	49000	859300	369500	1228800
MACO	97300	21600	118900	34400	153300
MODEL NEIGH.				34400	34400
NICHITA FALLS	60700		60700		60700
BELL COUNTY	42000		42000		42000
BALANCE OF BEXAR COUNTY	37300		37300		37300
SO. AND S.W. POVERTY AREA				73100	73100
BRAZORIA COUNTY	46600		46600		46600
CAMERON COUNTY	231700	28600	260300	179600	439900
BALANCE OF DALLAS COUNTY	312700		312700		312700
DENTON COUNTY	32700		32700		32700

EMERGENCY EMPLOYMENT ACT
DISTRIBUTION OF FUNDS MARCH 15, 1973 - JUNE 30, 1974
SECTION 5 AND SECTION 6
(DOLLARS)

STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
GALVESTON COUNTY	83000	75100	158100		158100
GRAYSON COUNTY	76600		76600		76600
GREGG COUNTY	74700		74700		74700
BALANCE OF HARRIS COUNTY	336000		336000		336000
HIDALGO COUNTY	229500	26500	256000	126500	382500
BALANCE OF JEFFERSON COUNTY	94400	22200	116600	70600	187200
PORT ARTHUR WESTSIDE				70600	70600
SMITH COUNTY	65300		65300		65300
BALANCE OF TARRANT COUNTY	392200	37200	429400	259600	689000
BALANCE OF TEXAS		3080000	3080000	919000	3999000
BOWIE COUNTY				73300	73300
CASS COUNTY				32700	32700
DIMMIT COUNTY				20600	20600
JASPER COUNTY				19000	19000
KERR COUNTY				24400	24400
LA SALLE COUNTY				23000	23000
MAVERICK COUNTY				90400	90400
MEDINA COUNTY				36300	36300
GRANGE COUNTY				84500	84500
STARR COUNTY				53100	53100
UVALDE COUNTY				26200	26200
VAL VERDE COUNTY				41400	41400
WEBB COUNTY				271000	271000
WILLACY COUNTY				30900	30900
ZAPATA COUNTY				27200	27200
ZAVALA COUNTY				65000	65000

EMERGENCY EMPLOYMENT ACT
DISTRIBUTION OF FUNDS MARCH 15, 1973 - JUNE 30, 1974
SECTION 5 AND SECTION 6
(DOLLARS)

STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
UTAH					
SALT LAKE CITY	1812400	1504700	3317100	1127200	4444300
DAVIS COUNTY	318300	384400	702700	292100	994800
BALANCE OF SALT LAKE COUNTY	136300		136300	105600	241900
UTAH COUNTY	327000	22500	349500		349500
WEBER COUNTY	454600	131200	585800	299600	885400
BALANCE OF UTAH	576200	103300	679500	132300	811800
BOX ELDER COUNTY		863300	863300	297600	1160900
CACHE COUNTY				25900	25900
CARBON COUNTY				32600	32600
DUCHESNE COUNTY				38100	38100
MILLARD COUNTY				20600	20600
SAN JUAN COUNTY				20600	20600
SANPETE COUNTY				44900	44900
SUMMIT COUNTY				35300	35300
TOOLE COUNTY				20000	20000
WASATCH COUNTY				36000	36000
				23600	23600
VERMONT					
BALANCE OF VERMONT		1479800	1479800	280800	1760600
		1479800	1479800	280800	1760600

EMERGENCY EMPLOYMENT ACT
DISTRIBUTION OF FUNDS MARCH 15, 1973 - JUNE 30, 1974
SECTION 5 AND SECTION 6
(DOLLARS)

STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
VIRGINIA	1362100	2345700	3707800	468900	4176700
ALEXANDRIA	68600		68600		68600
CHESAPEAKE	63300		63300		63300
HAMPTON	84400		84400		84400
NEWPORT NEWS	110700		110700		110700
NORFOLK	188100	22900	211000	28000	239000
CEP				28000	28000
PORTSMOUTH	84400		84400		84400
RICHMOND	108700	144400	253100	40500	293600
MODEL CITY				40500	40500
ROANOKE	68600		68600		68600
VIRGINIA BEACH	94900		94900		94900
ARLINGTON COUNTY	63300		63300		63300
CHESTERFIELD COUNTY	52700		52700		52700
FAIRFAX COUNTY	216200		216200		216200
HENRICO COUNTY	73800		73800		73800
PRINCE WILLIAM COUNTY	84400		84400		84400
BALANCE OF VIRGINIA		2178400	2178400	400400	2578800
ACCOMACK COUNTY				51700	51700
BUCHANAN COUNTY				20500	20500
CHARLOTTE COUNTY				47200	47200
DICKENSON COUNTY				22200	22200
LANCASTER COUNTY				29500	29500
NORTHAMPTON COUNTY				29100	29100
NORTHAMBERLAND COUNTY				31900	31900
SPYTH COUNTY				45900	45900
TAZEWELL COUNTY				25700	25700
WASHINGTON COUNTY				41700	41700
WISE COUNTY				55000	55000

EMERGENCY EMPLOYMENT ACT
DISTRIBUTION OF FUNDS MARCH 15, 1973 - JUNE 30, 1974
SECTION 5 AND SECTION 6
(DOLLARS)

STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
WASHINGTON	15696200	9137200	24833400	11955400	36788800
SEATTLE	3380400	2139000	5519400	2785500	8304900
SPOKANE	732900	110200	843100	372500	1215600
TACOMA	896800	82300	979100	478700	1457800
CLARK COUNTY	467500	115100	582600	237100	819700
BALANCE OF KING COUNTY	4949200	877400	5826600	2893800	8720400
KITSAP COUNTY	611400	39700	651100	313400	964500
BALANCE OF PIERCE COUNTY	1069300	283700	1373000	650200	2023200
SNOHOMISH COUNTY	2304000	497000	2801000	1416000	4217000
BALANCE OF SPOKANE COUNTY	127400	336700	464100	190000	654100
THURSTON COUNTY	87400	242700	330100	135200	465300
WHATCOM COUNTY	299100	242200	541300	250300	791600
YAKIMA COUNTY	750800	237700	988500	463400	1451900
BALANCE OF WASHINGTON		3933500	3933500	1769300	5702800
WEST VIRGINIA	785000	5051300	5836300	949500	6785800
CABELL COUNTY	259400	221500	480900	79600	560500
KANAWHA COUNTY	193600	201900	395500		395500
WOOD COUNTY	332000	24200	356200	65100	421300
BALANCE OF WEST VIRGINIA		4603700	4603700	804800	5408500

EMERGENCY EMPLOYMENT ACT
DISTRIBUTION OF FUNDS MARCH 15, 1973 - JUNE 30, 1974
SECTION 5 AND SECTION 6
(DOLLARS)

STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
WISCONSIN					
GREEN BAY	7600500	3232200	10832700	1642600	12475300
KENOSHA	454400	129400	583800	111000	694800
MADISON	100700		100700		100700
EAST SIDE	42300	110300	152600	52800	205400
MILWAUKEE				52800	52800
RACINE	2934600	566500	3501100	554400	4055500
BALANCE OF DANE COUNTY	472300		472300	83800	556100
FOND DU LAC COUNTY	123300		123300		123300
FOND DU LAC	221000		221000	26800	247800
LA CROSSE COUNTY				26800	26800
MANITOWAC COUNTY	293100	176100	469200	80100	549300
MARATHON COUNTY	127700		127700		127700
BALANCE OF MILWAUKEE COUNTY	297100	21400	318500		318500
OUTAGAMIE COUNTY	322800		322800		322800
BALANCE OF RACINE COUNTY	376400		376400		376400
ROCK COUNTY	257700	161000	418700	77900	496600
SHERBOGAN COUNTY	539300	28000	567300	94700	662000
WAUKESHA COUNTY	105700		105700		105700
WINNEPAGO COUNTY	763000	56900	819900	136200	956100
OSHKOSH	169100	127900	297000	38500	335500
BALANCE OF WISCONSIN				38500	38500
ASHLAND COUNTY		1854700	1854700	386400	2241100
DAYFIELD COUNTY				22000	22000
CHIPPERRA COUNTY				47800	47800
DODGAS COUNTY				32400	32400
JUPEAU COUNTY				57600	57600
LANGLADE COUNTY				56500	56500
MARINETTE COUNTY				30900	30900
MEMPHREE COUNTY				26200	26200
OLONTA COUNTY				21300	21300
POLK COUNTY				20700	20700
WAUSHARA COUNTY				43000	43000
				28000	28000
WYOMING					
BALANCE OF WYOMING		1247100	1247100	46100	1293200
CHEYENNE (MOD. CITY AREA)		1247100	1247100	46100	1293200
					46100

