

# Register

October 24, 1973—Pages 29299-29450

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WASHINGTON, D.C.

Volume 38 ■ Number 204

Pages 29299-29450

## PART I



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## NOTICE TO CFR SUBSCRIBERS

The Office of the Federal Register has received numerous inquiries regarding the publication and availability of the Code of Federal Regulations volumes that were scheduled for revision as of July 1, 1973. The volumes included in this group comprise Title 28 through Title 41.

At present, the 17 volumes listed below of the 33 volumes involved are available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

CFR Unit (Rev. as of July 10, 1973):

Title:	Price
28 (Rev. July 10, 1973).....	\$1.70
29 Parts:	
0-499 .....	4.00
500-1899 .....	4.95
30 .....	4.15
31 .....	4.75
32 Parts:	
400-589 .....	4.50
590-699 .....	2.05
700-799 .....	5.90
1000-1399 .....	1.60
1400-1599 .....	3.25
1600-end .....	1.65
32A .....	2.80
35 .....	3.40
36 .....	2.50
37 .....	1.75
41 Chapters:	
19-100 .....	2.30
General Index Supplement.....	1.35

We have been informed by the Government Printing Office that production of some of the remaining CFR volumes has been delayed due to a severe shortage of the paper stock normally used to print the CFR.

We regret that delivery of the CFR volumes has been delayed and together with GPO are making every effort to publish the remaining "as of July 1" volumes as quickly as possible.

As in the past, availability of individual volumes will be announced in the FEDERAL REGISTER.

FRED J. EMERY,  
*Director of the Federal Register.*

**federal register**

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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.

FEDERAL REGISTER, VOL. 38, NO. 204—WEDNESDAY, OCTOBER 24, 1973



# REMINDERS

(The items in this list were editorially compiled as an aid to FEDERAL REGISTER users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.)

## Rules Going Into Effect Today

NOTE: There were no items published after October 1, 1973, that are eligible for inclusion in the list of RULES GOING INTO EFFECT TODAY.

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Weekly List of Public Laws

This is "a listing of public bills enacted by Congress and approved by the President, together with the law number, the date of approval, and the U.S. Statutes citation. Subsequent lists will appear every Wednesday in the FEDERAL REGISTER, and copies of the laws may be obtained from the U.S. Government Printing Office.

S.J. Res. 160..... Pub. Law 93-123  
Interest rates on time and savings deposits, limitation  
(Oct. 15, 1973; 87 Stat. 449)

H.J. Res. 727..... Pub. Law 93-124  
Continuing appropriations, 1974  
(Oct. 16, 1973; 87 Stat. 449)

S. 2419..... Pub. Law 93-125  
Correction of typographical and clerical errors in Public Law 93-86  
(Oct. 18, 1973; 87 Stat. 450)

H.R. 7645..... Pub. Law 93-126  
Department of State Appropriations Authorization Act of 1973  
(Oct. 18, 1973; 87 Stat. 451)

S. 1141..... Pub. Law 93-127  
New coinage design and date emblematic of the Bicentennial of the American Revolution  
(Oct. 18, 1973; 87 Stat. 455)

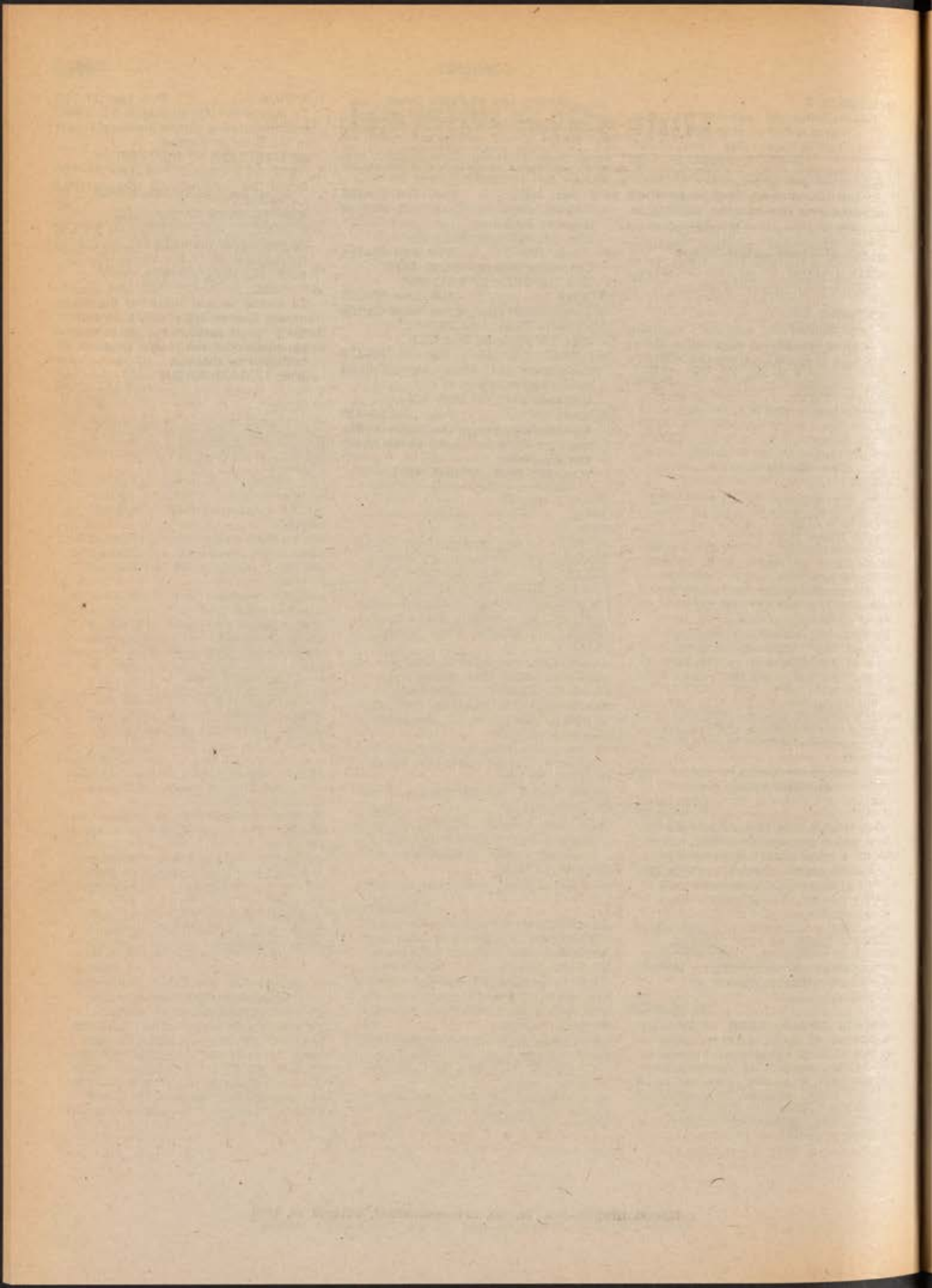
H.R. 7976..... Pub. Law 93-128  
To amend the Act of August 31, 1965, commemorating certain historical events in the State of Kansas  
(Oct. 18, 1973; 87 Stat. 456)

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H.R. 7699..... Pub. Law 93-130  
To provide for the filling of vacancies in the Legislature of the Virgin Islands  
(Oct. 19, 1973; 87 Stat. 460)

H.R. 6628..... Pub. Law 93-131  
To amend section 101(b) of the Micronesian Claims Act of 1971 to enlarge the class of persons eligible to receive benefits under the claims program established by that Act  
(Oct. 19, 1973; 87 Stat. 460)







# 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 6—Economic Stabilization

### CHAPTER I—COST OF LIVING COUNCIL

#### PART 150—PHASE IV PRICE REGULATIONS

##### Miscellaneous Amendments

1. Section 150.11(c) is amended to provide that a firm which does not charge a price in excess of an adjusted freeze price is not subject to the profit margin limitation. Formerly, a manufacturing or service firm which did not exceed its adjusted freeze price was, under § 150.11(d)(1), excused from a profit margin limitation for only its first fiscal year ending after August 12, 1973. Section 150.11(d)(1), which contained this earlier rule, is eliminated. The amendment provides firms with continued incentive to hold prices at base price and adjusted freeze price levels. In addition, a new subparagraph (2) is added to consolidate the rules regarding profit margin limitations into one section. Therefore, the profit margin limitation which is set forth in § 150.104 is repeated in § 150.11(c)(2).

Section 150.11(f)(i) is changed to § 150.11(f)(1) to conform the numbering system of the paragraph to that prevailing in Part 150. Language has been added to make clear that that part of a profit margin overage will be excused which a firm can demonstrate is attributable to revenues which are not subject to the provisions of Part 150. Such revenues include interest income which remains subject to the program of the Committee on Interest and Dividends.

Section 150.11(f)(ii) is redesignated § 150.11(f)(2), and is reworded to make it clear that it is to be applied solely to a firm which has not sold a non-custom item at a price higher than best price or adjusted freeze price, but which has triggered the profit margin limitation by selling a custom product or service.

A cross reference to § 155.181(a)(1) is added. That section sets out a method of refunding profit margin overages for firms which sell custom products or services and which do not qualify for the relief granted in this paragraph.

A new paragraph (f)(3) is added to § 150.11 to excuse a firm's profit margin overage to the extent that the firm can demonstrate that the overage is due to the sale of items covered by § 150.76 or § 150.312(b). Section 150.76 permits a manufacturer or service organization to charge a price specified in a contract entered into before 9:00 p.m., e.s.t., June 13, 1973, with delivery or performance occurring after August 12, 1973, and before January 1, 1974. Section 150.312(b)

excuses customary initial percentage markup and gross margin overages to the extent a wholesaler or retailer can demonstrate that such overages are attributable to prices charged in contracts entered into before 9:00 p.m., e.s.t., June 13, 1973, with delivery or performance occurring after August 12, 1973, and before January 1, 1974. The purpose of this amendment is to make clear the Council's intent that revenues received pursuant to contracts "grandfathered" under § 150.76 or § 150.312(b) are not subject to refund in the event of a profit margin overage.

2. Section 150.22 is amended to remove the words "particularly flagrant" from the description of those violations of Cost of Living Council regulations in response to which the Council may request the Attorney General to bring suit, and to remove the word "immediately" as a description of when the Council may make this request. The language of § 150.22, absent these three words, was found in Phases II and III. The words were added during the Freeze to § 140.42 at the same time that District Directors of Internal Revenue were given the authority to refer to the Attorney General any matter involving noncompliance with a remedial order. The words were inserted in § 140.42 to provide the Council with the choice of seeking an injunction itself, or of relying on the Internal Revenue Service, to issue a remedial order.

In Phase IV, the Council and the IRS have, in many areas, concurrent authority and these words are no longer appropriate.

3. Section 150.31 is amended to add a definition of "base level" and to amend the definition of "base period". With respect to manufacturing and service activities, "base level" means the base price or adjusted freeze price of an item, whichever is higher. With respect to retailing and wholesaling activities "base level" means the adjusted freeze price of an item. This definition parallels the definition of "base level" found in Subparts J and K of Part 155 of this title.

The definition of "base period" is amended to allow a firm that was permitted by Phase II and Phase III regulations to use a year ending prior to August 15, 1968, for the computation of its base period profit margin during Phases II and III, to continue doing so during Phase IV.

4. Section 150.60, the small firm exemption, is amended in paragraph (b)(1) to exempt firms falling within its provisions from the provisions of "this part" rather than "this title." The title

includes the Phase IV Pay Regulations in Part 152, which contains its own small business exemption in § 152.41.

A definition of "firm" is added in paragraph (c) to make clear the method to be used in determining a firm's eligibility for the small firm exemption. During Phases II and III there was only one definition of firm for all purposes. The Phase IV definition in § 150.31 includes four possible alternatives. The definition of "firm" added to § 150.60(c) by this amendment makes clear that the current small firm exemption is to be applied to a parent firm and all consolidated and unconsolidated entities which it controls directly or indirectly, just as was the case during Phase II and Phase III.

5. In § 150.72(a) the definition of "adjusted freeze price" is amended to incorporate by reference the definition of temporary special sales, deals and allowances found in § 150.102(d). A definition of "temporary" has been added which will permit a firm to exclude, for purposes of establishing an adjusted freeze price, a temporary special sale, deal or allowance which was announced to be in effect for a period of 31 days or less but which was continued for a longer period because of the Cost of Living Council price freeze regulations (6 CFR Part 140).

6. Section 150.74(b) is amended to allow a firm which has historically priced its merchandise in 5 cent increments to exceed its maximum price on a particular item in a product line where necessary to maintain its customary incremental pricing pattern.

7. Section 150.76 is amended to provide that the price or prices specified in binding contracts for the lease of items entered into before 9:00 p.m., e.s.t., June 13, 1973, with respect to delivery or performance occurring after August 12, 1973, and before January 1, 1974, shall be allowable notwithstanding § 150.73. The purpose of this amendment is to treat price or prices specified in contracts for the lease of an item in the same manner as contracts for the sale of an item, and to make it clear that the section applies only to binding contracts.

8. Section 150.104(a) is amended to correct a typographical error in the definition of "custom product." The definition of "custom service" is amended to correct an omission. As noted in the preamble to the proposed Phase IV price rules, the Council intended the Phase IV definition of "custom service" to parallel the Phase II definition of that term appearing in 6 CFR 300.410. Section 150.104(b) is amended to make the two cross



references to § 150.11 agree with the numbering system used in that section.

9. Section 150.151(a) is amended by adding the qualification that the prenotified price may be charged only for an item manufactured or service performed after 30 days have elapsed from the date of prenotification. This provision is added to make it clear that inventory cannot be repriced subsequent to the passage of the 30 day prenotification period.

Section 150.151(b), which waives the prenotification obligation for certain price increases by a price category I firm, is amended to provide that price increases by a price category I firm's unconsolidated entity having less than \$10 million in annual sales or revenues, need not be prenotified. This provision is set out in the instructions to the form CLC-22, and is repeated here for the sake of clarity.

10. Section 150.152 is amended by adding a new paragraph setting out the entities which are subject to the prenotification regulations. A price category I firm, as defined in Subpart C, must file notices of proposed price increases jointly for itself and its consolidated entities. A price category I firm must file a separate notice of proposed price increase for each of its unconsolidated entities having \$10 million or more in annual sales or revenues. Whether for itself, for a consolidated entity or for an unconsolidated entity having \$10 million or more in annual sales or revenues, the obligation to file the appropriate notice of proposed price increase is always on the parent firm.

11. Section 150.161(b) is amended by adding a subparagraph (5) which waives the quarterly reporting requirement for unconsolidated entities having less than \$10 million in annual sales or revenues. This amendment sets out in the regulations a Council policy which previously had appeared only in the instructions to the CLC-22 form. A price category I or II parent is required to submit quarterly reports jointly for itself and its consolidated entities and separately for each unconsolidated entity having \$10 million or more in annual sales or revenues. For unconsolidated entities with less than \$10 million in annual sales or revenues, the parent must prepare and maintain appropriate records to demonstrate the entity's compliance with the Phase IV program.

Section 150.161(c) is amended by adding a new subparagraph setting out the entities which are required to submit quarterly reports. A price category I or II firm, as defined in Subpart C, must file quarterly reports jointly for itself and its consolidated entities. A price category I or II firm must file a separate quarterly report for each unconsolidated entity having \$10 million or more in annual sales or revenues. Whether for itself, for a consolidated entity, or for an unconsolidated entity having \$10 million or more in annual sales or revenues, the obligation to file the appropriate quarterly report is always on the parent firm.

12. Section 150.201, dealing with loss and low profit firms, is amended in paragraph (b) to define "firm" for purposes of this section as being either a parent and its consolidated entities, or an unconsolidated entity, and to provide that the definitions set out in paragraph (b) apply to the section, rather than, as previously stated, to the paragraph.

13. Section 150.202 is amended by adding a new paragraph (d) which incorporates by reference the definitions of § 150.201(b).

14. Section 150.604(b) (2) is amended to provide that a pricing entity which derives 75% or more of its annual sales or revenues from retail food sales may treat all of its sales under one merchandise category. The amendment conforms the regulation to the policy of the Council as announced in Questions and Answers No. 12, question 4 (September 13, 1973).

15. Section 150.606 is amended in paragraphs (a) and (c). Paragraph (a) is amended to make it clear that a dollar-for-dollar pass through of cost increases is permissive and a dollar-for-dollar pass through of all cost decreases is mandatory. Section 150.606 clearly states that individual item prices are no longer the basis for control of food manufacturing under Subpart Q and that the profit margin limitation applies without regard to whether prices are raised above base levels. This means that when costs decrease prices must be decreased on a dollar-for-dollar basis pursuant to the gross margin formula even though the result may be that some prices are forced below base price or adjusted freeze price levels. Prior to this amendment, the introductory statement in the scope section for food manufacturing (§ 150.606(b)), that "increases and decreases" in costs "can" or "may" be passed through on a dollar-for-dollar basis under the gross margin rule, has been misinterpreted to suggest that cost decreases need not always be passed through in the form of price decreases. This amendment provides that all cost decreases must be passed through in accordance with the gross margin formula.

Paragraph (c) (2) (i) of § 150.606 is amended by deleting a reference to § 150.76. As food was under a program of mandatory controls in Phase III, the relief afforded to pre-freeze contracts by § 150.76 is inappropriate for pre-freeze contracts in the food industry. This amendment conforms § 150.606(c) (2) (i) to the Council's intention, as evidenced in § 150.607(b) (5), not to permit food manufacturing firms to take advantage of § 150.76.

Because the purpose of these amendments is to make technical corrections and to provide immediate guidance and information with respect to the decisions of the Council, the Council finds that publication in accordance with normal rule making procedure is impracticable and that good cause exists for making these amendments effective in less than 30 days. Interested persons may submit written comments regarding these regulations. Communications should be addressed to the Office of the General

Counsel, Cost of Living Council, 2000 M Street NW., Washington, D.C. 20508.

(Economic Stabilization Act of 1970, as amended, Pub. L. 92-210, 85 Stat. 743; Pub. L. 93-28, 87 Stat. 27; E.O. 11695, 38 FR 1473; E.O. 11730, 38 FR 19345; Cost of Living Council Order No. 14, 38 FR 1489.)

In consideration of the foregoing, Parts 150 and 155 of Title 6 of the Code of Federal Regulations are amended as set forth herein, effective October 19, 1973.

Issued in Washington, D.C., on October 19, 1973.

JAMES W. McLANE,  
Deputy Director,  
Cost of Living Council.

Part 150 of Chapter I of Title 6 is amended as set forth herein:

1. Section 150.11 is amended in paragraphs (c), (d), and (f), to read as follows:

#### § 150.11 Profit margin limitation.

(c) *General rule.*—(1) Except as otherwise provided by this section, a firm which charges a price for any item in excess of the base level for that item may not, for the fiscal year in which the price increase is charged, exceed its base period profit margin.

(2) Except as otherwise provided by this section, a firm which charges a base price for a custom product or custom service pursuant to § 150.104 may not, for the fiscal year in which that base price is charged, exceed its base period profit margin.

#### (d) *Special rules.*

(1) [Revoked]

(f) *Excuse of profit margin overages.*—(1) If a firm's activities subject to the profit margin limitations of this section include both items exempt under Subpart D, or otherwise excluded from the coverage of this part, and nonexempt items and the firm exceeds the profit margin limitations of this section, the Council shall, for purposes of determining compliance with this section, excuse that part of the overage which the firm demonstrates to the Council's satisfaction is attributable to the sale of exempt or excluded items.

(2) If a firm's activities subject to the profit margin limitations of this section include both the sale of custom products or custom services as defined in § 150.104 of this part and the sale of noncustom products or services and the firm (i) has not charged a price above base level for its noncustom products or services and (ii) has exceeded its base period profit margin, the Council shall excuse the profit margin overage if the firm demonstrates, to the Council's satisfaction, that the profit margin on the custom products or custom services does not exceed the base period profit margin of the firm. However if the firm does not demonstrate to the Council's satisfaction that the profit margin on the custom products or custom services does not exceed the base period profit margin of the firm, the firm



may be required to disgorge an amount computed according to § 155.181(a) (1) of this title.

(3) If a firm's activities subject to the profit margin limitations of this section include the sale of items covered by § 150.76 or § 150.132(b) and the firm exceeds the profit margin limitations of this section, the Council shall, for purposes of determining compliance with this section, excuse that part of the overage which the firm demonstrates to the Council's satisfaction is attributable to the sale of those items.

**§ 150.22 [Amended]**

2. Section 150.22 is amended by deleting, from the first sentence of the section, the words "particularly flagrant" and the word "immediately".

3. Section 150.31 is amended by adding, in appropriate alphabetical position, a definition of "Base level" and by amending the definition of "Base period", to read as follows:

**§ 150.31 Definitions.**

"Base level" means, with respect to a firm's manufacturing or service activities, the greater of the base price as determined in accordance with Subpart F of this part or the adjusted freeze price as defined in Subpart E of this part and, with respect to a firm's retailing or wholesaling activities, the adjusted freeze price determined in accordance with Subpart K of this part.

"Base period" means any two, at the option of the firm concerned, of the firm's fiscal years ending after August 15, 1968, except a fiscal year for which compliance is being measured. However, a firm which was authorized under the provisions of 6 CFR 130.110 in effect on August 12, 1973, to include in its base period a fiscal year which ended before August 15, 1968, may continue to include that fiscal year in its base period.

**§ 150.60 [Amended]**

4. Section 150.60(b) (1) is amended by changing the last word of that subparagraph from "title" to "part."

Section 150.60(c) is amended to add a definition of "firm" following the definition of "employee" to read as follows: "Firm" includes a parent and the consolidated and unconsolidated entities which it directly or indirectly controls.

5. Section 150.72 is amended in paragraph (a) to read as follows:

**§ 150.72 Definitions.**

(a) the freeze price of that item as defined in § 140.2 of this chapter except that temporary special sales, deals and allowances, as defined in § 150.120(d), in effect during the freeze base period may be excluded in computing the freeze price. For purposes of this section "temporary" means in effect for a period of 31 days or less or announced to be in effect for a period of 31 days or less and

continued in effect for a longer period because of the provisions of Part 140 of this title.

**§ 150.74 [Amended]**

6. Section 150.74 is amended by adding the following sentence to the end of paragraph (b):

Where a firm has historically priced its merchandise in increments of 5 cents, it may, if necessary to maintain this customary incremental pricing pattern, exceed the maximum price on a particular item in a product line.