EMERGENCY EMPLOYMENT ACT
DISTRIBUTION OF FUNDS MARCH 15, 1973 - JUNE 30, 1974
SECTION 5 AND SECTION 6
(DOLLARS)

STATE, PROGRAM AGENT, AND SUB-AREAS	SECTION 5		SECTION 6		TOTAL
	LOCAL JOBS	STATE JOBS*	LOCAL JOBS	STATE JOBS*	
PUERTO RICO	792600	14645900	15438500	7069100	22507600
PONCE	180400	831800	1012200	440300	1452500
BAYAMON MUNICIPAL	161500	522900	684400	237100	921500
CAGUAS MUNICIPAL	217700	878800	1096500	514600	1611100
CAROLINA MUNICIPAL	53200	44800	98000	145600	243600
MAYAGUEZ MUNICIPAL	78000	425800	503800	203200	707000
SAN JUAN MUNICIPAL	101800	552400	654200	566000	1220200
MODEL CITIES				566000	566000
BALANCE OF PUERTO RICO		11389400	11389400	4962300	16351700
INDIAN RESERVATIONS					
INDIAN RESERVATIONS		2843300	2843300	1379200	4222500
		2843300	2843300	1379200	4222500
TERRITORIES					
TERRITORIES	1247000		1247000		1247000
AMERICAN SAMOA	1247000		1247000		1247000
GUAM	138800		138800		138800
VIRGIN ISLANDS	421400		421400		421400
TRUST TERRITORIES OF PACIFIC	424700		424700		424700
	262100		262100		262100
UNITED STATES TOTALS	294903800	205096200	500000000	165000000	665000000

* AMOUNT SHOWN FOR BALANCE OF EACH STATE TO BE APPORTIONED
BETWEEN STATE GOVERNMENT AND LOCAL GOVERNMENT JOBS IN
NON-PROGRAM AGENT AREAS

Program agent and reservation	State	Amount
Metlakatla Indian Community.....	Alaska	\$21,400
Annette Island.....		19,700
Program Agent Administration.....		1,700
Indian Development District of Arizona.....	Arizona, California, and Nevada	857,700
AK Chin.....		4,500
Camp Verde.....		12,000
Colorado River.....		32,900
Fort Apache.....		115,400
Fort McDowell.....		6,500
Fort Mojave.....		10,100
Fort Yuma.....		23,700
Gila River.....		140,000
Havasupai.....		4,800
Hopi.....		115,900
Hualapai.....		20,300
Maricopa.....		122,600
Navajo.....		45,000
Program Agent Administration.....		92,200
Navajo Tribe.....		5,400
Navajo.....	Arizona, New Mexico, and Utah	67,900
Navajo.....		2,598,400
Navajo.....		2,357,800
Program Agent Administration.....		210,600
Inter-Tribal Council of California.....	California	114,200
Bishop.....		13,500
Bozeman Valley.....		18,700
Chino.....		4,700
Round Valley.....		7,200
Shoshone.....		4,400
Tule River.....		5,600
Other Reservations and Reservations.....		50,600
Program Agent Administration.....		9,200
State of Colorado.....	Colorado, New Mexico, and Utah	37,500
Southern Ute.....		11,800
Ute Mountain.....		22,600
Program Agent Administration.....		3,100
United Southeastern Tribes.....	Florida, North Carolina, Louisiana, South Carolina, and Mississippi	199,500
Big Cypress.....		6,200
Big Horn.....		5,400
Chickasaw.....		91,500
Choctaw.....		5,100
Hollywood.....		62,800
Galena.....		7,200
Mississippi.....		4,900
Program Agent Administration.....		16,300
Idaho Inter-Tribal Policy Board.....	Idaho	107,800
Coeur d'Alene.....		10,300
Fort Hall.....		40,500
Net Perce.....		28,800
Program Agent Administration.....		8,800
State of Maine.....	Maine	20,700
Penobscot.....		7,000
Piscataway and Indian Township.....		11,100
Program Agent Administration.....		1,700