7. Section 150.76 is amended to read as follows:

**§ 150.76 Certain contracts.**

The price or prices specified in a binding contract for the sale or lease of an item entered into before 9:00 p.m., e.s.t., June 13, 1973, with respect to any delivery or performance occurring after August 12, 1973, and before January 1, 1974, shall be allowable notwithstanding § 150.73.

8. Section 150.104 is amended in paragraph (a) to read as follows:

**§ 150.104 Custom products and custom services.**

(a) *Definitions.*—The following definitions apply in this section:

"Custom product" means a product (other than one specified in § 150.54(c) (1)) specifically produced by a manufacturer to the buyer's or buyers' specifications and not reasonably comparable to any product manufactured at any previous time by the same manufacturer or its predecessors in interest, including any buyer-specified changes or additions to a noncustom product to the extent that they are not reasonably comparable to any changes or additions manufactured, with respect to that noncustom product, at any previous time by the same manufacturer or its predecessors in interest.

"Custom service" means a service (other than one specified in § 150.54(c) (2)) specifically produced by a service organization to the buyer's or buyers' specifications and not reasonably comparable to any service provided at any previous time by the same service organization or its predecessors in interest, including any buyer-specified changes or additions to a noncustom service to the extent that they are not reasonably comparable to any changes or additions furnished, with respect to that noncustom service, at any previous time by the same service organization or its predecessors in interest.

**§ 150.104 [Amended]**

Section 150.104(b) is amended by changing the references to § 150.11(d) (iii) and § 150.11(f) (ii) to read § 150.11(d) (3) and § 150.11(f) (2), respectively.

9. Section 150.151 is amended by adding a sentence to the end of paragraph (a), and by adding a new subdivision (iv) in paragraph (b) (2). As amended, § 150.151 reads as follows:

**§ 150.151 Prenotification.**

(a) *General rule.*—Except as provided in paragraph (b) of this section, a price category I firm may not charge a price for any item above the base price or the adjusted freeze price, whichever is higher, with respect to an item it sells as a manufacturer or service organization until the firm has filed, pursuant to this subpart, a notice of proposed price increase with respect to that item or a product line which includes that item with the Council and 30 days have elapsed since the filing of the notice. The proposed increased price may be charged only for products manufactured or services performed after the 30 days have elapsed.

(b) *Waiver of prenotification.*—(1) The following price increases by a price category I firm need not be prenotified—

(iv) Any price increase by an unconsolidated entity having less than \$10 million in annual sales or revenues.

10. Section 150.152 is amended to read as follows:

**§ 150.152 Manner of prenotification.**

(a) The notice of the proposed price increase must be filed by the parent in the form and manner prescribed by the Council, and will be considered to be filed on the date when it is stamped and dated by the Council. The Council will notify the firm, in writing, of the date of filing. If the information submitted is incomplete or inadequate, the Council will not accept the filing, and will so notify the firm.

(b) In filing a notice of proposed price increase pursuant to § 150.151, a price category I firm shall submit data jointly for itself and its consolidated entities and separately for each unconsolidated entity having \$10 million or more in annual sales or revenues.

11. Section 150.161 is amended in paragraph (b) to add a new subparagraph (5), and in paragraph (c) to add a new subparagraph. As amended, § 150.161 reads as follows:

**§ 150.161 Quarterly reports.**

(b) *Waiver of quarterly reports.*—Quarterly reports need not be submitted to the Council by the following firms:

(5) A firm on behalf of an unconsolidated entity having less than \$10 million in annual sales or revenues.

(c) *Manner of reporting.*—(1) Each quarterly report required under paragraph (a) of this section shall be made by the parent in accordance with forms and instructions issued by the Council.

(2) In filing reports pursuant to this section, a parent shall submit data jointly for itself and its consolidated entities and separately for each unconsolidated entity having \$10 million or more in annual sales or revenues.

12. Section 150.201(b) is amended by changing the word "paragraph" where



it first appears to "section", and by adding a definition of firm to read as follows:

**§ 150.201 Loss and low profit firms.**

(b) *Definitions.*—For purposes of this section—"Firm" is either (1) a parent and its consolidated entities; or (2) an unconsolidated entity.

13. Section 150.202 is amended by adding a new paragraph (d) to read as follows:

**§ 150.202 Loss or low base period profit margins.**

(d) *Definitions.*—For purposes of this section, the definitions in § 150.201(b) apply.

14. Section 150.604(b) (2) is amended to read as follows:

**§ 150.604 Food wholesaling and retailing.**

(b) *Subpart K modifications.*

(2) A pricing entity which derives 75% or more of its annual sales or revenues from retail foods sales may treat all of its sales under one merchandise category.

15. Section 150.606 is amended in paragraphs (a) and (c) to read as follows:

**§ 150.606 Food manufacturing: price rules.**

(a) *Purpose and scope.*—The purpose of this section is to apply to food manufacturing activities, on a product line basis, a gross margin rule similar to that previously applicable only to firms engaged in the slaughtering and processing of livestock or the manufacturing of meat items. Except as provided in paragraph (b) of this section, the gross margin rule applies to all food manufacturing activities. Under the gross margin rule, prices are controlled on the basis of total permissible revenues for the product line concerned during a fiscal quarter and not on the basis of authorized prices for individual items. Increases in food raw material costs (costs which generally fluctuate significantly) may be passed through on a dollar-for-dollar basis without prenotification and without "volatile" pricing authorization, while decreases in those costs must be passed through on that basis. Increases in costs other than food raw material costs may also be passed through on a dollar-for-dollar basis (subject to prenotification) in accordance with Subparts E, F, G and H of this part as modified by § 150.607 of this title, and decreases in those costs must be passed through on a dollar-for-dollar basis.

(c) *Price rules.*

(2) (i) Sales revenues for any fiscal quarter may exceed the total sales revenues calculated in accordance with paragraph (c) (1) of this section only if the firm concerned demonstrates to the satisfaction of the Council that the excess is justified on the basis of seasonal patterns or is attributable to revenues derived from the sale of exempt items. In determining whether a firm is in violation of this paragraph (c), the Council may take into account temporary unforeseen changes in product mix.

[FR Doc.73-22665 Filed 10-19-73; 1:04 pm]

**Title 7—Agriculture**

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

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

**Inspection Fees and Services**

The Agricultural Marketing Act of 1946 authorizes official inspection and certification of processed fruits and vegetables, processed products thereof, and certain other processed food products.<sup>1</sup> Such inspection and certification is voluntary and is made available upon request of financially interested parties and upon payment of a fee. The Act requires such fees to be reasonable and, as nearly as possible, to cover the cost of rendering the service.

*Statement of consideration leading to amendment of regulations.*—The rising costs of maintaining the inspection service has made it necessary to adjust inspection fees. The rising costs are due to adjustments in the salaries of employees as authorized by the Congress.

The fee structure of the regulations was last revised on February 4, 1973. Since that time there has been a 4.77 percent salary increase which became effective October 1, 1973.

Accordingly, §§ 52.42 and 52.52, charges for inspection services on a contract basis, are being revised to recover increased costs.

Pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq., as amended 7 U.S.C. 1621 et seq.), §§ 52.42, 52.52(c) (1), and (d) (1), (3), (4), are hereby revised to read as follows:

**§ 52.42 Schedule of fees.**

Unless otherwise provided in a written agreement between the applicant and the

<sup>1</sup> Among such other processed food products are the following: Honey, molasses, except for stockfeed; nuts and nut products, except oil; sugar (cane, beet, and maple); sirups (blended), except from grain; tea; cocoa; coffee; spices; condiments.

Administrator, the fee for any inspection service performed under the regulations in this part, including analyses specified in 52.47, shall be at the rate of \$12.60 per hour.

**§ 52.52 Charges for inspection services on a contract basis.**

(c) \* \* \*

(1) For personnel assigned on a year-round basis:

Inspector(s) in-charge—\$10.10 per hour.  
Subordinate inspector(s)—\$7.35 per hour.  
Inspector's aide(s)—\$5.55 per hour.

(2) For personnel assigned on less than a year-round basis:

Inspector(s) in-charge—\$11.00 per hour.  
Subordinate inspector(s)—\$8.10 per hour.  
Inspector's aide(s)—\$5.55 per hour.

(d) \* \* \*

(1) Each inspector assigned—first 280 hours—\$16.70 per hour.  
Each inspector assigned—in excess of 280 hours—\$11.50 per hour.  
Each inspector's aide—all hours—\$5.55 per hour.

(3) *Holiday pay:* In addition to the above charges, 8 hours will be charged for each person assigned each holiday whether or not work is performed. An additional 50 per cent, not to exceed \$5.75 per hour, will be charged for each hour worked up to 8 hours. The regular rate will be charged for all hours worked over 8 hours.

(4) *Night differential:* A 10 percent differential, not to exceed \$1.15 per hour, will be charged for all work performed between the hours of 6 p.m. and 6 a.m.

Notice of proposed rule making, public procedure thereon, and the postponement of the effective time of this action later than November 11, 1973 (5 U.S.C. 553), are impracticable, unnecessary, and contrary to the public interest in that (1) the Agricultural Marketing Act of 1946 provides that the fees charged shall be reasonable and, as nearly as possible, cover the cost of the service rendered, (2) the increases in fee rates set forth herein are necessary to more nearly cover such cost including, but not limited to, Federal employee salary adjustments, and (3) additional time is not required by users of the inspection service to comply with this amendment.

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

Dated to become effective at 12:01 a.m., November 11, 1973.

Dated October 17, 1973.

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

[FR Doc.73-22525 Filed 10-23-73; 8:45 am]



**CHAPTER VIII—AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE (SUGAR), DEPARTMENT OF AGRICULTURE**

**SUBCHAPTER C—DETERMINATION OF PROPORTIONATE SHARES**

[Docket No. SH-320]

**PART 850—DOMESTIC BEET SUGAR PRODUCING AREA**

**Proportionate Shares for Farms for 1974-Crop of Sugarbeets Not Required; Correction**

In FR Doc. 73-21154 appearing at page 27510 in the issue of Thursday, October 4, 1973, the language of amendatory paragraph 1 and the section number, § 850.234, should be changed to read as follows:

1. Part 850 is amended by adding § 850.240 to read as follows:

§ 850.240 Proportionate shares for the 1974 crop of sugarbeets not required.

*Effective date.*—October 24, 1973.

Signed at Washington, D.C., on October 16, 1973.

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

[FR Doc. 73-22518 Filed 10-23-73; 8:45 am]

**CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE**

**PART 929—CRANBERRIES GROWN IN THE STATES OF MASSACHUSETTS, RHODE ISLAND, CONNECTICUT, NEW JERSEY, WISCONSIN, MICHIGAN, MINNESOTA, OREGON, WASHINGTON, AND LONG ISLAND IN THE STATE OF NEW YORK**

**Expenses, Rate of Assessment, and Carryover of Unexpended Funds**

This document authorizes \$60,092 of Cranberry Marketing Committee expenses for the 1973-74 fiscal period, under Marketing Order No. 929, and fixes the rate of assessment at \$0.03 per barrel of cranberries, handled during such period, to be paid to the committee by each first handler as his pro rata share of such expenses. It also authorizes the carryover, as a committee reserve, of unexpended assessment income from fiscal 1972-73 and prior years.

On October 10, 1973, notice of proposed rulemaking was published in the

FEDERAL REGISTER (38 FR 27936) regarding proposed expenses, the related rate of assessment for the fiscal period September 1, 1973, through August 31, 1974, and the carryover of unexpended assessment funds pursuant to the marketing agreement, as amended, and Order No. 929, as amended (7 CFR Part 929), regulating the handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York. The notice afforded 5 days during which interested persons could submit written data, views, or arguments in connection with said proposals. None were received. This regulatory program is effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

After consideration of all relevant matter presented, including the proposals which were submitted by the Cranberry Marketing Committee (established pursuant to the amended marketing agreement and order) and set forth in the aforesaid notice, it is hereby found and determined that § 929.214 is adopted as set forth below.

**§ 929.214 Expenses, rate of assessment, and carryover of unexpended funds.**

(a) *Expenses.*—The expenses that are reasonable and likely to be incurred by the Cranberry Marketing Committee during the fiscal period September 1, 1973, through August 31, 1974, will amount to \$60,092.

(b) *Rate of assessment.*—The rate of assessment for said period, payable by each handler in accordance with § 929.41, is fixed at \$0.03 per barrel of cranberries, or equivalent quantity of cranberries.

(c) *Reserve.*—Unexpended assessment funds in excess of expenses incurred during the fiscal period ended August 31, 1973, and prior years shall be carried over as a reserve in accordance with the applicable provisions of § 929.42.

(d) *Terms.*—Terms used in amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of cranberries are now being made, (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be

applicable to all assessable cranberries handled during the aforesaid period, and (3) such period began on September 1, 1973, and said rate of assessment will automatically apply to all such cranberries beginning with such date.

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

Dated October 18, 1973.

CHARLES R. BRADER,  
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 73-22582 Filed 10-23-73; 8:45 am]

**CHAPTER X—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; MILK), DEPARTMENT OF AGRICULTURE**

[Milk Order No. 96 Docket No. A0-257-A22]

**PART 1096—MILK IN THE NORTHERN LOUISIANA MARKETING AREA**

**Findings and Determinations**

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

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Northern Louisiana marketing area.

Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk



in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in sec. 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

#### Order Relative to Handling

It is therefore ordered, That on and after the effective date hereof, the handling of milk in the Northern Louisiana marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

1. Section 1096.7 is revised as follows:

#### § 1096.7 Producer.

"Producer" means any person who produces milk in compliance with the Grade A inspection requirements of a duly constituted regulatory agency, which milk is received at a pool plant, diverted to a nonpool plant pursuant to § 1096.16(b) or accounted for by a cooperative association pursuant to § 1096.16(c), except:

(a) A producer-handler as defined in any order (including this part) issued pursuant to the Act, or

(b) A person with respect to milk that is physically received at a pool plant as diverted milk from an other order plant if a Class II classification under this order is designated for such milk and it is subject to the pricing and pooling provisions of another order issued pursuant to the Act.

2. In § 1096.8, paragraphs (c) and (d) are revised as follows:

#### § 1096.8 Handler.

(c) A cooperative association with respect to milk of producers it diverts from a pool plant to a nonpool plant;

(d) Any cooperative association with respect to milk it receives for its account from the farm of a producer in a tank truck owned and operated by, or under the control of, such association, for delivery to a pool plant(s); and

3. In § 1096.13, paragraphs (a) and (b) are revised as follows:

#### § 1096.13 Pool plant.

"Pool plant" means:

(a) A distributing plant (other than a producer-handler plant) from which the quantity of fluid milk products, except filled milk, disposed of on routes during the month is not less than 50 percent of the fluid milk products, except filled milk, that are approved by a duly constituted regulatory agency for distribution under a Grade A label and that are physically received at such plant or diverted to a nonpool plant as producer milk pursuant to § 1096.16 and such disposition on routes, except filled milk, in the marketing area during the month is not less than 10 percent of such fluid milk products; or

(b) A supply plant from which during the month not less than 50 percent of the total quantity of Grade A milk approved by a duly constituted regulatory agency that was physically received at such plant from dairy farmers and handlers described in § 1096.8(d) or diverted therefrom by the plant operator or a cooperative association as producer milk to a nonpool plant pursuant to § 1096.16 is shipped during the month to a plant(s)

described in paragraph (a) of this section. A supply plant that was a pool plant pursuant to this paragraph in each of the months of September through January shall be a pool plant in each of the following months of February through August in which it does not meet the shipping requirements, unless written request is filed with the market administration prior to the beginning of any such month for nonpool status for any of the remaining months through August; and

4. Section 1096.16 is revised as follows:

#### § 1096.16 Producer milk.

"Producer Milk" shall be that skim milk and butterfat in milk from producers that is:

(a) Received at a pool plant directly from a producer or a handler pursuant to § 1096.8(d);

(b) Diverted by the operator of a pool plant or by a cooperative association to a nonpool plant other than a producer-handler plant, subject to the conditions of paragraph (d) of this section; or

(c) The difference between the quantity of milk received by a handler pursuant to § 1096.8(d) from producers' farms and the quantity of such milk delivered to pool plants. For the purposes of §§ 1096.53 and 1096.75, such milk shall be deemed to have been received by such handler at the pool plant to which all other producer milk in the same tank truck was delivered.

(d) The following conditions shall apply to milk diverted from a pool plant to a nonpool plant that is not a producer-handler plant:

(1) Such milk shall be accounted for as received by the diverting handler at the location of the nonpool plant;

(2) Milk of a producer shall not be eligible for diversion from a pool plant under this section if during the month less than 6 days' production of such person as a producer is received at a pool plant;

(3) The total quantity of milk diverted by a cooperative association that is greater than 15 percent of the total quantity of producer milk received at all pool plants during the month from the cooperative association shall not be producer milk;

(4) The total quantity of milk diverted by the operator (other than a cooper-



tive association) of a pool plant that is greater than 15 percent of the total quantity received at such plant during the month from producers who are not members of a cooperative association shall not be producer milk;

(5) The diverting handler shall designate the dairy farmers' deliveries that are not producer milk pursuant to this paragraph. If the handler fails to make such designation, no milk diverted by him to a nonpool plant shall be producer milk; and

(6) Milk diverted to an other order plant shall be producer milk only if a Class II or Class III classification is designated for such milk pursuant to the provisions of another order issued pursuant to the Act and such milk is not subject to the pricing and pooling provisions of such order.

5. In § 1096.41, paragraph (b) (5) (1) is revised as follows:

§ 1096.41 Classes of utilization.

(1) Two percent of receipts directly from producers, excluding milk diverted pursuant to § 1096.16; plus

6. In § 1096.46, the introductory sentence and paragraph (a) (9) are revised as follows:

§ 1096.46 Allocation of skim milk and butterfat classified.

After making the computations pursuant to § 1096.45, the market administrator shall determine the classification of producer milk for each handler for each month as follows:

(a) Subtract from the pounds of skim milk remaining in each class the pounds of skim milk received in fluid milk products from pool plants of other handlers according to the classification assigned pursuant to § 1096.44(a); and

7. In § 1096.53, paragraph (a) is revised as follows:

§ 1096.53 Location adjustments to handlers.

(a) For milk received from producers at a plant located more than 50 miles, by the shortest hard-surfaced highway distance as determined by the market administrator, from the nearer of the City Hall in Minden or Monroe, Louisiana, and classified as Class I milk or assigned Class I location adjustment credit pursuant to paragraph (b) of this section and for other source milk for which a location adjustment is applicable, the price computed pursuant to § 1096.51(a) shall be reduced 1.5 cents for each 10 miles or fraction thereof that such plant is from the nearer of the City Hall in Minden or Monroe; and

8. In § 1096.70, the introductory sentence is revised as follows:

§ 1096.70 Computation of the net pool obligation of each pool handler.

The net pool obligation of each handler pursuant to § 1096.8 (a), (c), and (d) shall be a sum of money computed by the market administrator each month as follows:

9. In § 1096.71, paragraph (a) is revised as follows:

§ 1096.71 Computation of aggregate value used to determine uniform prices.

(a) Combine into one total the values computed pursuant to § 1096.70 for all handlers who made reports prescribed by § 1096.30 for the month, except those in default of payments required pursuant to § 1096.82 for the preceding month;

10. In § 1096.75, the section title and paragraph (a) are revised as follows:

§ 1096.75 Location adjustments to producers and on nonpool milk.

(a) The uniform price for producer milk shall be reduced according to the location of the plant at which the milk was physically received, at the rates set forth in § 1096.53; and

11. In § 1096.80, the introductory sentence in paragraph (f) is revised and a new paragraph (g) is added as follows:

§ 1096.80 Time and method of payment for producer milk.

(f) Each handler shall make payment to a cooperative association for milk received from such association in its capacity as a handler pursuant to § 1096.8(a) as follows:

(g) Each handler shall make payment to a cooperative association for milk received from such association in its capacity as a handler pursuant to § 1096.8(d), including the milk of producers who are not members of such association and who the market administrator determines have authorized such cooperative association to collect for their milk as follows:

(1) On or before the 25th day of each month for milk received during the first 15 days of the month at not less than the Class II price for the preceding month; and

(2) On or before the 13th day after the end of each month at not less than the uniform price adjusted by applicable butterfat and location adjustments, less payment made pursuant to paragraph (g) (1) of this section.

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

Effective date.—December 1, 1973.

Signed at Washington, D.C., on October 17, 1973.

CLAYTON YEUTTER,  
Assistant Secretary.

[FR Doc.73-22584 Filed 10-23-73; 8:45 am]

CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1970 and Subsequent Crops, Corn Supplement, Amdt. 2]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

1970 and Subsequent Crops Corn Loan and Purchase Program; Eligible Corn

The regulations issued by the Commodity Credit Corporation (CCC) published in the FEDERAL REGISTER at 35 FR 13969, as amended, containing provisions for price support loans and purchases applicable to the 1970 and subsequent crops of corn are further amended as follows:

Section 1421.91 is amended to clarify that corn to be eligible for price support must not contain molds that produce toxins that are poisonous to man or animals.

§ 1421.91 Eligible corn.

(a) General.—To be eligible for price support, corn must be merchantable for food or feed as determined by CCC, and must not contain mercurial compounds, toxin producing molds, or other substances poisonous to man or animals.

Since loans are now being made on the 1973 crop, the provisions of this amendment are needed to carry out the loan program more effectively, compliance with the notice of proposed rulemaking would be impractical to public interest; therefore, this amendment is issued without compliance with such procedure.

(Secs. 4 and 5, 62 Stat. 1070, as amended (15 U.S.C. 714b). Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051, as amended (15 U.S.C. 714c, 7 U.S.C. 1421, 1441).)

Effective on October 24, 1973.

Signed at Washington, D.C., October 16, 1973.

KENNETH E. FRICK,  
Executive Vice President,  
Commodity Credit Corporation.

[FR Doc.73-22519 Filed 10-23-73; 8:45 am]



**Title 10—Atomic Energy**  
**CHAPTER I—ATOMIC ENERGY**  
**COMMISSION**

**Definitions of Units of Radioactivity**

Units of radioactivity used in the regulations of the Atomic Energy Commission include the "curie," "millicurie," and "microcurie." Abbreviations for these terms are frequently used by licensees of the Commission in ordering radioactive materials and for other purposes. Personnel who are unfamiliar with units of radioactivity may err in translating the abbreviations, or in identifying "millicurie" as one-thousandth of a curie and "microcurie" as one-millionth of a curie.

The amendments of the Commission's regulations set out below add a definition for "millicurie" and substitute the word "microcurie" for the abbreviation of this unit where it appears in the text of § 32.17 of Part 32. In those instances where abbreviations for "curie," "millicurie," and "microcurie" are retained, such as in charts, the abbreviations are changed to "Ci," "mCi," and "μCi," as appropriate.

In normal business usage, wherever possible the appropriate unit should be written out as microcuries, millicuries, or curies, and the abbreviations μCi, mCi, or Ci should not be used.

Inasmuch as the amendments set forth below are of a minor nature, good cause exists for omitting notice of proposed rule making, and public procedure thereon, as unnecessary.

Pursuant to the Atomic Energy Act of 1954, as amended, and sections 552 and 553 of title 5 of the United States Code, the following amendments to Title 10, Chapter I, Code of Federal Regulations, Parts 20, 30, and 32 are published as a document subject to codification.

**PART 20—STANDARDS FOR**  
**PROTECTION AGAINST RADIATION**

1. Section 20.5(a) of 10 CFR Part 20 is amended to read as follows:

**§ 20.5 Units of radioactivity.**

(a) Radioactivity is commonly, and for purposes of the regulations in this part shall be, measured in terms of disintegrations per unit time or in curies. One curie=3.7x10<sup>10</sup> disintegrations per second (dps)=2.2x10<sup>10</sup> disintegrations per minute (dpm). Commonly used submultiples of the curie are the millicurie and the microcurie:

- (1) One millicurie (mCi) =0.001 curie (Ci) =3.7x10<sup>7</sup> dps.
- (2) One microcurie (μCi) =0.000001 curie=3.7x10<sup>4</sup> dps.

2. Appendices B and C, and the footnotes thereto, of 10 CFR Part 20 are amended by deleting the symbol "μc" and substituting therefor the symbol "μCi" wherever it appears.

**PART 30—RULES OF GENERAL APPLICABILITY TO LICENSING OF BYPRODUCT MATERIAL**

1. Section 30.4 of 10 CFR Part 30 is amended by revising paragraph (j) to read as follows:

**§ 30.4 Definitions.**

(j) (1) "Microcurie" means that amount of radioactive material which disintegrates at the rate of 37 thousand atoms per second;

(2) "Millicurie" means that amount of radioactive material which disintegrates at the rate of 37 million atoms per second;

**§ 30.70 [Amended]**

2. Section 30.70, *Schedule A—Exempt Concentrations*, and the footnotes thereto, of 10 CFR Part 30, are amended by deleting the symbol "uc" and substituting therefor the symbol "μCi" wherever it appears.

**PART 32—SPECIFIC LICENSES TO MANUFACTURE, DISTRIBUTE, OR IMPORT EXEMPTED AND GENERALLY LICENSED ITEMS CONTAINING BY-PRODUCT MATERIAL**

1. Section 32.17(c) (2) of 10 CFR Part 32 is amended by deleting the symbol "μc/ml" and substituting therefor the words "microcurie/milliliter".

*Effective date.*—This amendment becomes effective on October 24, 1973.

(Sec. 161, Pub. Law 83-703, 68 Stat. 948 (42 U.S.C. 2201).)

Dated at Bethesda, Maryland, this 17th day of September 1973.

For the Atomic Energy Commission.

L. MANNING MUNTZING,  
Director of Regulation.

[FR Doc.73-22455 Filed 10-23-73;8:45 am]

**Title 12—Banks and Banking**

**CHAPTER III—FEDERAL DEPOSIT INSURANCE CORPORATION**

**SUBCHAPTER B—REGULATIONS AND STATEMENTS OF GENERAL POLICY**

**PART 329—INTEREST ON DEPOSITS**

**Maximum Interest Rates Payable on Time Deposits of \$1,000 or More With Maturities of 4 Years or More**

1. On July 5, 1973, the Board of Directors of the Federal Deposit Insurance Corporation amended §§ 329.6 and 329.7 of the rules and regulations of the Federal Deposit Insurance Corporation (12 CFR 329.6 and 329.7). The amendments were effective July 1, 1973. One of the amendments established a new category of time deposits for which there is no prescribed maximum interest rate (referred to herein as "ceiling-free" time deposits). Deposits in this category must mature in not less than four years and must be in amounts of \$1,000 or more. 12 CFR 329.6(b) (2) and 329.7(b) (4), both as amended July 24, 1973 (38 FR 20247-48).

On July 26, 1973, the Board of Directors established a percentage limitation on "ceiling-free" time deposits. Effective

<sup>1</sup> Wherever possible, the appropriate unit should be written out as "curie(s)," "millicurie(s)," or "microcurie(s)," and the abbreviations should not be used.

August 1, 1973, such deposits may not exceed 5 percent of an insured nonmember bank's total domestic time and savings deposits. 12 CFR 329.6(b) (2) and 329.7(b) (4), both as amended July 26, 1973 (38 FR 20442). The Board of Directors subsequently established an alternative to this 5 percent limitation. Effective August 17, 1973, "ceiling-free" time deposits may not exceed 5 percent of an insured nonmember bank's total domestic time and savings deposits, or \$500,000, whichever is greater. 12 CFR 329.6(b) (2) and 329.7(b) (4), both as amended August 14, 1973 (38 FR 22546).

On August 14, 1973, the Board of Directors further amended §§ 329.6 and 329.7 of the FDIC's rules and regulations to permit certain conversions of preexisting time deposits to "ceiling-free" time deposits in the same bank notwithstanding the 5 percent or \$500,000 limitation. These amendments were also effective August 17, 1973. 12 CFR 329.6(b) (2) and 329.7(b) (4), both as amended August 14, 1973, by the addition of footnotes 13a and 14a, respectively (38 FR 22546).

On September 7, 1973, the Board of Directors made one additional change in the regulations governing "ceiling-free" time deposits in insured nonmember mutual savings banks. Such banks are permitted to transfer funds in certain matured time deposits to "ceiling-free" time deposits so long as the total amount of the bank's "ceiling-free" time deposits does not exceed 10 percent of its total time and savings deposits, or \$500,000, whichever is greater. This change was made effective September 10, 1973. 12 CFR 329.7(b) (4), as amended September 7, 1973, by the addition of footnote 14b (38 FR 25433).

Subsequent to the adoption of the preceding amendments, Congress passed a joint resolution calling upon the Federal agencies which supervise financial institutions to "limit the rates of interest or dividends which may be paid on time deposits of less than \$100,000 by institutions regulated by them" (S.J. Res. 160). The joint resolution became law on October 15, 1973 (Pub. L. No. 93-123). Accordingly, the Board of Directors is required to impose rate limitations on all "ceiling-free" deposits in banks subject to its jurisdiction.

After consulting with representatives of the Secretary of the Treasury, The Board of Governors of the Federal Reserve System, and the Federal Home Loan Bank Board as required by Pub. L. No. 93-123, the Board of Directors has decided to further amend sections 329.6 and 329.7 of the FDIC's rules and regulations so as to limit the interest rates payable on deposits of \$1,000 or more with maturities of four years or more. Effective November 1, 1973, insured nonmember commercial banks will not be permitted to pay interest on such deposits at a rate in excess of 7½ percent per annum and insured nonmember mutual savings banks (including "non-insured" mutual savings banks in Massachusetts) will not be permitted to pay interest on such deposits at a rate in excess of 7½ percent per annum, pro-



vided, however, that these new rate limitations will not apply to any time deposit contract entered into prior to November 1, 1973. Effective the same date, the Board of Directors has also concluded that there will no longer be any need for a limitation on the amount of such deposits that may be accepted by any one bank.

2. Paragraph (b) (2) of § 329.6 is revised and footnote 13a is revoked, as follows:

§ 329.6 Maximum rates of interest payable on time and savings deposits by insured nonmember banks other than insured nonmember mutual savings banks.<sup>13</sup>

(b) Deposits of less than \$100,000.

(2) Deposits of \$1,000 or more with maturities of 4 years or more. No insured nonmember bank shall pay interest on any time deposit of \$1,000 or more with a maturity of four years or more at a rate in excess of 7½ percent per annum.<sup>13a</sup>

3. Paragraph (b) (4) of § 329.7 is revised and footnotes 14a and 14b are revoked, as follows:

§ 329.7 Maximum rate of interest or dividends payable on deposits by insured nonmember mutual savings banks.<sup>14</sup>

(b) Maximum rates payable.

(4) Time deposits of \$1,000 or more with maturities of 4 years or more. No insured nonmember mutual savings bank shall pay interest or dividends on any time deposit of \$1,000 or more with a maturity of four years or more at a rate in excess of 7½ percent per annum.<sup>14a 14b</sup>

(Sec. 9, 18(g); 64 Stat. 881-82, Pub. L. No. 93-100, § 1 (August 16, 1973), Pub. L. No. 93-123 (October 15, 1973); 12 U.S.C. 1819, 1828(g).)

4. The requirements of sections 553 (b) and (d) of title 5, United States Code, and §§ 302.1, 302.2, and 302.5 of the rules and regulations of the Federal Deposit Insurance Corporation, with respect to notice, public participation, and deferred effective date were not followed in connection with the amendments to §§ 329.6 and 329.7 because the Board of Directors found that the public interest compelled it to make the amendments effective no later than November 1, 1973.

5. *Effective date.*—The amendments to §§ 329.6 and 329.7 are effective November 1, 1973.

<sup>13</sup> [Revoked.]

<sup>13a</sup> [Revoked.]

<sup>14</sup> [Revoked.]

<sup>14a</sup> [Revoked.]

<sup>14b</sup> [Revoked.]

By order of the Board of Directors,  
October 17, 1973.

FEDERAL DEPOSIT INSURANCE  
CORPORATION,  
[SEAL] HANNAH R. GARDINER,  
Assistant Secretary.  
[FR Doc.73-22576 Filed 10-23-73;8:45 am]

Title 14—Aeronautics and Space  
CHAPTER II—CIVIL AERONAUTICS BOARD  
SUBCHAPTER E—ORGANIZATION  
[Regulation OR-79; Amdt. 38]  
PART 385—DELEGATIONS AND REVIEW  
OF ACTION UNDER DELEGATION:  
NONHEARING MATTERS

Expansion of Delegated Authority of the Director, Bureau of Operating Rights, Regarding Certain Charter Flights

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., October 17, 1973.

Various orders recently issued by the Board require prior Board approval for certain types of charter flights to be operated by foreign air carriers operated pursuant to their section 402 permits. Under these orders, requests for such approval must be filed with the Bureau of Operating Rights at least 25 days prior to the proposed flight date, except that, upon a showing of good cause, they may be filed not less than 10 days prior to the proposed flight date.

Although § 385.13(gg) delegates to the Director of the Bureau of Operating Rights authority to grant or deny requests of foreign air carriers for authority to conduct charter flights for which prior approval is required by Board order, the Board has not formally delegated authority to waive the above-described time limits prescribed in such orders. The within amendment to Part 385 of our Organization Regulations reflects our determination to so expand the subject delegation of authority.

Since the amendment provided for herein is a rule of agency organization, the Board finds that notice and public procedure are unnecessary and the rule may be made effective immediately.

In consideration of the foregoing, the Board hereby amends § 385.13 of the Organization Regulations (14 CFR Part 385), effective October 17, 1973, by revising paragraph (gg) to read as follows:

§ 385.13 Delegation to the Director, Bureau of Operating Rights.

(gg) Grant or deny requests for foreign charter air carriers for approval of charter flights for which prior approval is required pursuant to an order of the Board, and to waive the time limit prescribed in such order for filing of such requests.

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 734 (49 U.S.C. 1324). Reorganization Plan No. 3 of 1961, 75 Stat. 837, 26 FR 5989 (49 U.S.C. 1324 (Note)).)

Effective October 17, 1973.  
Adopted October 17, 1973.

By the Civil Aeronautics Board.  
[SEAL] EDWIN Z. HOLLAND,  
Secretary.  
[FR Doc.73-22475 Filed 10-23-73;8:45 am]

Title 16—Commercial Practices  
CHAPTER I—FEDERAL TRADE  
COMMISSION

[Docket No. C-2459]

PART 13—PROHIBITED TRADE  
PRACTICES

American Dairy Association and  
Leo Burnett Co. Inc.

Subpart—Advertising falsely or misleadingly: § 13.10 Advertising falsely or misleadingly; § 13.45 Content; § 13.170 Qualities or properties of product or service; 13.170-64 Nutritive; 13.170-74 Reducing, nonfattening, low-calorie, etc. Subpart—Misrepresenting oneself and goods—Goods: § 13.1605 Content; § 13.1710 Qualities or properties.

(Sec. 6, 38 Stat. 721 (15 U.S.C. 46) Interprets or applies sec. 5, 38 Stat. 719, as amended (15 U.S.C. 45, 52)) [Cease and desist order, American Dairy Association, et al., Chicago, Illinois, Docket C-2459, September 25, 1973.]

In the Matter of American Dairy Association, a Corporation, Leo Burnett Company, Inc., a Corporation

Consent order requiring a Chicago, Illinois, promoter of milk and milk products, among other things to cease disseminating advertising which represents milk as "fat free," misrepresents the dietary effects of its products, misrepresents the fat content and nutritional value of milk and milk products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

II. It is ordered, That respondents American Dairy Association, a not-for-profit corporation, and Leo Burnett Company, Inc., a corporation, and their successors and assigns, and their officers, agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the offering for sale, sale or distribution of the products identified below, do forthwith cease and desist from, directly or indirectly:

I. Disseminating, or causing to be disseminated, by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement that:

a. Uses the phrase "96 percent fat free" to describe whole milk (that is, milk containing not less than 8.0 percent milk solids not fat and from 3.0 percent to 3.8 percent milkfat), low-fat milk (that is, milk from which sufficient milkfat has been removed to reduce its milkfat content to not less than 0.5 percent and not more than 2.0 percent milkfat) or any dairy product containing whole milk or



low-fat milk, or represents in any other manner that any such product, or any specific percentage of such product, is "fat free".

b. Represents, directly or by implication, that whole milk, low-fat milk, or any dairy product containing whole milk or low-fat milk does not contain many calories, or that a person consuming such product will save on calories, or that such product is of value in maintaining weight or reducing weight, or that consuming such product will have no effect or an insignificant effect on increasing weight, unless a clear and conspicuous disclosure is made in immediate connection therewith of the number of calories in a cup or other common measure of such product.

c. Represents, directly or by implication, that whole milk, low-fat milk, or any dairy product containing whole milk or low-fat milk is low in fat unless a clear and conspicuous disclosure is made in immediate connection therewith of the number of calories of fat in a cup or other common measure of such product.

d. Represents that it is desirable for any person on a calorie restricted diet, or a weight-reducing diet to consume whole milk, low-fat milk or any dairy product containing whole milk or low-fat milk unless a clear and conspicuous disclosure is made in immediate connection therewith of the number of calories in a cup or other common measure of such product.

e. Represents that it is desirable for any person on a fat-restricted diet or a low-fat diet to consume whole milk, low-fat milk or any product made from whole milk or low-fat milk unless a clear and conspicuous statement is made in immediate connection therewith of the number of grams of fat in a cup or other common measure of such product.

Provided, however, that subparagraphs (a), (b), (c), (d), and (e), of paragraph I shall not be applicable to:

(1) Truthful statements limited to a recitation of the percentage, range of percentages, average of percentages, or maximum percentage of the fat in whole milk, low-fat milk, or any dairy product containing whole milk or low-fat milk in terms of percentage by weight (such as by use of the statements:

- (1) "Contains — percent fat";
  - (2) "Contains — to — percent fat";
  - (3) "Contains — percent fat average";
  - (4) "Contains — percent fat maximum";
- or
- (5) "Contains about [or approximately] — percent fat";

(ii) The use of the name "low-fat milk", for low-fat milk (as above-defined); or

(iii) Any product other than whole milk, low-fat milk, or any dairy product containing whole milk or low-fat milk.

f. Misrepresents, directly or by implication, the nutritional value of any dairy product in connection with dieting undertaken for the purpose of weight reduction, prevention of weight gain, or regulation of fat intake; provided, how-

ever, that this subparagraph (f) shall not be applicable to those statements and names listed in parts (i) and (ii) of the provision which follows subparagraph (e) above.

II. Disseminating, or causing to be disseminated, by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of products subject to this order, in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains any of the representations prohibited in, or which fails to comply with the affirmative disclosure requirements of, Paragraph I hereof.

It is further ordered, That respondents shall forthwith distribute a copy of this order to each of their operating divisions.

It is further ordered, That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondents such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries, or any other change in the corporations which may affect compliance obligations arising out of the order.

It is further ordered, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

Issued: September 25, 1973.

[SEAL] CHARLES A. TOBIN,  
Secretary.  
[FR Doc.73-22545 Filed 10-23-73;8:45 am]

[Docket No. C-2460]

#### PART 13—PROHIBITED TRADE PRACTICES

##### Cross Roads Lincoln-Mercury, et al.

Subpart—Advertising falsely or misleadingly: § 13.73 *Formal regulatory and statutory requirements*; 13.73-92 *Truth in Lending Act*; § 13.155 *Prices*; 13.155-95 *Terms and conditions*; 13.155-95(a) *Truth in Lending Act*. Subpart—Misrepresenting oneself and goods—Goods: § 13.1623 *Formal regulatory and statutory requirements*; 13.1623-95 *Truth in Lending Act*;—*Prices*; § 13.1823 *Terms and conditions*; 13.1823-20 *Truth in Lending Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*; 13.1852-75 *Truth in Lending Act*; § 13.1905 *Terms and conditions*; 13.1905-60 *Truth in Lending Act*.

(Sec. 6, 38 Stat. 721 (15 U.S.C. 46) Interpret or apply sec. 6, 38 Stat. 719, as amended, 82 Stat. 146, 147 (15 U.S.C. 45, 1601-1606)) [Cease and desist order. All States Lincoln-Mercury, Inc., trading as Cross Roads Lincoln-Mercury, et al., Cleveland, Ohio, Docket C-2460, September 27, 1973.]

*In the Matter of All States Lincoln-Mercury, Inc., a Corporation, D.B.A. Cross Roads Lincoln-Mercury, and Charles E. Mullinax, and Wallace A. Scotten, and Earl B. Porter, and Harry W. Lum, Individually and as Officers of Said Corporation.*

Consent order requiring a Cleveland, Ohio, retailer of new and used automobiles, among other things to cease violating the Truth in Lending Act by failing to disclose to consumers, in connection with the extension of consumer credit, such information as required by Regulation Z of the said Act.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents All States Lincoln-Mercury, Inc., a corporation, d.b.a. Cross Roads Lincoln-Mercury, its successors and assigns, and its officers, and Charles E. Mullinax, Wallace A. Scotten, Earl B. Porter, and Harry W. Lum, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporation, subsidiary, division or other device in connection with the arrangement, extension, or advertisement of consumer credit in connection with the sale of automobiles or other products or services, as "advertisement" and "consumer credit" are defined in Regulation Z (12 CFR 226) of the Truth in Lending Act (15 U.S.C. 1601 et seq.) do forthwith cease and desist from:

(1) Causing to be disseminated to the public in any manner whatsoever, any advertisement to aid, promote or assist, directly or indirectly, any extension of consumer credit, which advertisement states the amount of downpayment required or that no downpayment is required, the amount of any installment payment, the dollar amount of any finance charge, the number of installments or the period of repayment, or that there is no charge for credit, unless it states all of the following items in the manner and form as required by § 226.10 (d) (2) of Regulation Z:

(a) The cash price or the amount of the loan, as applicable;

(b) The amount of the downpayment required or that no downpayment is required, as applicable;

(c) The number, amount, and due dates or period of payments scheduled to repay the indebtedness if credit is extended;

(d) The amount of the finance charge expressed as an annual percentage rate; and

(e) The deferred payment price or the sum of the payments, as applicable.

(2) Failing in any consumer credit transaction or advertisement to state the rate of finance charge expressed as an annual percentage rate without using the term "annual percentage rate", as required by § 226.10(d) (1) of Regulation Z.

(3) Failing in any consumer credit transaction or advertisement to use the



term annual percentage rate unless such term is printed more conspicuously than other terminology, as required by § 226.6(a) of Regulation Z.

(4) Failing in any consumer credit transaction or advertisement to make all the disclosures, determined in accordance with § 226.4 and § 226.5 of Regulation Z, in the manner, form and amount required by § 226.6, § 226.7, § 226.8, § 226.9 and § 226.10 of Regulation Z.

It is further ordered, That respondents deliver a copy of this order to cease and desist to all present and future personnel of respondents engaged in the consummation of any extension of consumer credit, or in any aspect of preparation, creation or placing of advertising, and that respondents secure a signed statement acknowledging receipt of said order from each such person.

It is further ordered, That respondents notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent, such as dissolution, assignment or sale, resultant in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of this order.

It is further ordered, That the individual respondents named herein each promptly notify the Commission of the discontinuance of his present business or employment and of his affiliation with a new business or employment. Such notice shall show each respondent's current business address and a statement as to the nature of the business or employment in which he is engaged, as well as a description of his duties and responsibilities.

It is further ordered, That respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist contained herein.

By the Commission.

Issued September 27, 1973.

[SEAL] CHARLES A. TOBIN,  
Secretary.

[FR Doc.73-22546 Filed 10-23-73; 8:45 am]

[Docket No. 88849]

**PART 13—PROHIBITED TRADE PRACTICES**

**Chock Full O'Nuts Corp. Inc.**

Subpart—Combining or conspiring: § 13.395 To control marketing practices and conditions; § 13.425 To enforce or bring about resale price maintenance; § 13.497 To terminate or threaten to terminate contracts, dealings, franchises, licenses, etc. Subpart—Cutting off supplies or service: § 13.625 Organizing and controlling supply sources; § 13.655 Threatening disciplinary action or otherwise. Subpart—Dealing on exclusive and tying basis: § 13.670 Dealing on exclusive and tying basis; § 13.670-20 Federal Trade Commission Act. Subpart—Main-

taining resale prices: § 13.1125 Combination; § 13.1130 Contracts and agreements; § 13.1155 Price schedules and announcements.

(Sec. 6, 38 Stat. 721 (15 U.S.C. 46) Interprets or applies sec. 3, 38 Stat. 719, as amended (15 U.S.C. 45)) [Order, opinion, etc., Chock Full O'Nuts, New York City, Docket No. 8884, October 2, 1973.]