See footnotes at end of table.

Program agent and reservation	State	Amount
Inter-Tribal Council of Michigan.....	Michigan	\$25,500
Bay Mills.....		6,000
Isabella.....		4,900
L'Anse.....		8,600
Hannuville.....		4,300
Program Agent Administration.....		1,700
Minnesota Chippewas Tribe.....	Minnesota	234,100
Fond du Lac.....		14,700
Leech Lake.....		55,300
Mille Lacs.....		16,300
Nett Lake.....		13,300
Red Lake.....		24,000
White Earth.....		31,300
Grand Portage.....		10,100
Lower Sioux.....		19,200
Prior Lake.....		603,600
Upper Sioux.....		122,700
Program Agent Administration.....		75,800
Montana Inter-Tribal Policy Board.....	Montana and Wyoming	45,100
Blackfeet.....		33,400
Crow.....		118,400
Flathead.....		40,100
Fort Belknap.....		50,800
Fort Peck.....		80,100
Northern Cheyenne.....		48,500
Rocky Boy's.....		88,800
Wind River.....		48,500
Program Agent Administration.....		58,800
Nebraska Indian Inter-Tribal Development Corporation.....	Nebraska, Kansas, and Iowa	36,900
Omaha.....		4,800
Santee Sioux.....		14,700
Winnebago.....		6,800
Kickapoo.....		12,100
Potawatomi.....		8,800
Sac and Fox (Iowa).....		7,300
Sac and Fox (Kansas).....		7,400
Flamethorn.....		107,700
Program Agent Administration.....		13,500
Inter-Tribal Council of Nevada.....	Nevada, Idaho, and Oregon	6,500
Druck Valley.....		6,900
Fallon Colony and Reservation.....		17,700
Fort McDermitt.....		10,500
Pyramid Lake.....		7,400
Reese-Specks Colony.....		30,400
Walker River.....		8,800
Other Reservations.....		507,200
Program Agent Administration.....		37,900
All Indian Pueblo Council.....	New Mexico	40,000
Acoma.....		27,300
Cochiti.....		29,600
Isleta.....		56,800
Jemez.....		33,000
San Felipe.....		20,900
San Ildefonso.....		4,200
San Juan.....		12,900
San Maria.....		7,900
San Mateo.....		8,700
Santa Clara.....		38,300
Santa Domingo.....		