*In the Matter of Chock Full O'Nuts Corporation, Inc., a Corporation*

Order requiring a New York City franchisor of a counter-type restaurant, among other things to cease combining or conspiring to maintain resale prices and cutting off supplies or services to their franchisees.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That the initial decision be vacated and the appeal of complaint counsel be granted to the extent provided hereinafter.

Accordingly, the following cease-and-desist order is hereby entered:

**ORDER**

I. It is ordered, That respondent Chock Full O'Nuts Corporation, Inc. (hereinafter referred to as "Chock" or "respondent"), a corporation, its successors, assigns, officers, directors, agents, representatives and employees, directly or through any corporate or other device, in connection with the franchising or licensing of persons to operate a restaurant business, the operation of a food manufacturing business, and the operation of restaurant supplies business, such as franchising, licensing, and operations constituting commerce, as commerce is defined in the Federal Trade Commission Act, forthwith cease and desist from:

1. Entering into, carrying out, continuing, or cooperating in any course of action or any understanding, agreement, combination or conspiracy to:

(a) Establish, fix, or maintain the resale prices of any products; or

(b) Require any licensee to adhere to any resale prices, fixed or maintained by respondent; or

(c) Require any licensee to adhere to resale prices set forth in any sample or exhibit menu, menu insert, menu sticker, price list, advertising announcement, store owner's operation manual, newsletter or bulletin; or

(d) Terminate or threaten to terminate the license of any licensee who refuses to sell products at prices fixed or maintained by Chock; or

(e) Establish, fix, or maintain the resale prices charged by any licensee for any product in connection with any fair trade program in states where respondent sells that product.

2. Requiring in any manner or by any means, directly or indirectly, its licensees to purchase food products (with the exception of premium grade coffee and baked goods manufactured by Chock itself), restaurant supplies, and any other products or services from respondent or from any other source;

Provided that nothing in this Order shall prohibit respondent from establishing reasonable standards of manufacture, reasonable specifications, reasonable recipes or formulae for products sold or used in its licensed restaurants, if such standards, specifications, recipes or formulae are made available without charge to manufacturers desiring to produce products for Chock licensees pursuant to them. Furnishing of standards, specifications, recipes, and formulae may be made subject to assurances of confidential treatment by those to whom they are provided.

3. Refusing to grant to manufacturers of paper products, plastic serving utensils, or other restaurant supplies meeting respondent's established standards and specifications, permission to imprint the "Chock Full O'Nuts" trademark and/or trade name upon such items for exclusive sale to respondent or respondent's licensees, in the event that respondent chooses to require its licensees to use products, utensils, or supplies with the "Chock Full O'Nuts" trademark upon them. No charge of any kind shall be made by respondent to any such manufacturer in connection with the granting of permission to imprint the trademark and/or trade name.

II. It is further ordered, That respondent forthwith forward or deliver by ordinary mail a copy of this Order and of attached letter "A" to each present and every future licensee of respondent.

III. It is further ordered, That respondent shall, within sixty (60) days after service upon it of this Order, take all necessary action to effect the cancellation or deletion of each provision of every contract or agreement between respondent and any of its licensees which is contrary to, or inconsistent with, any provision of this Order.

IV. It is further ordered, That respondent shall, within ninety (90) days after service upon it of this Order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with the terms of this Order.

V. It is further ordered, That respondent notify the Commission at least thirty (30) days prior to any proposed change in respondent's constitution, such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries, or any other change in the corporation which may affect compliance obligations arising out of this Order.

Issued: October 2, 1973.

By the Commission.

[SEAL] CHARLES A. TOBIN,  
Secretary.

LETTER "A"

(ON OFFICIAL CHOCK FULL O'NUTS STATIONARY)

GENTLEMEN: The Federal Trade Commission has entered an Order against Chock Full O'Nuts Corporation which, among other things, prohibits Chock from requiring you



to purchase from it food products (with the exception of premium grade coffee and baked good manufactured by Chock itself), restaurant supplies, and any other products or services. In addition, it requires Chock to permit other manufacturers to imprint the Chock trademark on any items used or sold by licensees which Chock may require to bear such a trademark. The Order further prohibits Chock from fixing the prices at which products are sold in your stores. A copy of the Order is enclosed.

Chock retains the right to establish reasonable standards of manufacture, reasonable specifications, and reasonable recipes or formulae for products sold in its restaurants. Chock will supply these, without cost, to other manufacturers who may desire to sell the products to which they apply to Chock licensees.

Pursuant to the terms of the Order, you are also free to set the prices for all products sold in your store; and you are not required to adhere to any prices set forth in sample or exhibit menus, menu inserts, menu stickers, recommended price lists, advertising announcements, store owner's operation manual, newsletters or bulletins.

Sincerely,

WILLIAM BLACK,  
Chairman of the Board, Chock Full  
O'Nuts Corporation, Inc.

[FR Doc. 73-22547 Filed 10-23-73; 8:45 am]

#### Title 21—Food and Drugs

### CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

#### SUBCHAPTER B—FOOD AND FOOD PRODUCTS

#### PART 15—CEREAL FLOURS AND RELATED PRODUCTS

#### PART 17—BAKERY PRODUCTS

#### Improvement of Nutrient Levels of Enriched Flour, Enriched Self-rising Flour, and Enriched Breads, Rolls or Buns

##### Correction

In FR Doc. 73-21918 appearing at page 28558 in the issue of Monday, October 15, 1973, in the third column on page 28564, the effective date "April 15, 1973", should read "April 15, 1974".

#### Title 23—Highways

### CHAPTER I—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

#### PART 750—HIGHWAY BEAUTIFICATION

##### Sign and Cost Depreciation Schedules

This subpart was originally published at 38 FR 16050 on June 20, 1973.

To reflect current costs, the sign cost and depreciation schedules in § 750.319 of Title 23, Part 750, subpart D are amended as follows:

In § 750.319 *Sign cost and depreciation schedules*, in paragraph (a) (1) *Poster panel cost schedule*, the basic cost per square foot of sign area is changed from "\$6.45" to "\$6.84". The additional cost of steel posts and frames is changed from "\$1.25" to "\$1.32". The additional costs of fluorescent lights is changed from "\$1.00" to "\$1.06".

In § 750.319(b), the basic cost per square foot of sign area including artwork is changed from "\$7.85" to "\$8.32". The additional cost of steel posts and

frames is changed from "\$1.45" to "\$1.54". The additional cost of fluorescent lights is changed from "\$1.00" to "\$1.06". The additional cost of reflective material is changed from "\$1.35" to "\$1.80".

Issued on October 16, 1973.

R. R. BARTELSMEYER,  
Deputy Federal Highway  
Administrator.

[FR Doc. 73-22554 Filed 10-23-73; 8:45 am]

#### Title 46—Shipping

### CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 72-92R]

#### SUBCHAPTER B—MERCHANT MARINE OFFICERS AND SEAMEN

#### PART 10—LICENSING OF OFFICERS AND MOTORBOAT OPERATORS AND REGISTRATION OF STAFF OFFICERS

#### SUBCHAPTER R—NAUTICAL SCHOOLS

#### PART 166—DESIGNATION AND APPROVAL OF NAUTICAL SCHOOL SHIPS

##### Approval of Nautical School Ships

The purpose of the amendments in this document is to add to Chapter I of Title 46, Code of Federal Regulations, rules and regulations governing the issuance of documents to cadets at the Great Lakes Maritime Academy and the issuance of licenses to graduates thereof.

In the August 9, 1972, issue of the FEDERAL REGISTER (37 FR 16000), the Coast Guard proposed to list the Great Lakes Maritime Academy as a nautical school ship and to provide its graduates with professional status equivalent to that of graduates of other school ships. Interested persons were advised that they might participate in the proposed rule making by submitting written data, views, or arguments to the Executive Secretary, Marine Safety Council (GCMC/82) on or before September 15, 1972.

Written comment in opposition to the proposed rule making was received from a labor organization that claims to represent a majority of both deck and engine officers sailing on Great Lakes vessels and that has contractual responsibility for supplying qualified officers to meet the manpower needs of the Great Lakes maritime industry. The specific objections were that—

1. The Great Lakes Maritime Academy did not meet the requirements contained in 46 CFR 310 for purposes of Federal financial assistance and approval by the United States Maritime Administration;
2. The Great Lakes Maritime Academy's curriculum was inferior to that given at the other state academies;
3. The enrolled cadets were being allowed, prior to graduation, endorsements to their Merchant Mariner's Documents authorizing service as Able Seamen or in a rating as a Qualified Member of the Engine Department, contrary to the requirements in current regulations;
4. The Academy's training vessels are different than Great Lakes' commercial carriers;
5. The cadets are supplanting unlicensed crew members;
6. A cadet/able seaman cannot gain

sufficient knowledge in three months to qualify for a license authorizing service as First Class Pilot since an unlicensed seaman requires at least one year's service on the bridge of similar vessels in a rated capacity for a license;

7. The engineering cadets were not receiving sufficient experience in the three-month period to qualify them to handle the responsibilities as Third Assistant Engineer of steam or motor vessels of any horsepower; and

8. The Great Lakes Maritime Academy's period of training is not three years as required as a minimum in 46 CFR 310.3.

As early as 1957 the trustees of Northwestern Michigan College proposed to establish a Michigan Maritime Academy to provide skilled personnel for vessels of the Great Lakes' commercial fleet. In 1967, the trustees requested the advice of the Commandant, U.S. Coast Guard. The recommendation of the Commandant was that the trustees enter into an agreement with the Maritime Administrator under the provisions of the Maritime Academy Act of 1958 (46 U.S.C. 1381, et seq.) and that when this was done, eligibility for Coast Guard licenses by successful graduates would be considered. Section 310.3(a) in Chapter II of Title 46, Code of Federal Regulations was amended by the Maritime Administration in the June 3, 1970 issue of the FEDERAL REGISTER (35 FR 8533) to include the Great Lakes Maritime Academy of Northwestern Michigan College as eligible to receive Federal aid under the Act.

In 1969, the U.S. Coast Guard reviewed the prospectus of the Academy and noted that, while the proposed program was not entirely new, it did represent the first step toward a program for the Great Lakes shipping industry. Being aware of the ongoing shortage of licensed officers as well as unlicensed seamen on the Great Lakes, the Coast Guard decided that the program could have an effect on the expected personnel shortage in the years ahead. The Coast Guard has always supported maritime training programs and indicated an interest in supporting the program which would provide an education to meet the demands of future technology in an expanding marine transportation industry. Also, the Coast Guard believed that the Maritime Administration was reviewing 46 CFR 310.3(c) to eliminate interpretations that would inhibit new, innovative programs. As a result of this belief, temporary approval was granted to the Great Lakes Maritime Academy in 1971 to allow the cadets to be issued Merchant Mariner's Documents with endorsements authorizing service in rated unlicensed capacities, both deck and engine, prior to graduation.

As a result of the comment received by the Coast Guard on the proposed amendments, an intensive review was made of the program, and the following was determined:

(a) Federal assistance is provided to the Great Lakes Maritime Academy under the authority of the Maritime Academy Act of 1958.



(b) The cadets at the Great Lakes Maritime Academy train as cadets for the required six months' time aboard Great Lakes commercial vessels.

(c) The size of each entering class of the Academy depends on the projection of the evaluations of the needs of the industry and availability of Federal funds.

(d) The curriculum of the Great Lakes Maritime Academy is not inferior to that given at other State academies.

(e) Although they are different than Great Lakes' commercial vessels, the Academy's training vessels will suffice for teaching the rudiments of seamanship and shiphandling.

(f) The Coast Guard has no objection to a cadet's supplementing his training vessel service with service as an ordinary seaman or wiper provided that the cadet produces a letter of commitment of employment from a responsible official in a position to hire or place an individual on a vessel and the service does not infringe upon the service as a cadet.

(g) Although cadets have been employed in unlicensed capacities, they did not supplant unlicensed personnel but filled berths that would have otherwise been vacant. It was found that organizations, other than those associated with the commenter, have solicited for or been amenable to employment of the cadets in unlicensed capacities.

(h) At least one year's service in the capacity of quartermaster, wheelman, able seaman, or an equivalent service on the Great Lakes is considered by the Coast Guard as a requirement. On the Great Lakes, the one year's service requirement is interpreted as being one season. The length of a season is variable and may be from 7 to 10 months duration, and the Coast Guard considers the required 6 months' service as cadet to be a reasonable equivalent to that required of other applicants.

(i) The Coast Guard limits each cadet (engine) license and documents in accordance with the experience that the cadet has received.

(j) Although the curriculum of the Great Lakes Maritime Academy can be completed in 33 months, it is equivalent in content to that provided at the other state academies.

(k) The Coast Guard has learned that organizations (other than the union) and steamship companies support the Great Lakes Maritime Academy's program.

(l) There continues to be a shortage of qualified officer and unlicensed personnel to fully man the Great Lakes' commercial fleet, and the median age of ships' officers continues to rise.

(m) A pier and mooring basin have been completed at the Academy, and the largest deck officers' union has offered its facilities for radar training until the Academy is able to obtain radar simulators. Various companies are providing equipment for training. A trust fund has been established with an initial bequest of \$50,000 to aid financially deprived cadets. A vocational/technical building has been constructed at the Academy at a cost of \$389,750 to the State of Michigan. Unlike other state academies, when

the Academy has its own radar simulators and receives the approval of the Maritime Administration, the simulators will be available to all Great Lakes personnel.

(n) The Coast Guard obtained, unsolicited, copies of evaluation reports on 18 cadets serving during the summer of 1972. These reports represented the evaluations of nine Masters, one First Mate and nine Chief Engineers. Only one reported the cadets as unsatisfactory. Three others rated the cadets as only being fair to good, but 5 reports evaluated the cadets as being very good to exceptional.

In view of the foregoing, and the policy stated in the Maritime Academy Act of 1958, the Coast Guard considers that the Great Lakes Maritime Academy can serve a useful purpose by being at least one source of officers for Great Lakes commercial vessels. However, in consideration of the valid points raised by the commenter and the position taken by the Maritime Administration, the Coast Guard will amend any previous temporary approvals granted to the Great Lakes Maritime Academy as follows:

(a) In compliance with 46 CFR 310.3 (c), cadets in training status aboard commercial vessels must sign on board as cadets and pursue their training within the framework of formal projects prepared and maintained by the Academy.

(b) In compliance with 46 CFR 12.25-25, each enrolled cadet will be issued a Merchant Mariner's Document endorsed as either "Cadet (deck)" or "Cadet (engine)", as appropriate valid only while cadet in the U.S. Maritime Administration Training program. This document will serve as the Certificate of Identification and Certificate of Service required in 46 U.S.C. 643 and 672. Documents of cadets with sea experience will contain any endorsement previously granted.

(c) In compliance with 46 CFR 12.10-3 (a) (6), those cadets having completed nine months training and who show to the satisfaction of the cognizant Officer in Charge, Marine Inspection their ability as lifeboatmen, may have their document endorsed "Lifeboatman." This endorsement is considered by the Coast Guard as a prerequisite to establishing eligibility to sit for a deck license.

(d) In accordance with 46 U.S.C. 672 (b), the following applicants upon graduation and passing the appropriate examination, will be issued the following documents:

(1) A "Cadet (deck)" will be issued a document endorsed "Able Seaman, Great Lakes—18 months" or "Able Seaman, Any Waters—12 months."

(2) A "Cadet (engine)" will be issued a document endorse "Fireman, Oiler, Watertender" except:

(i) If the applicant's service has been on a vessel of over 4,000 horsepower, the document is endorsed, "Any unlicensed rating in the engine department"; or

(ii) If the applicant's service has been on board a motor vessel of less than 4,000 horsepower, the document is endorsed "Oiler". At a subsequent raise in grade,

if the qualifying service is obtained on a vessel of 4,000 horsepower or over, the applicant may then apply for a supplemental Merchant Mariner's Document endorsed, "Any unlicensed rating in the engine department."

(e) Upon graduation, a Cadet (deck) who shows evidence of nine months' or more sea experience on a certificated vessel, including not less than six months' sea service aboard a Great Lakes' commercial vessel as a cadet observing the navigation of a vessel and meeting the minimum requirements for at least the four upper lakes and their interconnecting waterways, is eligible to be examined for a license authorizing service as First Class Pilot upon Lakes Superior, Huron, Michigan, Erie and their interconnecting waterways. For the further endorsement as Radar Observer, the requirements in 46 CFR 10.05-46 must be met.

Upon graduation, a cadet (engine) who shows evidence of nine months' or more sea experience on certificated vessels including not less than six months aboard Great Lakes' commercial vessels as a cadet observing the propulsion of a vessel is eligible to be examined for a license authorizing service as Third Assistant Engineer. To be eligible for a license authorizing service on both steam and motor vessels, the cadet must show six months' or more service as cadet (engine) aboard steam vessels and three months' or more service as cadet (engine) aboard motor vessels. Service aboard certificated schoolships in cruise status while assigned to engineering duties is credited. If the service has been aboard an inspected vessel of less than 4,000 horsepower, the license will have a horsepower limitation in accordance with 46 CFR 10.10-3(b).

(f) Each graduating cadet is examined by the Officer in Charge, Marine Inspection, Marine Inspection Office, St. Ignace, Michigan, under conditions as prescribed by him. Cadets may be examined as a class, but for those cadets who have not completely met the requirements for experience, the retention of the control of the cognizant Officer in Charge, Marine Inspection, St. Ignace, Michigan in the matter of the original license is to ensure equivalent examination for each cadet.

In consideration of the foregoing, the proposed regulations are hereby adopted without change and are set forth below.

**Effective date.**—These amendments shall become effective on November 26, 1973.

Dated October 16, 1973.

C. R. BENDER,  
Admiral, U.S. Coast Guard  
Commandant.

Parts 10 and 166 of Title 46 of the Code of Federal Regulations, are amended as follows:

1. By revising § 10.05-33(a) (3) (ii) to read as follows:



### § 10.05-33 Third mate of ocean steam or motor vessels.

- (a) \* \* \*
- (3) \* \* \*

(ii) The deck class of a nautical schoolship approved by and conducted under rules prescribed by the Commandant and listed in Part 166 of Subchapter R (Nautical Schools) of this chapter, except the deck class of the Great Lakes Maritime Academy.

2. By amending § 10.05-39(b) by adding a new subparagraph (1a) to read as follows:

### § 10.05-39 Pilot.

- (b) \* \* \*

(1a) Graduation from the Great Lakes Maritime Academy in the deck class; or,

(R.S. 4438, as amended; 46 U.S.C. 224, 1946 Reorg. Plan No. 3, §§ 101-104, 60 Stat. 1097 49 CFR 1.46(b))

3. By revising § 166.01(b) to read as follows:

### § 166.01 Approval of nautical schoolships.

(b) It has been made to appear to the satisfaction of the Commandant that the schoolships operated by the States in which they are located, namely; by the California Maritime Academy, Great Lakes Maritime Academy at Northwestern Michigan College, Maine Maritime Academy, Massachusetts Maritime Academy, New York State Maritime College, and Texas Maritime Academy, and by the United States Merchant Marine Academy, the United States Naval Academy, and the United States Coast Guard Academy, have adopted a course of study for their students complying with the rules prescribed by the Commandant, and a system of instruction adequate to equip the deck and engineering students theoretically and physically in the rudiments of seamanship and navigation necessary to qualify the graduates for the rating of "able seamen" and in all branches of marine engineering necessary to qualify the graduates for the rating of "qualified member of the engine department," respectively.

(Sec. 13, 38 Stat. 1169; 46 U.S.C. 672, 49 CFR 1.46(b).)

[FR Doc. 73-22588 Filed 10-23-73; 8:45 am]

#### SUBCHAPTER D—TANK VESSELS

#### SUBCHAPTER H—PASSENGER VESSELS

#### SUBCHAPTER I—CARGO AND MISCELLANEOUS VESSELS

#### SUBCHAPTER U—OCEANOGRAPHIC VESSELS

[CGD 72-131R]

### GENERAL PROVISIONS

#### International Voyage

The purpose of these amendments is to eliminate a contradiction in the use of the term "international voyage" within Coast Guard regulations.

The amendments were proposed in a notice of proposed rulemaking published

in the March 1, 1972 issue of the FEDERAL REGISTER (37 FR 4292), and in the Marine Safety Council Public Hearing Agenda (CG-249), dated March 27, 1972. The proposed amendments were identified as item 4 in the notice and agenda.

The Coast Guard invited interested persons to submit written comments by April 3, 1972. It also invited public participation at the public hearing which was held on March 27, 1972, in Washington, D.C. No comments, written or oral, were received.

The term "international voyage" in the applicability descriptions in §§ 30.01-6, 70.05-10, 90.05-10, and 188.05-10 of Title 46, Code of Federal Regulations, is in conflict with the definitions of that term in §§ 30.10-36, 70.10-21, 90.10-17, and 188.10-35. The definition of the term includes every vessel which makes a voyage to a foreign port. The applicability sections appear to limit the term to those vessels covered by the International Convention for the Safety of Life at Sea, 1960, June 17, 1960, 16 UST 185, TIAS 5780 536 UNTS 27 (SOLAS 60).

In order to remove a possible source of confusion, the Coast Guard is deleting the definition sections and revising the applicability sections. This is necessary so the reader can determine when a vessel is on an "international voyage" and subject to requirements of the subchapter which implement SOLAS 60. It is also necessary to clarify the status of a vessel engaged on a voyage between different countries but not subject to SOLAS 60 by reason of the tonnage, registration in a country that is not signatory to the Convention, number of passengers, or similar exceptions to the Convention. Section 188.05-37 is revoked because it is redundant and, therefore, unnecessary.

Accordingly, Parts 30, 70, 90, and 188 of Title 46 of the Code of Federal Regulations are amended as follows:

### PART 30—GENERAL PROVISIONS

1. Section 30.01-6 is revised to read as follows:

#### § 30.01-6 Application to vessels on an international voyage.

(a) Except as provided in paragraphs (b), (c), and (d) of this section, the regulations in this subchapter that apply to a vessel on a "international voyage" apply to a vessel that—

(1) Is mechanically propelled and of at least 500 gross tons; and

(2) Is engaged on a voyage—

(i) From a country to which the International Convention for Safety of Life at Sea, 1960, June 17, 1960, 16 U.S.T. 185, TIAS 5780, 536 UNTS 27 (SOLAS 60) applies, to a port outside that country or the reverse;

(ii) From any territory, including the Commonwealth of Puerto Rico, the Canal Zone, all possessions of the United States, and all lands held by the United States under a protectorate or mandate, whose international relations are the responsibility of a contracting SOLAS 60 government, or which is administered by the United Nations, to a port outside that territory or the reverse; or

(iii) Between the contiguous states of the United States and the states of

Hawaii or Alaska or between the states of Hawaii and Alaska.

(b) The regulations that apply to a vessel on an "international voyage" in this subchapter do not apply to ships engaged on a voyage solely on the Great Lakes and the St. Lawrence River as far east as a straight line drawn from Cap des Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63rd Meridian;

(c) The Commandant or his authorized representative may exempt any vessel on an international voyage from the requirements of this subchapter if the vessel—

(1) Makes a single international voyage in exceptional circumstances; and

(2) Meets safety requirements prescribed for the voyage by the Commandant.

(d) The Commandant or his authorized representative may exempt any vessel from the construction or lifesaving requirements of this subchapter if—

(1) The vessel does not proceed more than 20 miles from the nearest land in the course of its voyage; and

(2) The Commandant determines that the conditions of the voyage render the application of the full lifesaving requirements unreasonable or unnecessary.

#### § 30.10-36 [Deleted]

2. Section 30.10-36 is deleted.

3. Section 70.05-10 is revised to read exactly the same as § 30.01-6, except that in § 70.05-10, paragraph (a) (1) reads as follows:

### PART 70—GENERAL PROVISIONS

#### § 70.05-10 Application to vessels on an international voyage.

- (a) \* \* \*

(1) Is mechanically propelled and carries more than 12 passengers; and

#### § 70.10-21 [Deleted]

4. Section 70.10-21 is deleted.

### PART 90—GENERAL PROVISIONS

5. Section 90.05-10 is revised to read exactly the same as § 30.01-6, except that in § 90.05-10, the introductory text of paragraph (a) reads as follows:

#### § 90.05-10 Application to vessels on an international voyage.

(a) Except for yachts and fishing vessels and as provided in paragraphs (b), (c), and (d) of this section, the regulations in this subchapter that apply to a vessel on an "international voyage" apply to a vessel that—

#### § 90.10-17 [Deleted]

6. Section 90.10-17 is deleted.

### PART 188—GENERAL PROVISIONS

7. Section 188.05-10 is revised to read exactly the same as § 30.01-6, except that in § 188.05-10(b) reads as follows:

#### § 188.05-10 Application to vessels on an international voyage.

(b) The regulations that apply to a vessel on an "international voyage" in



this subchapter do not apply to a vessel that—

(1) Solely navigates the Great Lakes and the St. Lawrence River as far east as a straight line drawn from Cap des Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63rd Meridian; or

(2) Is numbered in accordance with the Federal Boat Safety Act of 1971 (85 Stat. 213; 46 U.S.C. 1451, et seq.).

§ 188.05-37 [Revoked]

8. Section 188.05-37 is revoked.

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended, Sec. 6(b)(1), 80 Stat. 937; 46 U.S.C. 375, 391a, 416, 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b).)

Effective date.—These amendments are effective on January 28, 1973.

Dated October 12, 1973.

C. R. BENDER,  
Admiral, U.S. Coast Guard  
Commandant.

[FR Doc.73-22585 Filed 10-23-73;8:45 am]

Title 47—Telecommunication  
CHAPTER I—FEDERAL  
COMMUNICATIONS COMMISSION

[FCC 73-1056]

PART 78—CABLE TELEVISION RELAY  
SERVICES

Application Procedures

In the matter of amendment of Part 78, Subpart B, of the Commission's rules and regulations concerning procedures in the Cable Television Relay Service and related matters.

1. In an effort to keep abreast of the changes involved in the regulation of the communications industry generally and the cable television industry specifically, an informal study of Part 78 of the Commission's Rules by the Cable Television Bureau staff has identified a number of provisions that need amendment.

2. The amendments lessen the adverse impact of the Rules upon the application process by eliminating some confusing, redundant, or unnecessary requirements. The amendments will diminish the work load of the Commission without any substantive changes in the effects of the Rules upon interested persons.

3. For the reasons given the following changes are made:

(a) Section 78.15(a) is amended to delete the requirement that the applicant state the current number of subscribers on each cable television system to be served. This data is available on a current basis elsewhere in the Commission's records<sup>1</sup> and the deletion lightens the burden on the applicants and the Commission with no effect upon the ready availability of cable system size statistics.

(b) Sections 78.23 and 78.25 are amended to delete the requirements that notification must be given to the Commission and its District Engineer in Charge when a permittee begins equipment tests (§ 78.23) or program tests (§ 78.25) on any class of Cable Television Relay Station. Such notifications

are no longer needed or useful for administrative purposes, and elimination of the requirement relieves both the permittee and the Commission of an unnecessary paperwork burden.<sup>2</sup>

(c) Section 78.15(b) is deleted. Its effect is to provide direct notice to a class of interested parties of the pendency of an application to provide television broadcast programming to the attendant cable television system(s). This notice is now provided for in Part 76,<sup>3</sup> and the redundancy should not be perpetuated.

4. The amendments adopted are intended merely to remove redundant requirements from the rules, or relate to rules of agency organization, procedure, or practice. Accordingly, we conclude that prior notice of rule making and public procedure thereon are unnecessary, pursuant to the Administrative Procedure and Judicial Review provisions of 5 U.S.C. 553(b)(3).

5. Authority for the rule amendments adopted herein is contained in sections 2, 3, 4(i) and (j), 5(b) and (d), 301, 303, 307, 308, and 309 of the Communications Act of 1934, as amended.

6. Accordingly, it is ordered, That effective October 24, 1973, Part 78 of the Commission's rules and regulations is amended as set forth below.

(Secs. 2, 3, 4, 5, 301, 303, 307, 308, 309, 48 Stat., as amended, 1064, 1065, 1066, 1067, 1068, 1081, 1082, 1083, 1084 (47 U.S.C. 152, 153, 154, 155, 301, 303, 307, 308, 309).)

Adopted October 11, 1973.

Released October 16, 1973.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>4</sup>

[SEAL] VINCENT J. MULLINS,  
Acting Secretary.

Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

A. In Part 78, Cable Television Relay Service:

1. In § 78.15, paragraph (b) is deleted and paragraph (a) is revised to read as follows:

§ 78.15 Contents of applications.

(a) An application for a new cable television relay station or for changes in the facilities of an existing station

<sup>1</sup> FCC Form 325 annual report required by § 76.401 of the Commission's Rules.

<sup>2</sup> Cf. Order, FCC 73-694, 41 FCC(2d) 634, deleting a similar requirement from Part 74 of the Rules.

<sup>3</sup> The parties who are now entitled to receive direct notice pursuant to Part 76 of the rules are identical to those now receiving direct notice pursuant to Part 78 of the rules. This duality serves useful purpose, particularly in light of the more inclusive notice to the public which the Commission gives for all applications in the Cable Television Relay Service (§ 78.20(c)). A formal rule making is unnecessary prior to making this change because no interested persons will suffer prejudice or injury as a result of the change. Nor do we feel that the delay associated with a formal proceeding to delete this redundant provision would serve the public interest.

<sup>4</sup> Commissioner Robert E. Lee absent; Commissioner Reid concurring in the result.

shall specify the call sign and location of any television, standard, or FM broadcast stations or instructional television fixed stations to be received and the intended source and general nature of any cable-casting to be relayed, the location of the point at which reception will be made, the number and location of any intermediate relay stations in the system, the location of the terminal receiving point(s) in the system, the name or names of the communities to be served by the cable television system or systems to which the programs will be delivered, and the name of any other licensee to whom the same program will be delivered through interconnection facilities. An application for a new LDS station or for changes in the facilities of an existing station shall specify in detail the precise nature and technical operation of any service other than the relay of television broadcast signals proposed to be provided on the LDS facilities, including any sections of this part for which waiver is sought.

2. In § 78.23, paragraph (a) is revised to read as follows:

§ 78.23 Equipment tests.

(a) During the process of construction of a cable television relay station, the permittee, may, without further authority of the Commission, conduct equipment tests for the purpose of such adjustments and measurements as may be necessary to assure compliance with the terms of the construction permit, the technical provisions of the application therefore, the rules and regulations, and the applicable engineering standards.

3. In § 78.25, paragraph (a) is revised to read as follows:

§ 78.25 Service or program tests.

(a) Upon completion of construction of a cable television relay station in accordance with the terms of the construction permit, the technical provisions of the application therefore, and the rules and regulations and applicable engineering standards, and when an application for station license has been filed showing the station to be in satisfactory operating condition, the permittee of such station may, without further authority of the Commission, conduct service or program tests.

[FR Doc.73-22562 Filed 10-23-73;8:45 am]

[Docket No. 19769; FCC 73-1050]

PART 81—STATIONS ON LAND IN THE  
MARITIME SERVICES AND ALASKA-  
PUBLIC FIXED STATIONS

Available Frequencies

In the matter of amendment of Part 81, to expand the points of communications of Alaska-Public Fixed Stations on frequencies subject to the conditions of use set forth in § 81.708(b)(20).



1. A notice of proposed rulemaking in the above-captioned matter was released on June 18, 1973, and was published in the *FEDERAL REGISTER* on June 25, 1973 (38 FR 16663). The dates for filing comments and reply comments have passed. In an Order released on August 2, 1973, the Chief, Safety and Special Radio Services Bureau, denied a Motion for Extension of Time, filed by RCA Alaska Communications, Inc.

2. Timely comments were filed by the Central Committee on Communication Facilities of the American Petroleum Institute (API). Late comments were filed by RCA Alaska Communications, Inc. (RCA), together with a Petition for Acceptance of Late Filed Comments, which is hereby granted. Late reply comments were filed by API, together with a Petition for Leave to File Late Reply Comments, which also is hereby granted.

3. In their comments API endorsed and fully supported the proposed amendment of § 81.708(b)(20) of Part 81. Further, API urged that Alaska Zone 5 be added to the other Zones included in the proposed amendment of § 81.708(b)(20), on the basis that it appears "possible that exploration drilling activity may be undertaken in Zone 5 in 1974, and additional communication capability will become essential at that time." API expresses willingness, however, to file a petition for rulemaking should it be determined that the inclusion of Zone 5 is outside of the scope of this proceeding. From a procedural point of view, Zone 5 may be included in this proceeding, however, we are concerned regarding the adequacy of basis for such inclusion. More specifically, while API has provided the Commission with their best estimate regarding the potential development of need during 1974 in Zone 5, the status of planning appears to be less than mature. In view thereof, we are not in this proceeding including in § 81.708(b)(20) provision for the use of these frequencies in Zone 5. This decision does not prejudice future action which the Commission may take following the maturing of need in Zone 5 and the filing of a Petition for rulemaking by API for such use.

4. In their comments, RCA refers to and urges the inclusion of a condition of use which prior to release, on October 26, 1971, of the Report and Order in Docket No. 18632 (36 FR 20949), appeared on station authorizations employing the frequencies to which § 81.708(b)(20) is applicable. This condition of use is as follows:

This supplemental authorization is issued to expire February 20, 1972, or until Common Carrier Service is provided to the Prudhoe Bay area, whichever occurs first. Renewal and/or continued use of this authority will depend upon the availability and reliability of the Common Carrier Service which is to be provided.<sup>3</sup>

<sup>3</sup> This condition of use was not included in the notice of proposed rule making, Docket No. 18632, released August 25, 1969 (34 FR 13929). The comments filed did not request that it be included in the rules. It was not included in the Report and Order in that proceeding. No requests for reconsideration of the Report and Order were filed.

In support thereof, RCA sets forth various reasons why (the substance of) this condition of use should be included in § 81.708(b)(20). Significantly, RCA states that inclusion of this condition of use "clearly serves the public interest in Alaska." Further, RCA strongly opposes the adoption of § 81.708(b)(20) if the substance of the above condition of use is omitted. In their reply comments, API opposes the inclusion of this condition of use for various reasons and requests that the Commission unequivocally reject RCA's proposal.

6. The thrust of RCA's argument in support of inclusion of the above condition of use is that common carrier facilities should be employed where available between concerned terminals; that high frequency radio circuits, if authorized parallel to these common carrier facilities, will have an adverse effect upon the economic capability of the communications common carrier to (a) maintain the level of existing facilities, or (b) to add new facilities to meet expanding public need. RCA gives a number of examples and cites several pertinent references.<sup>4</sup>

7. The thrust of API's opposition to RCA's proposal is primarily that imposition of the above condition of use would lead to useless controversy over the availability and/or reliability of common carrier facilities, or would impose delays upon API users in initiating new and needed services awaiting the availability of common carrier facilities.<sup>5</sup>

8. In amplification, API states that these frequencies are required, first, where there is need to install facilities to meet requirements at new locations pending availability of common carrier facilities and, second, to provide back-up in the event of failure of common carrier facilities. API points to the fact that API users prefer to employ common carrier higher quality circuits when they are available. Lastly, API expresses the view that "the petroleum industry is entitled to employ its own privately licensed facilities on the Alaskan North Slope, as it is elsewhere, until such time as the (communications common) carrier is truly ready, willing and able to provide service at new sites."

9. In looking at the matter of the petroleum, or other, industry being entitled to use of high frequencies for point-to-point communications, it is appropriate to note that with regard to the 48 contiguous states, it has been and continues to be the policy of the United States that high frequencies shall not be used for internal (domestic) point-to-point communications. This policy is based on two elements; first, the num-

<sup>4</sup> While each argument, supporting statement, or reference raised by RCA and API has been carefully considered, we are not in this Report and Order commenting in detail on each of those points. The filings of RCA and API in this proceeding are available for public inspection in the Commission's Public Reference Room. See, also, arguments given in Issues 6-9, Report and Order, Docket No. 11866, adopted July 29, 1959 (27 FCC 359).

bers of high frequencies are limited, are shared by all countries and are essential for international communications and, second, land lines (microwave)<sup>6</sup> are available to meet domestic needs. While this policy also extends to the mobile services, this has no applicability to the matter at hand. It is appropriate to note, however, that the implementation of this policy within the contiguous 48 states has had a major impact upon national communications. It is pertinent, also, that in Docket No. 18632<sup>7</sup> the Commission expressed its intent to bring the rules applicable to Alaska into accord with rules for the other 49 states, to the extent practicable.

10. Long lines services are not available in Alaska on a basis comparable to that within the contiguous 48 states, however, we see no reason why, as such services become available, the policy applicable to the contiguous 48 states should not be applicable to Alaska. Thus, as common carrier, or other, facilities are provided between points served by the high frequencies of § 81.708(b)(20), we expect the use of high frequencies to be discontinued or used for back-up purposes as discussed above. In this manner the frequencies of § 81.708(b)(20) can be available to meet the new, changing, or expanding requirements of API and others for communications between points or areas where common carrier, or other, facilities are not available.

11. Turning now to the substance of this matter, two points regarding the use of the frequencies of § 81.708(b)(20) may be quickly disposed of, that is, these frequencies should be available:

For back-up communication in the event of failure of common carrier facilities; and  
For use between terminals where common carrier facilities are not available.

To examine this disposition for adequacy or reasonableness, we can view both points from the reverse direction, that is, would it be reasonable to take the position that the frequencies of § 81.708(b)(20) should not be available for use for back-up or in the absence of common carrier facilities. This reverse position could be reasonable if there were alternative means by which the required communications could be obtained, however, in the matter under consideration no alternative means are available. Accordingly, it is the view of the Commission that it is reasonable and necessary that the frequencies of § 81.708(b)(20) be available for use (a) for back-up communications and (b) between terminals where common carrier facilities are not available.

12. The last and main issue involves the situation where (a) common carrier facilities are available between the terminals concerned, (b) other communication media is not available, and (c) the frequencies of § 81.708(b)(20) are installed, or desired to be installed. The

<sup>6</sup> Carriers often employ an intermixture of land lines and microwave.

<sup>7</sup> See paragraph 4, Report and Order, Docket No. 18632, released October 26, 1971 (36 FR 20949).



matter of use of high frequencies, with normal propagation far beyond the boundaries of the United States, provides a more than adequate basis to differentiate that usage from other media, such as microwave. In that regard, we are not here involved with a need to review or to reaffirm the policies set forth in the Commission's decisions in Docket No. 11866,\* or in Docket No. 16218.† The decisions developed and set forth in those proceedings resolved, among other things, the matter of private versus common carrier use of microwave systems and are as applicable in Alaska as they are in the contiguous 48 States.

13. The substance of the matter here involved concerns the use of high frequencies for internal Alaska point-to-point communications. It is clear that by shifting traffic from the high frequencies of § 81.708(b)(20) to common carrier facilities as they become available, or to other facilities (such as microwave) where they are available, that it will be possible to minimize the number of high frequencies which will have to be provided to meet an expanding need for point-to-point communication to Alaska. Further, to the extent circumstances permit, this will permit the Commission to continue to adhere to the long standing United States policy that high frequencies are not to be used for domestic point-to-point communication. Accordingly, as set forth in the Appendix, we are requiring that the use of the high frequencies of § 81.708(b)(20) be discontinued, except for back-up purposes as discussed above, at such time as common carrier facilities become available, or the applicant has access to, or installs, private long lines facilities. Further, these high frequencies will not be authorized for use between terminals where common carrier facilities are available, or a private long lines system is available to which the applicant has access.

14. In view of the foregoing, it is ordered, That pursuant to the authority contained in sections 303(c), (f), (g), and (r) of the Communications Act of 1934, as amended, Part 81 of the Commission's rules, is amended, effective November 23, 1973, as set forth below. It is further ordered, That this proceeding is terminated.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1092 (47 U.S.C. 154, 303).)

Adopted October 11, 1973.

Released October 16, 1973.

FEDERAL COMMUNICATIONS  
COMMISSION,  
VINCENT J. MULLINS,  
Acting Secretary.

\* Report and Order, Docket No. 11866, adopted July 29, 1959. In the matter of allocation of frequencies in the bands above 890 Mc (27 F.C.C. 359).

† Report and Order, Docket No. 16218, adopted July 13, 1968. In the matter of amendment of Parts 87, 89, 91 and 93 of the Commission's rules to permit expanded sharing of Operational Fixed Stations (4 F.C.C. 2d 406).

‡ Commissioner Robert E. Lee absent; Commissioner Johnson dissenting.

Part 81 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

1. Section 81.708(b) is amended to read as follows:

§ 81.708 Frequencies available.

(b) \* \* \*

(20) Available for communications over distances of not less than 300 miles between Zones 2 and 6, 3 and 6, and within Zone 6, subject to the following limitations and conditions:

(i) The frequency is available for back-up communications in the event of failure of common carrier facilities, or between terminals where common carrier facilities are not available.

(ii) The frequency is not available for use between terminals where common carrier facilities are available, or where microwave or other noncommon carrier facilities are available to which the applicant has access directly or through cooperative arrangements.

(iii) The transmitter output power employed shall be the minimum necessary for satisfactory communications and in no event shall exceed a maximum, for radiotelephony of 1,000 watts peak envelope power, or, for radiotelegraphy of 1,000 watts carrier power.

(iv) Available for radiotelephony with emissions, 2.8A3A and 2.8A3J: Provided, however, That the additional emission of 2.8A3H may be employed until January 1, 1974.

(v) Available for radiotelegraphy with emission F1 with frequency shift keying having a total frequency shift of 170 c.p.s. Radioteletype transmitters which were authorized prior to December 1, 1971, for use of a suppressed carrier frequency-shifted tone modulated emission with an authorized bandwidth of 3.0 kHz may continue to be authorized until January 1, 1974. Radioteletypewriter transmitters authorized after December 1, 1971, shall employ 0.3F1 emission with an authorized bandwidth of 0.5 kHz and shall comply with the emission limitations set forth in § 81.140(a)(3).

[FR Doc. 73-22564 Filed 10-23-73; 8:45 am]

[Docket No. 17196; FCC 73-1049]

PART 95—CITIZENS RADIO SERVICE  
Type Acceptance of Transmitters  
REPORT AND ORDER

In the matter of amendment of Parts 2 and 95 of the Commission's rules to require type acceptance of transmitters used by Class B and Class D stations in the Citizens Radio Service.

1. In response to a petition (RM-807) filed by the Hallcrafters Company, the Commission, on February 16, 1967, released a notice of proposed rulemaking in the above-entitled proceeding. The Notice was published in the FEDERAL REGISTER on February 21, 1967 (32 FR 3105). The period allowed for interested persons to file original and reply comments expired on March 27, 1967, and April 10, 1967, respectively.

2. Timely filed comments were received from the following: Central Florida Electronics; Browning Laboratories, Inc.; Electronics Communications, Inc.; Midland National Corporation; Hammarlund Manufacturing Company; Lafayette Radio Electronics Corporation; Raytheon Company; Demco Electronics, Inc.; E. F. Johnson Company; Tram Electronics, Inc.; Park L. Bedford; Bobby Glover; and California Citizens Band Association, Inc. A number of late comments and informal letters were also received. All were fully considered by the Commission. Generally, almost all the comments supported the concept of compulsory type acceptance for Class D station transmitters; however, almost all requested clarification or changes in particular sections of the proposals. As a result, they have been modified in a number of respects. The most important changes are discussed below.

3. The proposed changes to Part 2 have been deleted. The requirements therein have been modified as described in paragraph 4 herein, and are being incorporated into Part 95 of the rules.

4. A number of comments took exception to the proposed § 2.584(h) which would prohibit the manufacturer from making any change in transmitter design or construction without prior authorization from the Commission. This paragraph has been deleted. In lieu thereof, proposed paragraph (g), redesignated paragraph (e) of § 95.35, has been modified to permit the manufacturer to make the same kind of changes that are permitted to be made in transmitters type accepted for other services except that no additional accessory device, switch, or external control may be provided and no modification to increase the number of transmitting channels may be made without prior written authorization from the Commission.

5. Most of the comments expressed concern over the Commission's proposed timetable for requiring type acceptance. The Commission had proposed that all Class D station transmitters purchased after expiration of the six months period following adoption of the new rules would not be licensed unless they had been type accepted. Nontype accepted transmitters purchased prior to that date or under license on the effective date of the new rules would be licensed only for the period ending five years after the effective date of the rules. Many equipment manufacturers stated that this would not allow them sufficient time to clear their manufacturing pipelines of stock currently on order. Although some comments suggested longer periods, the consensus appeared to be that type acceptance should be required on all new equipment one year from the date of adoption.