DISTRIBUTION OF FUNDS TO INDIAN RESERVATIONS—Continued

Program agent and reservation	State	Amount
All Indian Pueblo Council—Continued		
Taos		\$16,900
Zia		7,400
Zuni		101,200
Nambe		
Picuris		
Pojoaque		11,800
Sandia		
Tesuque		
Program Agent Administration		41,600
Seneca Nation	New York	184,300
Allegany		23,700
Cattaraugus		47,300
Onondaga		30,500
St. Regis Mohawk		43,400
Tonawanda		11,500
Tuscarora		12,800
Program Agent Administration		15,100
Osage Tribal Council	Oklahoma	68,500
Osage		62,900
Program Agent Administration		5,600
State of Oregon	Oregon	56,400
Umatilla		19,400
Warm Springs		32,400
Program Agent Administration		4,600
United Sioux of South Dakota Development Corporation	South Dakota, North Dakota, and Nebraska	935,800
Cheyenne River		81,400
Crow Creek		22,700
Fort Berthold		52,900
Fort Totten		34,500
Lower Brule		11,500
Pine Ridge		219,900
Rosebud		141,600
Sisseton		38,200
Standing Rock		93,000
Turtle Mountain		138,800
Yankton		24,600
Program Agent Administration		76,700
State of Texas	Texas	15,500
Alabama-Coushatta		7,400
Tigua		6,800
Program Agent Administration		1,300
Utah and Ouray Agency	Utah	27,300
Utah and Ouray		25,100
Program Agent Administration		2,200
State of Washington	Washington	333,800
Colville		58,800
Lummi		13,300
Makah		10,200
Muckleshoot		5,400
Quileute		5,400
Quinalt		18,200
Spokane		11,800
Squaxin Island		2,800
Swinomish		7,200
Tulalip		9,700
Yakima		138,200
Other Reservations ¹		25,700
Program Agent Administration		27,100
Great Lakes Inter-Tribal Council Corporation	Wisconsin	136,600
Bad River		8,300
Lac Courte Oreilles		16,900
Lac du Flambeau		15,800
Red Cliff		5,900
St. Croix		5,700
Oneida		32,900
Potawatomi		4,500
Stockbridge-Munsee		9,100
Winnebago		26,300
Program Agent Administration		11,200
Total		7,222,500

¹ The following reservations and rancherias are included: Agua Caliente, Alturas Rancheria, Barona, Berry Creek Rancheria, Big Bend Rancheria, Big Pine, Big Sandy Rancheria, Cabazon, Cahuilla, Campo, Cedarville Rancheria, Cold Springs Rancheria, Colusa Rancheria, Cortina Rancheria, Cuyapaipe, Dry Creek Rancheria, Enterprise Rancheria, Fort Bidwell, Fort Independence, Grindstone Creek Rancheria, Hoopa Extension, Hopland Rancheria, Inaja-Cosmit, Jackson Rancheria, La Jolla, Laytonville, Likely, Lone Pine, Lookout Rancheria, Los Coyotes, Manchester, Manzanita, Mesa Grande, Middletown Rancheria, Montgomery Creek Rancheria, Pala, Pauma, Pecharanga, Rincon, Roaring Creek Rancheria, Rumsey Rancheria, San Manuel, San Pasqual, Santa Rosa Rancheria, Santa Rosa, Santa Ysabel, Santa Ynez, Sheep Ranch Rancheria, Stewart Point Rancheria, Sulphur Bank Rancheria, Susanville Rancheria, Sycuan, Torres Martinez, Trinidad Rancheria, Tuolumne Rancheria, Viejas and X.L.

² The following reservations are included: Battle Mountain Colony, Carson Colony, Dresserville Colony, Duckwater, Elko Colony, Ely Colony, Goshute, Las Vegas Colony, Lovelock Colony, Moapa, Nevada Public Domain, Ruby Valley, South Fork, Summit Lake, Winnemucca Colony, Yerington Reservation and Colony, and Yomba.

³ The following reservations are included: Chehalis, Hoh, Kallispel, Lower Elwha, Nisqually, Port Gamble, Port Madison, Puyallup, Shoalwater and Skokomish.