6. Upon review, the Commission is adopting the following time schedule. Transmitters for which type acceptance is applied for on or after May 24, 1974, must meet all requirements, including the new additional requirements herein adopted. However, if type acceptance has been obtained prior to this date, the manufacturer and purchaser may be assured of the continued acceptability for licensing of transmitters so type ac-



cepted. All transmitters first licensed for use in Class D stations on or after November 22, 1974, will be required to be type accepted. This requirement is being tied to the licensing of the station rather than to the purchase of the equipment, as proposed, since the Commission may more easily determine the former date. Finally, all transmitters used at Class D stations will be required to be type accepted after November 23, 1978. In this connection, it should be noted that this proceeding was initiated prior to the enactment of section 302 of the Communications Act and the adoption by the Commission of § 2.805 of our rules. Under this rule, all manufacturers of Class D Citizens Radio Service transmitters have been prohibited from marketing such equipment unless it complied with the applicable technical standards presently contained in Part 95. Thus, manufacturers should have no difficulty in meeting the mandatory type acceptance requirements within the above time periods, since the rules adopted in this proceeding make no substantial changes in these existing technical standards. While this marketing prohibition has continuing effect, there appears to be no basis for claims of economic hardship in the marketing of such equipment simply by reason of the requirement for type acceptance within the date set forth. Similarly, the licensing of nontype accepted equipment until November 22, 1974, will permit the marketing of existing equipment and inventories which comply with existing applicable technical standards.

7. The comments were also generally critical of the proposed § 95.35(d) as being overly restrictive. As proposed, subparagraph (1) of this section would have prohibited the internal or external connection or addition of any part, device, or accessory not originally included by the manufacturer with the transmitter for its type acceptance. Subparagraph (2) would have prohibited the replacement of any component of a type accepted transmitter with components not approved therefor by the manufacturer of the transmitter.

8. Subparagraph (1) has been clarified to indicate that this restriction is not intended to apply to the external connections of antennas, transmission lines, antenna switches, matching networks or radio frequency measuring devices or the replacement of microphones. Since transmitters for which type acceptance is requested after May 24, 1974, will be required to have a modulation limiter, the replacement of the microphone with a model different from that furnished by the manufacturer should not cause improper operation as might be the case without the limiter. Subparagraph (2) continues to prohibit modification of the transmitter in any way not specified by the manufacturer or approved by the Commission, however, two new subparagraphs have been added. Subparagraph (3) prohibits the replacement of any part by a part of different electrical characteristics and ratings to that being replaced unless

such part is specified as a replacement by the transmitter manufacturer. The effect of this new paragraph is to permit the manufacturer to specify changes in a unit after it has been manufactured and to permit the replacement of parts by the licensee with parts of equal electrical characteristics and ratings. The new subparagraph (4) permits the replacement of any crystal with one which the crystal or transmitter manufacturer has determined as capable of operating in the particular model transmitter on any authorized frequency and within the required tolerance limits.

9. Section 95.43, as adopted, has been revised and clarified. For single sideband transmitters and other transmitters employing a reduced carrier, a suppressed carrier, or controlled carrier modulation, the applicable transmitter power is the peak envelope power. For all other Class D transmitters, the applicable transmitter power is the carrier power rather than the mean power as proposed. The purpose of this change is to allow, in effect, the same power that is currently permitted for double sideband transmitters. The maximum peak envelope power has been increased from 8 to 12 watts in order to allow single sideband transmitters essentially the same mean power output as double sideband transmitters. The rule also specifies that the output power of all transmitters be measured when operating into a load which is matched so as to obtain maximum output power from the transmitter.

10. In § 95.51, the proposed paragraph (a), which limits the maximum audio frequency to 3000 Hz, was redesignated as paragraph (c) and adopted as proposed. This requirement is consistent with the requirements of the other mobile services, and should not present any burden to the equipment manufacturers. Lafayette Radio Electronics Corporation stated that it believed that proposed 70 percent minimum modulation required in proposed paragraph (b), now paragraph (a), was unnecessary and would add needless cost to the circuitry. The Commission concurs and this requirement has been deleted.

11. The Commission had proposed that applications for type acceptance would not be granted for use of any Class D transmitter which was equipped for operation on any frequency not available to Class D stations. Lafayette Radio Electronics Corporation, California Citizens Band Association, Inc., and the National Headquarters, Civil Air Patrol (which filed late comments) objected to this limitation as being arbitrary and not serving the public interest by requiring two transmitters in a few cases when only one may be needed. Upon review, the Commission has not adopted this limitation. However, several safeguards have been provided in the amended rules to restrict the possibility of a citizens radio licensee operating on a frequency which is not authorized by his station license. Subparagraph (4) of § 95.55(c) provides that a transmitter which is equipped to operate on any fre-

quency not available to Class D stations may not be installed at, or used by, any Class D station unless there is a station license posted at the transmitter location, or a transmitter identification card (FCC Form 452-C) attached to the transmitter, which indicates that operation of the transmitter on such a frequency has been authorized by the Commission. Even though the transmitter may be equipped for operation on other than Class D frequencies, it is still restricted to a maximum of 23 frequencies. Further, if the transmitter is intended for use on any frequency or frequencies in addition to frequencies for Class D stations, § 95.57(d) requires that it also be type accepted for use in the radio service or services for which such additional frequencies are authorized if type acceptance in the additional services is required.

12. Section 95.58 lists requirements for type acceptance of transmitters which are in addition to the technical standards for power, frequency tolerance, emission limitations, and modulation requirements. Included is a requirement that single sideband transmitters and other transmitters employing reduced, suppressed, or controlled carrier must have a means of automatically preventing the transmitter power from exceeding the maximum permissible peak envelope power. Other transmitters, having a power of 2.5 watts or more must automatically prevent modulation in excess of 100 percent on positive and negative peaks. All transmitting crystals must be internal to the transmitter and may not be readily accessible from the operating panel or exterior of the cabinet. Every single sideband transmitter must be capable of transmitting the upper sideband. The capability of transmitting on the lower sideband may also be included, if desired. This requirement will insure at least minimal compatibility of single sideband transmitters of different manufacturers.

13. With regard to the proposed provision in § 95.58(e) (now § 95.58(c)(5)) for limiting transmitter power handling capacity, the comments stated that the I.C.A.S. ratings of semiconductors are not consistent and are not always provided. In addition, there was an expression of need to consider the effect of temperature on semiconductors. We have considered the comments carefully, and do not wish to encourage power handling capability in excess of that allowed for use by Class D stations under Part 95. Instead of the proposed 10 watt limit on the power output rating, the Rules adopted place a 10 watt limit on the power dissipation rating of the device. In addition, we are permitting the derating of semiconductors to a device temperature of 50° centigrade.

14. The intended purpose of the proposed § 95.58(f) (now § 95.58(d)) which limited external controls and connections was widely misunderstood. It was intended, of course, to apply only to transmitter controls and connections and not to the receiver section. The rule was



not intended as an absolute prohibition to controls in addition to those listed. Requests for additional controls and connections will be considered by the Commission in connection with the request for type acceptance.

15. Section 95.58(e) requires that an instruction book for the user be furnished with each transmitter sold and that a copy be forwarded with each request for type acceptance. The latter copy may be a draft or preliminary copy, providing a copy of the final book is forwarded to the Commission when completed.

16. It was proposed to provide for type acceptance of transmitters used at Class B stations. However, the Commission by its Second Report and Order in Docket No. 13847 decided to terminate the operation of all Class B stations effective November 1, 1971. Accordingly, this proposal was not adopted.

17. The notice of proposed rulemaking in this proceeding stated that interested persons could file comments on the question of type acceptance of transmitters in kit form either in this proceeding or addressed to the petitions (RM-1093 and RM-1164) filed by the Heath Company. This matter is presently under consideration, and will be acted upon in a future proceeding.

18. The rules set forth in the attached Appendix also include editorial changes necessitated by amendments adopted previously in Docket No. 13847. Among other things, these amendments, as of November 1971, terminated the operation of Class B stations and imposed upon all Class A stations the technical requirements necessary for operation with 25 kHz channel separation in the 450-470 MHz band.

19. Although these amendments may have less effect than we would like against the prevailing flagrant abuses of station operating privileges, we conclude that the amendments adopted herein are in the public interest because they should help to reduce the violations of technical regulation which are now occurring. Authority for these amendments is contained in sections 4(i) and 303 of the Communications Act of 1934.

20. Accordingly, it is ordered, That, effective November 23, 1973, Part 95 of the Commission's Rules is amended as set forth in the attached Appendix and that this proceeding is terminated.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1067; (47 U.S.C. 154, 303).)

Adopted October 11, 1973.

Released October 16, 1973.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>1</sup>

(SEAL) VINCENT MULLINS,  
Acting Secretary.

1. Part 95 of Chapter 1 of Title 47 of the Code of Federal Regulations is amended as follows:

1. In § 95.3 paragraph (b) is amended, and "Bandwidth occupied by an emis-

sion" is deleted from paragraph (c) and definitions are added in appropriate alphabetical order to read as follows:

§ 95.3 Definitions.

(b) Definitions of stations. \* \* \*

**Class A station.**—A station in the Citizens Radio Service licensed to be operated on an assigned frequency in the 460-470 MHz band with a transmitter output power of not more than 50 watts.

**Class B station.**—(All operations terminated as of November 1, 1971.)

**Class D station.**—A station in the Citizens Radio Service licensed to be operated for radiotelephony, only, on an authorized frequency in the 26.96-27.23 MHz band and on the frequency 27.255 MHz.

(c) Miscellaneous definitions. \* \* \*

**Authorized bandwidth.**—The maximum permissible bandwidth for the particular emission used. This shall be the occupied bandwidth or necessary bandwidth, whichever is greater.

**Carrier power.**—The average power at the output terminals of a transmitter (other than a transmitter having a suppressed, reduced or controlled carrier) during one radio frequency cycle under conditions of no modulation.

**Double sideband emission.**—An emission in which both upper and lower sidebands resulting from the modulation of a particular carrier are transmitted. The carrier, or a portion thereof, also may be present in the emission.

**Mean power.**—The power at the output terminals of a transmitter during normal operation, averaged over a time sufficiently long compared with the period of the lowest frequency encountered in the modulation. A time of 1/10 second during which the mean power is greatest will be selected normally.

**Necessary bandwidth.**—For a given class of emission, the minimum value of the occupied bandwidth sufficient to ensure the transmission of information at the rate and with the quality required for the system employed, under specified conditions. Emissions useful for the good functioning of the receiving equipment, as for example, the emission corresponding to the carrier of reduced carrier systems, shall be included in the necessary bandwidth.

**Occupied bandwidth.**—The frequency bandwidth such that, below its lower and above its upper frequency limits, the mean powers radiated are each equal to 0.5% of the total mean power radiated by a given emission.

**Peak envelope power.**—The average power at the output terminals of a transmitter during one radio frequency cycle at the highest crest of the modulation envelope, taken under conditions of normal operation.

**Single sideband emission.**—An emission in which only one sideband is transmitted. The carrier, or a portion thereof, also may be present in the emission.

2. In § 95.35 the headnote and introductory text are changed, paragraph (c) is amended, and new paragraphs (d) and (e) are added as follows:

§ 95.35 Changes in transmitters and authorized stations.

Authority for certain changes in transmitters and authorized stations must be obtained from the Commission before the changes are made, while other changes do not require prior Commission approval. The following paragraphs of this section describe the conditions under which prior Commission approval is or is not necessary.

(c) Proposed changes which will not depart from any of the terms of the outstanding authorization for the station may be made without prior Commission approval. Included in such changes is the substitution of transmitting equipment at any station, provided that the equipment employed is included in the Commission's "Radio Equipment List," and is listed as acceptable for use in the appropriate class of station in this service. Provided it is crystal-controlled and otherwise complies with the power, frequency tolerance, emission and modulation percentage limitations prescribed, non-type accepted equipment may be substituted at:

(1) Class C stations operated on frequencies in the 26.99-27.26 MHz band;

(2) Class D stations until November 22, 1974.

(d) Transmitting equipment type accepted for use in Class D stations shall not be modified by the user. Changes which are specifically prohibited include:

(1) Internal or external connection or addition of any part, device or accessory not included by the manufacturer with the transmitter for its type acceptance. This shall not prohibit the external connection of antennas or antenna transmission lines, antenna switches, passive networks for coupling transmission lines or antennas to transmitters, or replacement of microphones.

(2) Modification in any way not specified by the transmitter manufacturer and not approved by the Commission.

(3) Replacement of any transmitter part by a part having different electrical characteristics and ratings from that replaced unless such part is specified as a replacement by the transmitter manufacturer.

(4) Substitution or addition of any transmitter oscillator crystal unless the crystal manufacturer or transmitter manufacturer has made an express determination that the crystal type, as installed in the specific transmitter type, will provide that transmitter type with the capability of operating within the frequency tolerance specified in Section 95.45(a).

(5) Addition or substitution of any component, crystal or combination of crystals, or any other alteration to enable transmission on any frequency not authorized for use by the licensee.

(e) Only the manufacturer of the particular unit of equipment type accepted

<sup>1</sup> Commissioner Robert E. Lee absent.



for use in Class D stations may make the permissive changes allowed under the provisions of Part 2 of this chapter for type acceptance. However, the manufacturer shall not make any of the following changes to the transmitter without prior written authorization from the Commission:

(1) Addition of any accessory or device not specified in the application for type acceptance and approved by the Commission in granting said type acceptance.

(2) Addition of any switch, control, or external connection.

(3) Modification to provide capability for an additional number of transmitting frequencies.

3. In § 95.43 the headnote and text are revised to read as follows:

#### § 95.43 Transmitter power.

(a) Transmitter power is the power at the transmitter output terminals and delivered to the antenna, antenna transmission line, or any other impedance-matched, radio frequency load.

(1) For single sideband transmitters and other transmitters employing a reduced carrier, a suppressed carrier or a controlled carrier, used at Class D stations, transmitter power is the peak envelope power.

(2) For all transmitters other than those covered by paragraph (a)(1) of this paragraph, the transmitter power is the carrier power.

(b) The transmitter power of a station shall not exceed the following values under any condition of modulation or other circumstances.

Class of station:	Transmitter power in watts
A	50
C-27.255 MHz	25
C-26.995-27.195 MHz	4
C-72-76 MHz	0.75
D-Carrier (where applicable)	4
D-Peak envelope power (where applicable)	12

4. Section 95.45 is amended as follows:

#### § 95.45 Frequency tolerance.

(a) Except as provided in paragraphs (b) and (c) of this Section, the carrier frequency of a transmitter in this service shall be maintained within the following percentage of the authorized frequency:

Class of station	Frequency tolerance	
	Fixed and base	Mobile
A	0.00025	0.0005
C		.005
D		.005

(b) Transmitters used at Class C stations operating on authorized frequencies between 26.99 and 27.26 MHz with 2.5 watts or less mean output power, which are used solely for the control of remote objects or devices by radio (other than devices used solely as a means of attracting attention), are permitted a frequency tolerance of 0.01 percent.

(c) Class A stations operated at a fixed location used to control base sta-

tions, through use of a mobile only frequency, may operate with a frequency tolerance of 0.0005 percent.

5. In § 95.47 paragraph (d) is amended as follows:

#### § 95.47 Types of emission.

(d) Transmitters used at Class D stations in this service are authorized to use amplitude voice modulation, either single or double sideband. Tone signals or signalling devices may be used only to actuate receiver circuits, such as tone operated squelch or selective calling circuits, the primary function of which is to establish or maintain voice communications. The use of any signals solely to attract attention or for the control of remote objects or devices is prohibited.

6. In § 95.49 paragraphs (c) and (d) are amended as follows:

#### § 95.49 Emission limitations.

(c) The authorized bandwidth of the emission of any transmitter employing amplitude modulation shall be 8 kHz for double sideband, 4 kHz for single sideband and the authorized bandwidth of the emission of transmitters employing frequency or phase modulation (Class F2 or F3) shall be 20 kHz. The use of Class F2 and F3 emissions in the frequency band 26.96-27.28 MHz is not authorized.

(d) The mean power of emissions shall be attenuated below the mean power of the transmitter in accordance with the following schedule:

(1) When using emissions other than single sideband:

(i) On any frequency removed from the center of the authorized bandwidth by more than 50 percent up to and including 100 percent of the authorized bandwidth: at least 25 decibels;

(ii) On any frequency removed from the center of the authorized bandwidth by more than 100 percent up to and including 250 percent of the authorized bandwidth: At least 35 decibels;

(2) When using single sideband emissions:

(i) On any frequency removed from the center of the authorized bandwidth by more than 50 percent up to and including 150 percent of the authorized bandwidth: At least 25 decibels;

(ii) On any frequency removed from the center of the authorized bandwidth by more than 150 percent up to and including 250 percent of the authorized bandwidth: At least 35 decibels;

(3) On any frequency removed from the center of the authorized bandwidth by more than 250 percent of the authorized bandwidth: At least 43 plus  $10 \log_{10}$  (mean power in watts) decibels.

7. Section 95.51 is amended as follows:

#### § 95.51 Modulation requirements.

(a) When double sideband, amplitude modulation is used for telephony, the modulation percentage shall be sufficient to provide efficient communication and shall not exceed 100 percent.

(b) Each transmitter for use in Class D stations, other than single sideband, suppressed carrier, or controlled carrier, for which type acceptance is requested after May 24, 1974, having more than 2.5 watts maximum output power shall be equipped with a device which automatically prevents modulation in excess of 100 percent on positive and negative peaks.

(c) The maximum audio frequency required for satisfactory radio-telephone intelligibility for use in this service is considered to be 3000 Hz.

(d) Transmitters for use at Class A stations shall be provided with a device which automatically will prevent greater than normal audio level from causing modulation in excess of that specified in this subpart; *Provided, however*, That the requirements of this paragraph shall not apply to transmitters authorized at mobile stations and having an output power of 2.5 watts or less.

(e) Each transmitter of a Class A station which is equipped with a modulation limiter in accordance with the provisions of paragraph (d) of this section shall also be equipped with an audio low-pass filter. This audio low-pass filter shall be installed between the modulation limiter and the modulated stage and, at audio frequencies between 3 kHz and 20 kHz, shall have an attenuation greater than the attenuation at 1 kHz by at least:

$$60 \log_{10}(f/3) \text{ decibels}$$

where "f" is the audio frequency in kHz. At audio frequencies above 20 kHz, the attenuation shall be at least 50 decibels greater than the attenuation at 1 kHz.

(f) Simultaneous amplitude modulation and frequency or phase modulation of a transmitter is not authorized.

(g) The maximum frequency deviation of frequency modulated transmitters used at Class A stations shall not exceed  $\pm 5$  kHz.

8. Section 95.55 is amended as follows:

#### § 95.55 Acceptability of transmitters for licensing.

Transmitters type approved or type accepted for use under this part are included in the Commission's Radio Equipment List. Copies of this list are available for public reference at the Commission's Washington, D.C., offices and field offices. The requirements for transmitters which may be operated under a license in this service are set forth in the following paragraphs.

(a) Class A stations: All transmitters shall be type accepted.

(b) Class C stations:

(1) Transmitters operated in the band 72-76 MHz shall be type accepted.

(2) All transmitters operated in the band 26.99-27.26 MHz shall be type approved, type accepted or crystal controlled.

(c) Class D Stations:

(1) All transmitters first licensed, or marketed as specified in § 2.805 of this chapter, prior to November 22, 1974, shall be type accepted or crystal controlled.

(2) All transmitters first licensed, or marketed as specified in § 2.803 of this



chapter, on or after November 22, 1974, shall be type accepted.

(3) Effective November 23, 1978, all transmitters shall be type accepted.

(4) Transmitters which are equipped to operate on any frequency not included in § 95.41(d) (1) may not be installed at, or used by, any Class D station unless there is a station license posted at the transmitter location, or a transmitter identification card (FCC Form 452-C) attached to the transmitter, which indicates that operation of the transmitter on such frequency has been authorized by the Commission.

(d) With the exception of equipment type approved for use at a Class C station, all transmitting equipment authorized in this service shall be crystal controlled.

(e) No controls, switches or other functions which can cause operation in violation of the technical regulations of this part shall be accessible from the operating panel or exterior to the cabinet enclosing a transmitter authorized in this service.

9. In § 95.57 the headnote and paragraphs (a) and (b) are amended and paragraph (d) is added as follows:

**§ 95.57 Procedure for type acceptance of equipment.**

(a) Any manufacturer of a transmitter built for use in this service, except noncrystal controlled transmitters for use at Class C stations, may request type acceptance for such transmitter in accordance with the type acceptance requirements of this part, following the type acceptance procedure set forth in Part 2 of this chapter.

(b) Type acceptance for an individual transmitter may also be requested by an applicant for a station authorization by following the type acceptance procedures set forth in Part 2 of this chapter. Such transmitters, if accepted, will not normally be included on the Commission's "Radio Equipment List", but will be individually enumerated on the station authorization.

(d) Transmitters equipped with a frequency or frequencies not listed in § 95.41 (d) (1) will not be type accepted for use at Class D station unless the transmitter is also type accepted for use in the service in which the frequency is authorized, if type acceptance in that service is required.

10. A new § 95.58 is added as follows:

**§ 95.58 Additional requirements for type acceptance.**

(a) All transmitters shall be crystal controlled.

(b) Except for transmitters type accepted for use at Class A stations, transmitters shall not include any provisions for increasing power to levels in excess of the pertinent limits specified in Section 95.43.

(c) In addition to all other applicable technical requirements set forth in this part, transmitters for which type acceptance is requested after (six months

after the effective date of these rules), for use at Class D stations shall comply with the following:

(1) Single sideband transmitters and other transmitters employing reduced, suppressed or controlled-carrier shall include a means for automatically preventing the transmitter power from exceeding either the maximum permissible peak envelope power or the rated peak envelope power of the transmitter, whichever is lower.

(2) Multi-frequency transmitters shall not provide more than 23 transmitting frequencies, and the frequency selector shall be limited to a single control.

(3) Other than the channel selector switch, all transmitting frequency determining circuitry, including crystals, employed in Class D station equipment shall be internal to the equipment and shall not be accessible from the exterior of the equipment cabinet or operating panel.

(4) Single sideband transmitters shall be capable of transmitting on the upper sideband. Capability for transmission also on the lower sideband is permissible.

(5) The total dissipation ratings, established by the manufacturer of the electron tubes or semiconductors which supply radio frequency power to the antenna terminals of the transmitter, shall not exceed 10 watts. For electron tubes, the rating shall be the Intermittent Commercial and Amateur Service (ICAS) plate dissipation value if established. For semiconductors, the rating shall be the collector or device dissipation value, whichever is greater, which may be temperature de-rated to not more than 50°C.

(d) Only the following external transmitter controls, connections or devices will normally be permitted in transmitters for which type acceptance is requested after May 24, 1974, for use at Class D stations. Approval of additional controls, connections or devices may be given after consideration of the function to be performed by such additions.

(1) Primary power connection. (Circuitry or devices such as rectifiers, transformers, or inverters which provide the nominal rated transmitter primary supply voltage may be used without voiding the transmitter type acceptance.)

(2) Microphone connection.

(3) Radio frequency output power connection.

(4) Audio frequency power amplifier output connector and selector switch.

(5) On-off switch for primary power to transmitter. May be combined with receiver controls such as the receiver on-off switch and volume control.

(6) Upper-lower sideband selector; for single sideband transmitters only.

(7) Selector for choice of carrier level; for single sideband transmitters only. May be combined with sideband selector.

(8) Transmitting frequency selector switch.

(9) Transmit-receive switch.

(10) Meter(s) and selector switch for monitoring transmitter performance.

(11) Pilot lamp or meter to indicate the presence of radio frequency output

power or that transmitter control circuits are activated to transmit.

(e) An instruction book for the user shall be furnished with each transmitter sold and one copy (a draft or preliminary copy is acceptable providing a final copy is furnished when completed) shall be forwarded to the Commission with each request for type acceptance or type approval. The book shall contain all information necessary for the proper installation and operation of the transmitter including:

(1) Instructions concerning all controls, adjustments and switches which may be operated or adjusted without causing violation of technical regulations of this part;

(2) Warnings concerning any adjustment which, according to the rules of this part, may be made only by, or under the immediate supervision of, a person holding a commercial first or second class radio operator license;

(3) Warnings concerning the replacement or substitution of crystals, tubes or other components which could cause violation of the technical regulations of this part and of the type acceptance or type approval requirements of Part 2 of this chapter.

(4) Warnings concerning licensing requirements and details concerning the application procedures for licensing.

11. The present text of § 95.59 is deleted. The headnote is revised and new text inserted, to read as follows:

**§ 95.59 Submission of noncrystal controlled Class C station transmitters for type approval.**

Type approval of noncrystal controlled transmitters for use at Class C stations in this service may be requested in accordance with the procedure specified in Part 2 of this chapter.

12. In § 95.63 the introductory text is amended as follows:

**§ 95.63 Minimum equipment specifications.**

Transmitters submitted for type approval in this service shall be capable of meeting the technical specifications contained in this part, and in addition, shall comply with the following:

**§ 95.69 [Deleted and reserved]**

13. Section 95.69 is deleted and shown as reserved.

14. In § 95.97 the introductory text of paragraph (c) is amended as follows:

**§ 95.97 Operator license requirements.**

(c) Except as provided in § 95.53 and in paragraph (d) of this section, no commercial radio operator license is required to be held by the person performing transmitter adjustments or tests during or coincident with the construction, installation, servicing, or maintenance of Class C transmitters, or Class D transmitters used at stations authorized prior to (six months after the effective



tive date of these rules): *Provided*, That there is compliance with all of the following conditions:

[FR Doc.73-22563 Filed 10-23-73;8:45 am]

#### Title 50—Wildlife and Fisheries

### CHAPTER I—BUREAU OF SPORT FISHERIES AND WILDLIFE, FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

#### PART 32—HUNTING

##### Crab Orchard National Wildlife Refuge, Ill.

The following special regulation is issued and is effective on October 24, 1973.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

#### ILLINOIS

##### CRAB ORCHARD NATIONAL WILDLIFE REFUGE

The public hunting of deer on the Crab Orchard National Wildlife Refuge on that portion of the refuge enclosed by a 5-strand barbed wire fence and designated as Area II is permitted with shotgun or single shot muzzle loading rifle, from 6:30 a.m. to 4 p.m. November 16, through November 18, 1973, and from December 7 through December 9, 1973. This area, comprising 21,000 acres, is delineated on maps available at refuge headquarters, Carterville, Illinois, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111. Hunting shall be in accordance with all applicable State and Federal regulations, including State Administrative Orders, and subject to the following special conditions:

(1) Hunting is prohibited within 100 yards of existing roads and buildings.

(2) Hunters must be checked in at the Refuge fire station prior to their entry into the closed area.

(3) Hunters must wear the provided arm bands between the elbow and shoulder of each arm while hunting in the area.

(4) Hunters will be permitted use of the area only between the hours of 5 a.m. and 5 p.m. on their assigned hunting day.

(5) Each hunter must possess the special permit, issued by the Illinois Conservation Department, showing the date he is to hunt on the refuge closed area.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 9, 1973.

L. A. MEHRHOFF, JR.,  
Project Mgr., Crab Orchard  
National Wildlife Refuge,  
Carterville, Illinois.

OCTOBER 15, 1973.

[FR Doc.73-22550 Filed 10-23-73;8:45 am]

### CHAPTER II—NATIONAL MARINE FISHERIES SERVICE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

#### SUBCHAPTER F—AID TO FISHERIES

#### PART 251—FINANCIAL AID PROGRAM PROCEDURES

OCTOBER 16, 1973.

On July 31, 1973, a notice was published in the FEDERAL REGISTER (38 FR 20338) stating that the Director, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, proposed to introduce a new part (50 CFR Part 251) to set forth policies, interpretations, and procedures under which financial assistance programs for the commercial fisheries would be administered.

Federal and State agencies as well as the public were given until October 1, 1973, to submit written views, data, or arguments on all or part of the proposed regulation and opportunity to request a public hearing.

Written comments received neither posed objectives nor suggested changes.

In view of the foregoing, Part 251 of this Title 50 is adopted, without change, effective as of October 2, 1973, as hereinafter set forth.

By order of the Administrator, National Oceanic and Atmospheric Administration.

ROBERT M. WHITE,  
Administrator.

#### Subpart A—General Policy

Sec.	Definitions.
251.1	Scope and purpose.
251.2	Policy.
251.3	Policy interpretations and determinations.
251.4	Organization.
251.5	Principal offices of the National Marine Fisheries Service.
251.6	Information sources and needs.
251.7	Evaluation guidelines and criteria.
251.8	Evaluation criteria.
251.9	

#### Subpart B—Conditional Fisheries

251.20 [Reserved]

**AUTHORITY.**—Sec. 4 of the Fish and Wildlife Act of 1956, as amended (16 U.S.C. 742) Title XI, Merchant Marine Act, 1936, as amended (46 U.S.C. 1271-1279) sec. 607, Merchant Marine Act, 1936, as amended (46 U.S.C. 1177) National Environmental Policy Act, 42 U.S.C. 4321-4347; and Reorganization Plan No. 4 of 1970, 86 Stat. 909.

#### Subpart A—General Policy

##### § 251.1 Definitions.

For the purposes of this part, the following terms shall be construed as follows:

(a) *Secretary.*—This term means the Secretary of Commerce or his delegate.

(b) *Director.*—This term means the Director, National Marine Fisheries Service, National Oceanic and Atmospheric Administration or his delegate.

(c) *State.*—This term means the several States of the United States, including the District of Columbia, the

Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, and Guam.

(d) *Agency.*—This term means any Federal, State, or local Government, or International Organization to which the United States is a party, or any combination thereof, duly authorized to carry out functions related to the Fisheries Resources or the Fishing Industry.

(e) *Fisheries resources.*—This term means any form, or forms, of animal or plant life found in the aquatic environment.

(f) *Fishing industry.*—This term means a part, or parts, of the economic systems of labor and capital, directly or indirectly, deriving revenue from activities related to the Fisheries Resources.

(g) *Fishery.*—This term means a part of the Fishing Industry engaged in harvesting a specific part, or parts, of the Fisheries Resources for commercial purposes.

(h) *Management.*—This term means Agency activities related to assisting the Fishing Industry or protecting the Fisheries Resources.

(i) *Conditional fishery.*—This term means a Fishery in which National Marine Fisheries Service financial assistance for fishing vessels will be approved only under provisional terms consistent with needs and objectives of Management, as determined by the Director. The terms under which financial assistance related to a Conditional Fishery may be approved will be set forth in the regulations for each program. (See § 251.2(c).)

##### § 251.2 Scope and purpose.

(a) This part will provide for the central filing of (1) the Administrator's policy related to restricting the use of financial assistance programs in certain fisheries, (2) notices of proposed rule making, (3) locations of principal offices where the public may obtain information related to the functions cited in paragraph (b) of this section and the regulations cited in paragraph (c) of this section.

(b) This part sets forth policy and procedures under which the Director will perform his general responsibilities related to the following:

(1) The functions in section 4 of the Fish and Wildlife Act of 1956, as amended (16 U.S.C. 742c), which relate to the "Fisheries Loan Fund" for the purpose of providing financial assistance to commercial fisheries.

(2) The functions in section 607 of the Merchant Marine Act, 1936, as amended by the Merchant Marine Act of 1970 (46 U.S.C. 1177), which relate to the creation of "Capital Construction Funds" including tax deferrals, under certain conditions, to those owning or leasing vessels which are operated in the fisheries of the United States.

(3) The functions in Title XI of the Merchant Marine Act, 1936, as amended,



and as amended by the Federal Ship Financing Act of 1972 (46 U.S.C. 1271-1279) which relate to the guarantee of certain obligations for, among other things, the construction, reconstruction or reconditioning of fishing vessels.

(4) The functions in section 4331 of the National Environmental Policy Act (42 U.S.C. 4331), which relate to the responsibility of the Federal Government to improve and coordinate Federal programs, including financial assistance, that impact on the natural environment.

(c) *Cross references.* (1) For regulations relating to the functions quoted in paragraph (b)(1) of this section see Part 250 of this chapter governing Fisheries Loan Fund Procedures.

(2) For regulations relating to the functions quoted in paragraph (b)(2) of this section see Part 259 of this chapter governing Capital Construction Funds.

(3) For regulations relating to the functions quoted in paragraph (b)(3) of this section see Part 255 of this chapter governing Fishing Vessel Obligation Guarantee Procedures.

#### § 251.3 Policy.

(a) Section 742(f) of the Fish and Wildlife Act of 1956, as amended, provides, in part, that the Secretary shall (1) consider and determine the policies and procedures that are necessary and desirable in carrying out efficiently and in the public interest the laws relating to fish; (2) develop and recommend measures which are appropriate to assure the maximum sustainable production of fish and fishery products and to prevent unnecessary and excessive fluctuations in such production; and (3) take such steps as may be required for the development, advancement, management, conservation, and protection of the fisheries resources.

(b) Under Title XI of the Merchant Marine Act, 1936, as amended, no commitment to guarantee an obligation shall be made by the Secretary unless he finds that the purpose of the financing or refinancing is consistent with the wise use of the fisheries resources and with the development, advancement, management, conservation, and protection of the fisheries resources.

(c) Section 607(a) of the Merchant Marine Act, 1936, as amended, provides, in part, that the deposits in a Capital Construction Fund, and all withdrawals from the Fund, whether qualified or non-qualified, shall be subject to such conditions and requirements as the Secretary of Commerce may by regulation prescribe or as are set forth in such agreement. Regulations under Part 259 of this chapter related to "Capital Construction Funds" and qualified withdrawals from an Interim Fund established for fishing vessels under the Merchant Marine Act, 1936, as amended. Under existing Interim Agreements, the Secretary may determine that withdrawals which would add fishing vessels to an existing fleet in a fishery will be inconsistent with the wise use of the fishery resource involved, and

inconsistent with the development, advancement, management, conservation, or protection of that resource, and therefore may from time to time withhold his consent to the qualification of such withdrawals. The form of existing Interim Agreement appears in 36 FR 19699, October 9, 1971.

(d) Section 4331 of the National Environmental Policy Act, provides, in part, that the Federal Government use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal programs to the benefit of the Nation.

#### § 251.4 Policy interpretations and determinations.

(a) The Director will interpret and apply, to the extent practicable, the language quoted in paragraphs (a), (b), (c), and (d) of § 251.3, to administer financial assistance programs in a manner which, on balance, will be consistent with the needs and objectives of Management related to each Fishery.

(b) It is recognized that (1) the Fisheries Resources, upon which the Fishing Industry depends, are renewable but limited with respect to yield; (2) the Fisheries Resources are subject to increasing fishing pressures and uncertainties; (3) management must be strengthened to produce desired benefits from the Fisheries Resources; and (4) it would not be a wise and efficient use of financial assistance programs to encourage the introduction of vessels into a Fishery classified as a Conditional Fishery in this part.

(c) The National Marine Fisheries Service shall, under procedures established, or to be established, by the Director, maintain a continuing review of all Fisheries Resources for the purpose of determining a Fishery which may be in need of regulation as a Conditional Fishery to carry out the policy, intent, and purposes of this part.

(d) The Director shall take actions to publish notices of proposed rulemaking related to a Fishery being considered for regulation as a Conditional Fishery under this part. The public and Agency officials shall be given 90 days to comment on such notices of proposed rulemaking.

(e) In any case when it is determined that a Fishery is to be regulated as a Conditional Fishery under this part and a regulation related to that Conditional Fishery is to be adopted, such regulation, to be incorporated in subpart B of this part, shall be published in the FEDERAL REGISTER, after 90 but within 180 days of the date the notice of proposed rulemaking with respect to such Fishery was published as set forth in paragraph (d) of this section.

(f) Findings and determinations made by the Director in accordance with this part will be based on source materials related to Management and the Fishery under consideration and made available through procedures as set forth in this part.

(g) Findings and determinations for

financial assistance applications related to fishing vessels operating in a Fishery not yet regulated as a Conditional Fishery in this part may be made under existing delegations of authority. Such findings and determinations shall be (1) based on an evaluation of available information related to Management and the particular Fishery under consideration, (2) made using the guidelines and criteria as set forth in §§ 251.8 and 251.9 of this part, and (3) consistent with the policy, intent and purposes of this part.

(h) Amendments to, or revisions of, this part may be made when new information becomes available, or at any time, to add or to delete a Conditional Fishery from this part.

#### § 251.5 Organization.

(a) The National Oceanic and Atmospheric Administration (NOAA) is a component of the Department of Commerce.

(b) The National Marine Fisheries Service (NMFS), a component of NOAA, has responsibility to carry out generally the functions quoted in this part.

#### § 251.6 Principal offices of the National Marine Fisheries Service.

(a) The mailing address of the Office of the Director, NMFS, is:

Director  
National Marine Fisheries Service  
3300 Whitehaven Street NW.  
Washington, D.C. 20235

(b) Mailing addresses of the Offices of the Regional Directors, NMFS, are:

Director, Northwest Region  
National Marine Fisheries Service  
1700 Westlake Avenue North  
Seattle, Washington 98109  
Director, Southeast Region  
National Marine Fisheries Service  
Duval Bldg.  
9450 Gandy Blvd.  
St. Petersburg, Florida 33702  
Director, Northeast Region  
National Marine Fisheries Service  
Federal Building  
14 Elm Street  
Gloucester, Massachusetts 01930  
Director, Southwest Region  
National Marine Fisheries Service  
300 South Ferry Street  
Terminal Island, California 90731  
Director, Alaska Region  
National Marine Fisheries Service  
P.O. Box 1668  
Juneau, Alaska 99801

#### § 251.7 Information sources and needs.

(a) Information for consideration under this part should relate to the Fisheries Resources, the Fishing Industry, and Management relative to the Fishery under consideration for regulation as a Conditional Fishery.

(b) All sources that may be anticipated to provide fair and reasonable information should be explored.

(c) Information should include, but not be limited to, material in the following general classifications: (1) environmental, (2) biological, (3) economic,



(4) social, (5) legal, (6) international, and (7) national interests.

#### § 251.8 Evaluation guidelines.

(a) For each Fishery under consideration for regulation as a Conditional fishery general guidelines for evaluation will be conditions that exist relating to each Fishery and (1) international fishery agreements or conventions, to which the United States is a party, dealing with fishery conservation or management, (2) Agency regulations dealing with fishery conservation or management, (3) the available data base, (4) proposed designated areas or zones, (5) the current and projected status of the existing fishing fleet, (6) the harvesting activities of fishing vessels engaged in that Fishery, (7) foreign competition, (8) Management, and (9) other relevant factors.

#### § 251.9 Evaluation criteria.

(a) For each Fishery under consideration to be regulated as a Conditional fishery the Director will evaluate (1) related information received from interested parties, (2) related environmental factors, (3) the history, present status, and prospective developments related to the Fishery, (4) conditions that may be necessary for reasonable improvement of a depressed Fishery, (5) conditions that may be necessary for reasonable stability of an economically and environmentally sound Fishery, (6) conditions that could contribute to adverse fluctuations or declines in yield, (7) the need to improve the economic efficiency of the fishing fleet, (8) the need to assure for fishermen safe and healthful fishing vessels, (9) the need to improve the engineering efficiency of the fishing vessels operating in the Fishery, (10) social needs, and (11) information and data on hand related to that Fishery.

#### Subpart B—Conditional Fisheries

#### § 251.20 [Reserved]

[FR Doc. 73-22528 Filed 10-23-73; 8:45 am]

### Title 32A—National Defense, Appendix CHAPTER XIII—ENERGY POLICY OFFICE EPO REG. 7—PROCEDURAL RULES

On October 2, 1973, the Director of the Energy Policy Office issued regulations, a new Chapter XIII to Title 32A CFR, EPO Reg. 3, providing for the mandatory allocation of propane fuels. The regulations were published in the FEDERAL REGISTER on October 3, 1973 (38 FR 27397). On October 12, 1973, the Director of the Energy Policy Office issued regulations for the mandatory allocation of middle distillate fuels. These regulations were published in the FEDERAL REGISTER for October 16, 1973 (38 FR 28660) (EPO Reg. 1). The regulations provide that procedural regulations shall be set forth separately. The procedural regulations are set forth herein.<sup>1</sup>

<sup>1</sup> For delegation of authority from the Director of the Energy Policy Office to the Secretary of the Interior, see F.R. Doc. 73-22785 published at page 29379 of this issue.

Because of the emergency nature of this regulation due to the possibility of present and prospective shortages of these fuels, it is necessary that this program shall go into effect as soon as practicable; it has been determined that this regulation shall go into effect on publication.

A new part, EPO Reg. 7 is added to Title 32A CFR Chapter XIII.

#### Subpart A—General

##### Sec.

- 1 Purpose and scope.
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#### Subpart B—Requests for Interpretations, Adjustments, Assignments, and Emergency Hardship Relief

- 1 Interpretations.
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- 3 Assignments.
- 4 Applications for temporary relief from exceptional hardships.

#### Subpart C—Complaints and Violations

- 1 Complaints by parties.
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#### Subpart D—Rules and Procedures Relating To Mandatory Propane Allocation

- 1 General.
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- 3 Complaints and violations.
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#### Subpart E—Appeals and Review

- 1 Review by the Director, Office of Oil and Gas.
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#### Subpart F—Sanctions, Penalties and Enforcement

- 1 General.
- 2 Criminal.
- 3 Sanctions.
- 4 Enforcement of civil penalties.
- 5 Injunctions.
- 6 Cumulative penalties.

#### Appendix—1 OOG Regional Offices.

**AUTHORITY.**—Section 203(a) (3) of the Economic Stabilization Act as amended by Pub. L. 93-28; (12 U.S.C. 1904) (Note); E.O. 11695, 38 FR 1473, COLC Order 39, 38 FR 22909.

#### Subpart A—General

##### Section 1 Purpose and scope.

This part establishes procedures for (a) requests for interpretations of the regulations and orders issued under the Mandatory Middle Distillate Fuel and Propane Allocation Program (Program), Chapter XIII of Title 32A, CFR; (b) action on requests for adjustments, assignments and exceptions under the Program; and (c) review of decisions of Federal Allocation Officers and Regional

Administrators of the Office of Oil and Gas, as well as appeals from decisions of the Director, Office of Oil and Gas.

#### Sec. 2 Definitions.

"Act" means the Economic Stabilization Act of 1970, as amended.

"Adjusted base period supply volume" is the amount which is assigned by the Department of the Interior to a wholesale purchaser in lieu of the wholesale purchaser's actual base period sales or usage and which a supplier must use as a base for calculating allocations.

"Adjustment" means an increase in the "base period supply volume" issued by the Office of Oil and Gas based on a substantial increase in requirements over a wholesale customer or purchaser's base period supply levels.

"Adverse action" means an action by a Federal Allocation Officer, a Regional Administrator, or the Director, Office of Oil and Gas, denying in whole or in part a requested interpretation, ruling or other action on the merits which is contrary to the position asserted by the person seeking the interpretation, ruling or action, except it does not include a notice of violation.

"Allocable supplies" are supplier's total supply of each middle distillate product covered by this Program, less any exempt volumes.

"Allocation" means an amount of a wholesale purchaser's base or adjusted base period supply volume.

"Allocation fraction" is a fraction calculated as described in the program regulations, which each supplier will use to apportion his allocable supplies for each middle distillate product among all his wholesale purchasers based on their base period supply volumes or adjusted base period supply volumes.

"Assigned customer" is a wholesale purchaser who is assigned a supplier by the Department of the Interior and whom the supplier must supply for the duration of this program.

"Assignment" means an action taken by the Director, Office of Oil and Gas, designating that a wholesale customer or purchaser be supplied, at an allocation level determined by the Office of Oil and Gas, by a specified supplier.

"Based period" is the equivalent month of 1972.

"Base period supply volume" is a wholesale purchaser's monthly base purchases or usage during 1972. A supplier's base period supply volume will equal the sum of the base period monthly supply volumes and the adjusted monthly base period supply volumes of his wholesale purchasers and his own retail outlets.

"Complaint" means an allegation, supported by relevant facts, of a violation of the Middle Distillate Fuel and Propane Allocation Program.

"Director" means Director, Office of Oil and Gas, Department of the Interior, unless otherwise noted.

"Exempt volumes" are those supplies of each middle distillate fuel available to a supplier that are in excess of his



base period supply volume, and therefore not subject to allocation.

"Federal Allocation Officer" means a person designated by the Director, Office of Oil and Gas, to consider State recommendations of temporary additional fuel allocations on the basis of hardship to end-users.