DISTRIBUTION OF SECTION 6 RESERVE FUNDS

MARCH 15, 1973—JUNE 30, 1974

State and program agent:	Sec. 6
Alabama	\$48,200
Huntsville (part)	48,200
Alaska	482,300
Greater Anchorage area	
Burrough	192,900
Balance of Alaska	289,400
Arkansas	144,700
Sebastian County (part)	48,200
Balance of Arkansas (part)	96,500
Colorado	144,700
Denver (part)	144,700
Connecticut	916,300
Bridgeport	289,300
Hartford	144,700
New Britain	72,400
New Haven	96,400
Norwalk	48,200
Stamford	48,200
Waterbury	72,400
Balance of Connecticut	144,700
Delaware	241,100
Wilmington	241,100
District of Columbia	144,700
Washington	144,700
Florida	137,500
Jacksonville (part) poverty neighborhood	41,100
Brevard County	48,200
Balance of Dade County (part)	48,200
Georgia	192,900
Columbus	192,900
Hawaii	33,800
Honolulu; Kaneohe-Kala-ma-Waimanalo	33,800
Idaho	48,200
Balance of Idaho (part)	48,200
Indiana	241,100
Gary	241,100
Iowa	48,200
Waterloo	48,200
Kansas	337,600
Wichita	337,600
Kentucky	192,900
Louisville (part)	144,700
Balance of Kentucky (part):	
Bell County	24,100
Pike County	24,100

DISTRIBUTION OF SECTION 6 RESERVE FUNDS—Continued

State and program agent:	Sec. 6
Louisiana	\$144,700
Lake Charles	144,700
Maine	144,700
Balance of Maine	144,700
Maryland	144,700
Baltimore	96,500
Washington County	48,200
Massachusetts	819,700
Fall River	48,200
Lowell	144,700
Lynn	96,400
New Bedford	96,400
Quincy	48,200
Springfield	192,900
Balance of Massachusetts	192,900
Mississippi	144,700
Balance of Mississippi (part)	144,700
Missouri	144,700
St. Louis	144,700
Montana	144,700
Balance of Montana	144,700
Nebraska	144,700
Omaha (part)	144,700
Nevada	96,400
Balance of Clark County	96,400
New Hampshire	96,400
Manchester (part)	48,200
Balance of New Hampshire (part)	48,200
New Mexico	48,200
Albuquerque (part)	48,200
New York	1,422,700
Rochester	723,400
Utica	221,900
Balance of Onondaga County	274,900
Suffolk County	96,400
State of New York:	
Herkimer County	106,100
North Carolina	144,700
Balance of North Carolina (part)	144,700
Ohio	2,845,100
Cincinnati	723,300
Cleveland	1,639,500
Youngstown	312,500
Balance of Mahoning County	34,300
Trumbull County	135,500

DISTRIBUTION OF SECTION 6 RESERVE FUNDS—Continued

State and program agent:	Sec. 6
Oklahoma	\$241,100
Balance of Oklahoma (part)	241,100
Oregon	144,700
Balance of Oregon	144,700
Pennsylvania	1,904,700
Philadelphia	1,663,600
Pittsburgh (part)	144,700
Scranton	96,400
Rhode Island	144,700
Providence (part)	144,700
Tennessee	144,700
Chattanooga (part)	144,700
Texas	530,500
Houston	482,300
Balance of Jefferson County (part)	48,200
Utah	96,400
Utah County	96,400
Vermont	144,700
Balance of Vermont	144,700
Virginia	96,400
Norfolk (part)	96,400
Washington	1,374,300
Seattle	313,400
Balance of King County	323,100
Spokane	31,400
Balance of Spokane County	24,000
Tacoma	53,000
Balance of Pierce County	77,200
Clark County	26,500
Kitsap County	33,800
Snohomish County	164,000
Thurston County	24,100
Whatcom County	28,900
Yakima County	57,900
Balance of Washington	217,000
West Virginia	96,400
Cabell County	48,200
Wood County	48,200
Wisconsin	192,900
Green Bay	48,200
Milwaukee	144,700
Wyoming	48,200
Balance of State (part)	48,200
U.S. total	\$15,000,000

Signed at Washington, D.C., this 11th day of May 1973.

WILLIAM H. KOLBERG,
Assistant Secretary
for Manpower.

[FR Doc.73-9872 Filed 5-18-73;8:45 am]

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