"Fuel Allocation Appeals Board" means an ad hoc board established by the Director, Office of Hearings and Appeals, to decide appeals and conduct hearings involving the imposition of sanctions under the Middle Distillate Fuel and Propane Allocation Program.

"Hearing Officer" means a Fuel Allocation Appeals Board member, appointed by the Director, Office of Hearings and Appeals, for the purpose of conducting a hearing in accordance with Subpart E of this Part.

"Middle distillate fuels" are for the purpose of this Part, any derivatives of petroleum, such as kerosene, jet fuel, home heating oil, range oil, stove oil, diesel fuel, and gas oil, which have a fifty percent boiling point in the ASTM D86 standard distillation test falling between 350° F and 700° F.

"Notice of violation" means a written statement issued to a person by the Federal Allocation Officer or the Regional Administrator setting forth one or more charges of alleged violations of the Program.

"Person" means an individual, a corporation, a company, an association, a firm, a partnership, a society, a joint stock company, a state or political subdivision thereof, any other governmental entity, or any other organization or entity.

"Proportional allocation" is utilized if the 1972 supply levels are not available; it is equal to the product of the supplier's allocation fraction and the wholesale purchaser's base period supply volume or adjusted base period supply volume.

"Regional Administrator" means, for the purpose of this Program, the Director of Regional Offices of the Office of Oil and Gas, as appointed by the Director, Office of Oil and Gas. The Regional Administrators shall be located in Boston, Massachusetts; New York, New York; Philadelphia, Pennsylvania; Atlanta, Georgia; Chicago, Illinois; Houston, Texas; Kansas City, Missouri; Denver, Colorado; San Francisco, California; and Seattle, Washington. The area included in each Region is depicted in a map appended hereto.

"Sanctions" means the imposition of penalties as described in Subpart F or the exclusion, in whole or in part, for a specified period, from the Program for violations thereof. Any loss or reduction in allocation shall be considered as an exclusion for purposes of these regulations.

"State reserve" is up to 10% of each wholesale purchaser's total allocation which may be redirected to alleviate end-user cases of exceptional hardship on the basis of a recommendation by the designated state office. This reserve

represents a call on future supplies and does not constitute a set-aside from current supplies.

"State office" means, with respect to each of the 50 states, the District of Columbia, the commonwealths, possessions, and territories within the Customs Territory of the United States, the office designated by its governor or chief executive to handle requests for assistance from the state reserve.

"Supplier" is any refiner, wholesale marketer, jobber, distributor, terminal operator, person, firm or corporation (including any broker) who supplies middle distillate fuels in bulk at the wholesale level. A supplier may also be a wholesale customer or purchaser.

"Total allocation" is an amount equal to 100% of a wholesale purchaser's base or adjusted base period supply volume, or, if the supplier does not have sufficient supplies, a proportional allocation.

"Wholesale customer or purchaser" is a person, firm, corporation, cooperative, or governmental unit that purchases middle distillate fuels in bulk at the wholesale level, including refiners, distributors, independent, branded and unbranded jobbers or dealers, public utilities, industries, or large volume users.

### Sec. 3 Representation.

The provisions of 43 CFR Part 1, shall govern the participation and representation of persons in proceedings hereunder.

### Sec. 4 Filing of documents.

A document required to be filed with the Office of Oil and Gas under this chapter is considered filed if it has been received at the designated office. Documents received after regular business hours are deemed filed the next regular business day.

### Sec. 5 Computation of time.

Except as otherwise provided by law, in computing any period of time prescribed or allowed by this part for the doing of any act, the day of the act, event, or default on which the designated period of time begins to run shall not be counted.

(a) If the last day of the period falls on a Saturday, Sunday, Federal legal holiday, or other nonbusiness day, the period shall be extended to the next day which is not a Saturday, Sunday, Federal legal holiday, or other nonbusiness day.

(b) If the period prescribed or allowed is 7 days or less, an intervening Saturday, Sunday, or Federal legal holiday shall not be counted.

### Sec. 6 Service.

(a) All documents required to be served under this part shall be served personally or by registered or certified mail on the person specified in the regulations in this part.

(b) Whenever a person is represented by a duly authorized representative, service on the representative shall constitute service on the person.

(c) Service by registered or certified mail is complete upon mailing.

### Sec. 7 Extension of time.

Where an action is required to be taken within a prescribed time, an extension of time will be granted only upon good cause shown and only where the application is made before the expiration of the time prescribed.

### Sec. 8 Subpoenas; witness fees.

Any official authorized to conduct investigations, hearings or proceedings hereunder may issue subpoenas on written application of a party to the proceedings or on his own motion.

(a) A subpoena may require the attendance of witnesses or the production of relevant papers, books, and documents in the possession or under the control of the person served or both.

(b) A subpoena may be served by any person who is not a party and is not less than 18 years of age.

(c) The original subpoena bearing a certificate of service shall be filed with the Director, Office of Hearings and Appeals.

(d) A witness subpoenaed by any party shall be paid the same fees and mileage as are paid for like service in the District Courts of the United States. The witness fees and mileage shall be paid by the party at whose instance the subpoena was issued.

(e) In case of refusal to obey a subpoena served upon any person under the provisions of this part, the official issuing the subpoena may request the Solicitor of the Department of the Interior to seek the aid of the District Court of the United States for any district in which such person is found, to compel such person, after notice to appear and give testimony, or to appear and produce documents.

### Sec. 9 Public access to information.

The provisions of 43 CFR Part 2 shall govern public access to information hereunder.

### Sec. 10 Order of precedence.

In case of any conflict or inconsistency between the provisions of Chapter XIII, Title 32A, CFR, relating to the Mandatory Middle Distillate Fuel and Propane Allocation Program and the provisions of this part, the provisions of this part shall be controlling as to procedure.

### Subpart B—Requests for Interpretations, Adjustments, Assignments, and Emergency Hardship Relief

#### Section 1 Interpretations.

(a) *Instructions to applicants*—(1) *Who may file*.—Any person may file a request for an interpretation or a ruling.

(2) *Where to file*.—A request for an interpretation or a ruling shall be in writing and filed in the Office of the Regional Administrator for the Region in which the applicant resides or has his principal place of business. Telephonic inquiries shall be deemed neither interpretations nor rulings and shall merely provide general information.



(3) *Contents.*—The request for an interpretation or ruling should be set forth in simple, concise and direct statements.

(b) *Processings of requests.*—The Office of the Regional Administrator issues interpretations or rulings on prospective or completed acts or transactions. Such interpretations or rulings shall be in writing and no person relying thereon shall be subject to sanctions or penalties by the Director, Office of Oil and Gas, notwithstanding that such interpretation or ruling shall thereafter be declared by judicial or other competent authority to be invalid.

(c) *Review.*—(1) Interpretations are not generally reviewed by the Director, Office of Oil and Gas, as they merely inform an applicant of a position previously established or of prospective action. If an applicant believes that an interpretation is in error, he may seek a review under Subpart E of this part.

(2) A ruling may be revoked or modified at any time in the course of the administration of this Program.

## Sec. 2 Adjustments.

(a) *Instructions to applicants.*—(1) *Who may file.*—Wholesale customers or purchasers may apply for an adjustment, as defined herein, to the appropriate Regional Office of the Office of Oil and Gas.

(2) *Where to file.*—Applications for adjustment, not involving end-use hardship, should be filed with the designated Regional Administrator within that Region.

(3) *Contents.*—Such requests shall be submitted using Form OOG-PAP 17 (10-73).

(b) *Processing of requests.*—The Regional Administrator of the Office of Oil and Gas will, upon consideration of such petition and any other relevant information, make a prompt decision on such petition. All requests for adjustments must be processed within 15 days after receipt of all required information. The decision may grant relief requested in the petition, either wholly or in part, or deny the petition. Petitions may also be dismissed, if, during a reasonable period of time, petitioners fail to furnish information essential to the determination of their petition. Dismissals shall be issued without prejudice to subsequent filings or requests by petitioner. The Regional Administrator shall notify the applicant, in writing, of the disposition of his request. If such a request is denied, he shall state the reasons for the denial.

(c) *Review.*—Persons adversely affected by a decision on a request for adjustment may seek review from the

Director, Office of Oil and Gas, pursuant to procedures set out in Subpart E of this part.

## Sec. 3 Assignments.

(a) *Instructions to applicants.*—(1) *Who may file.*—Any wholesale purchaser who did not have a supplier during 1972, or any wholesale purchaser who no longer has a supplier may apply to the Regional Administrator for that region and be assigned a supplier in accordance with the criteria established under which such application will be considered.

(2) *Where to file.*—Requests for assignment of a supplier should be directed to the office of the Regional Administrator for that region.

(3) *Contents.*—Requests should be submitted pursuant to instructions as outlined on Form OOG-PAP 17 (10-73).

(b) *Processing of requests.*—The Regional Administrator shall promptly process all requests for assignment, taking into consideration the petition and any other relevant information. All requests for assignment will be processed within 15 days after receipt of all required information. If it is determined that there is insufficient information upon which to base a decision and if upon request the required additional information is not furnished, the request may be dismissed without prejudice. Upon a determination that a request should be granted, the Regional Administrator shall assign the wholesale purchaser to a specific supplier. Selection of a supplier should, to as great an extent as possible, result in an equitable distribution of middle distillate fuels within a given area. The Regional Administrator shall also establish an adjusted base period supply volume for the wholesale purchaser. The Regional Administrator shall then notify, in writing, the wholesale purchaser and the assigned supplier of his decision. Upon a determination that a request for an assignment of a supplier should not be granted, the Regional Administrator shall, in writing, so notify the wholesale purchaser and state the reasons for his decision.

(c) *Review.*—Any wholesale purchaser, supplier or other party aggrieved by a decision of the Regional Administrator may seek a review of that decision by the Director, Office of Oil and Gas, under the procedures set out in Subpart E of this part.

## Sec. 4 Applications for temporary relief from exceptional hardships.

(a) *Instructions to applicants.*—(1) *Who may file.*—Wholesale customers or purchasers, in states participating in the state reserve program, may petition, on behalf of an end-user suffering an ex-

ceptional hardship, for an allocation of the state reserve for that end-user.

(2) *Where to file.*—Applications for hardship relief should be filed with the designated state official within that state, in such office as the state shall establish.

(3) *Contents.*—Applications should contain specific information regarding the conditions and difficulties encountered by the end-user so as to allow the State Office sufficient basis upon which to make a recommendation.

(b) *Processing of requests.*—The State Office shall promptly process all applications pursuant to its procedural rules. The designated state official shall inform the Federal Allocation Officer in that state of his recommendation. The Federal Allocation Officer shall promptly review the recommendations of the designated State Official and issue such orders as he considers necessary and appropriate to carry out the objectives of the Program.

(c) *Review.*—Any wholesale purchaser aggrieved by the decision of a Federal Allocation Officer may seek a review of that decision by the Director, Office of Oil and Gas, under the procedures set out in Subpart E of this part.

## Subpart C—Complaints and Violations

### Section 1 Complaints by parties.

(a) *By purchaser.*—A complaint by a purchaser or a wholesale customer shall be made by means of a purchaser's fuel incident report and be prepared in six copies. One copy shall be retained by the complainant. Five copies shall be submitted to the Regional Administrator, Office of Oil and Gas, one of which shall be transmitted by the Regional Administrator, Office of Oil and Gas to the supplier complained of.

(b) *Answer.*—The answer shall be made by means of a supplier's fuel incident report, and shall be submitted in six copies. One copy shall be retained by the supplier. Five copies shall be submitted to the Regional Administrator, Office of Oil and Gas, one of which shall be transmitted to the complainant.

### Sec. 2 Violations.

(a) Each Regional Administrator has a mission to encourage and achieve the maximum degree of voluntary compliance with the Program by enforcement of the statutory sanctions applicable to the Program through the investigation of possible violations of such regulations and guidelines, development of information concerning the extent of violations of all Program regulations and guidelines, and measurement of the effectiveness of the investigation process.

(b) Upon determining that a violation exists, the Regional Administrator



shall issue an order directing compliance with the provisions of these regulations.

(c) The Regional Administrator may recommend, with respect to alleged violations, the imposition of sanctions available under the Program, and the institution of appropriate action against suppliers and wholesale purchasers.

(d) Recommendations for the imposition of sanctions shall be forwarded to the Director of the Office of Oil and Gas who shall decide whether sanctions will be imposed. Persons aggrieved by the Director's imposition of sanctions may appeal to the Director, Office of Hearings and Appeals, for a review of the decision imposing sanctions, pursuant to the rules set forth in Subpart E of this part.

(e) A violation discovered by means other than requests for interpretations, rulings, adjustments or assignments, shall be reported to the appropriate Regional Administrator for processing and investigation.

(f) No sanctions shall be implemented until the final determination of the Director, Office of Hearings and Appeals, or until the time within which such an appeal may be taken has expired.

#### Subpart D—Rules and Procedures Relating to Mandatory Propane Allocation

##### Section 1 General.

(a) *Purpose and scope.*—This subpart establishes special rules relating to propane allocation. To the extent that these provisions are inconsistent with other provisions in this part, these provisions are the controlling procedure for the implementation of the Mandatory Propane Allocation Program, as set forth in EPO Reg. 3 of this chapter.

(b) *Definitions.*—For the purposes of this subpart:

"Allocation fraction" means that fraction derived by a supplier by dividing his net available supply by the sum of his sales to nonpriority customers, internal raw material uses, and certified nonpriority sales to resellers, during the period October 2, 1972, through April 30, 1973.

"End-use customer" means any final consumer of propane whether for fuel, raw material, or other use.

"Net available supply" means that amount of total supplies available to a supplier for sale or internal use as a raw material feedstock through April 30, 1974, after deducting the projected requirements for his and his reseller's current priority customers.

"Priority customers" are those end-use customers to the extent they use propane for any of the following uses and where no feasible alternate fuel is available:

- (1) Residential use.
- (2) Agricultural production.
- (3) Food processing.
- (4) Mass transit vehicles.
- (5) Buildings primarily utilized for housing medical and nursing patients.

(6) Industrial vehicles or equipments (such as forklift and other similar equipment) used primarily in enclosed facilities where alternative vehicles or equipment cannot be utilized because of gaseous emissions.

(7) Essential government services, such as fire and police use.

(8) Oil and gas well drilling and field production operations, and fuel for pipelines and other transportation for delivering propane to markets.

(9) Commercial requirements with total annual consumption not to exceed 15,000 gallons per year per location.

(10) Peak shaving (the use of propane-air mixtures to supplement normal supplies of pipeline gas for distribution by gas utilities during periods of high demands) limited to volumes of propane equivalent to those amounts contracted for or purchased for delivery during the heating season extending from September 1, 1972, through April 30, 1973, regardless of whether those volumes were used during such heating season. No priority use of propane will be granted to a gas utility as long as it continues gas service to interruptible industrial customers or to customers who can use alternate fuels, other than natural gas.

"Propane" means a hydrocarbon whose chemical composition is predominately  $C_3H_8$ . Propane-butane mixes supplied to end-users are included in this definition. Excluded from this definition are raw mixed streams of natural gas liquids, no component of which has at any time been separated.

"Reseller" means any firm or that part of such a firm which carries on the trade or business of purchasing propane, and reselling it without substantially changing its form.

"Supplier" is any person, firm, or corporation, or that part of such supplier who produces propane in a natural gasoline plant, refinery, or elsewhere, or who imports propane for sale, transfer, or exchange to another supplier, reseller, or an end-use customer. Those firms which import propane for their own use are excluded from this definition.

"Suppliers" shall include those producers of natural gas who have their gas processed for their account by others and retain title to their liquids produced.

#### Sec. 2 Requests for interpretations, assignments, emergency hardship relief and verification.

(a) *Interpretations.*—Requests for interpretations should be filed pursuant to the regulations set forth in Subpart B of this part.

(b) *Assignments.*—(1) *Instructions to applicants.*—(i) *Who may file.*—Any priority customer or any reseller to priority customers who is unable to obtain a supplier may apply to the Regional Administrator for that region and be assigned a supplier.

(ii) *Where to file.*—Requests for assignments of a supplier should be di-

rected to the office of the Regional Administrator for that region.

(iii) *Contents.*—Requests should contain specific information regarding the present and anticipated needs of the priority customer or, if a reseller is the applicant, of the reseller's priority customers, so as to allow the Regional Administrator sufficient basis upon which to make a decision.

(2) *Processing of requests.*—The Regional Administrator shall promptly process all requests for assignment, taking into consideration the petition and any other relevant information, including normal regional supply patterns, distribution networks and the available supply of the supplier. All requests for assignment will be processed within 15 days. If it is determined that there is insufficient information upon which to base a decision, and if additional information requested is not furnished, the request may be dismissed without prejudice. Upon a determination that a request should be granted, the Regional Administrator shall assign a supplier to the priority customer or the reseller. The Regional Administrator shall then notify, in writing, the priority customer or reseller and the assigned supplier of his decision. Upon a determination that a request of an assignment of a supplier should not be granted, the Regional Administrator shall, in writing, so notify the priority customer or reseller and state the reasons for his decision.

(3) *Review.*—Any priority customer, reseller, supplier, or other party aggrieved by a decision of the Regional Administrator may seek a review of that decision by the Director, Office of Oil and Gas, under the procedures set out in Subpart E of this part.

(c) *Exceptional hardships.*—(1) *Instructions to petitioners.*—(i) *Who may file.*—Any person who suffers an exceptional hardship as a direct consequence of the Mandatory Propane Allocation Program may petition the Regional Administrator for that region for relief under section 7 of that Program.

(ii) *Where to file.*—Petitions for relief on grounds of exceptional hardship may be filed in the appropriate Regional Office of the Office of Oil and Gas.

(iii) *Contents.*—The Petitions shall contain all information necessary to establish petitioner's hardship as exceptional. The Office of Oil and Gas may require petitioners to specify certain information to supplement the filing, or require the completion of forms or questionnaires to accompany the petitions.

(2) *Processing of requests.*—The Regional Administrator, or his designees, will consider such petitions, and may, if no hearing is requested, issue a decision based upon the petition and any other relevant information available to him. If a hearing is requested, the Regional Administrator shall order a hearing pursuant to rules and procedures promulgated by the Director, Office of Oil and Gas. The decision may grant the



relief requested in the petition, either wholly or in part, or deny the petition. If it is determined that there is insufficient information upon which to base a decision, and if additional information is not furnished, the petition may be dismissed without prejudice. The Regional Administrator shall notify the petitioner, in writing, of the disposition of his request. If such a request is denied, he shall state the reasons for the denial.

(3) *Review.*—Persons adversely affected by these decisions may seek review from the Director, Office of Oil and Gas, pursuant to procedures set out in Subpart E of this part.

(d) *Verification respecting excess deliveries of propane.*—(1) *Instructions to applicants.*—(i) *Who may file.*—Any supplier may file a request for verification that deliveries, which appear to be excessive in relation to quantities delivered during the corresponding period of the previous year, are justified.

(ii) *Where to file.*—Requests for verification should be directed to the Office of the Regional Administrator for that region.

(iii) *Processing of requests.*—The Regional Administrator shall promptly process all requests for verification. He may require supporting data from priority customers or resellers as he deems necessary.

(iv) *Review.*—Any supplier, reseller or priority customer aggrieved by a decision of the Regional Administrator may seek a review of that decision by the Director, Office of Oil and Gas, under the procedures set out in Subpart E of this part.

### Sec. 3 Complaints and violations.

(a) *Complaints by parties.*—(1) *By priority customer or reseller.*—A complaint by a priority customer or a reseller shall be made by means of the appropriate fuel incident report and shall be prepared in six copies. One copy shall be retained by the complainant. Five copies shall be submitted to the Regional Administrator, one of which shall be transmitted by the Regional Administrator to the supplier complained of.

(2) *Answer.*—The supplier's answer shall be made by means of the appropriate fuel incident report and shall be prepared in six copies. One copy shall be retained by the supplier. Five copies shall be submitted to the Regional Administrator, one of which shall be transmitted by the Regional Administrator to the complainant.

(b) *Violations.*—(1) Each Regional Administrator has a mission to encourage and achieve the maximum degree of voluntary compliance with the Program by enforcement of the statutory sanctions applicable to the Program through the investigation of possible violations of such regulations and guidelines, development of information concerning the extent of violations of all Program regulations and guidelines, and measuring the effectiveness of the investigation process.

(2) Upon determining that a violation exists, the Regional Administrator

shall issue an order directing compliance with the provisions of these regulations.

(3) The Regional Administrator may recommend, with respect to alleged violations, the imposition of sanctions available under the Program, and the institution of appropriate action against suppliers and resellers.

(4) Recommendations for the imposition of sanctions shall be forwarded to the Director, Office of Oil and Gas, who shall decide whether sanctions will be imposed. Persons aggrieved by the Director's imposition of sanctions may appeal to the Director, Office of Hearings and Appeals, pursuant to the rules set forth in Subpart E of this part.

(5) A violation discovered by means other than requests for interpretations, rulings, assignments or verifications, shall be reported to the appropriate Regional Administrator for processing and investigation.

(6) No sanctions shall be implemented until the final determination of the Director, Office of Hearings and Appeals, or until the time within which such an appeal may be taken has expired.

### Sec. 4 Appeals and review.

Requests for review of the decisions of the Regional Administrator, and appeals from the decisions of the Director, Office of Oil and Gas, involving the assessment of sanctions, shall be processed in accordance with the provisions of Subpart E of this part.

### Sec. 5 Sanctions, penalties and enforcement.

The regulations in Subpart F of this part relating to sanctions, penalties and enforcement are applicable to this subpart.

### Subpart E—Appeals and Review

#### Section 1 Review by the Director, Office of Oil and Gas.

(a) *Right to review.*—Except as to a denial of a request for access to information under Subpart A(9), any person aggrieved by a decision of a Regional Administrator or a Federal Allocation Officer may seek a review of that decision by the Director, Office of Oil and Gas.

(b) *Time and place for filing request for review.*—Any person seeking review of a decision by a Regional Administrator or a Federal Allocation Officer must file a petition for review with the Director, Office of Oil and Gas, within 20 days of the receipt of the decision for which review is sought.

(c) *Effect of a petition for review.*—In any case in which a review of a decision is being sought, the decision below is effective as of the date of that decision. The deciding officer may, if in his discretion he finds such action warranted, issue an order staying the effect of his decision during the pendency of the review process.

(d) *Contents of request.*—A petition for review must contain data supportive of the position asserted by the party seeking review. Failure to provide such documentation shall subject the petition to summary dismissal.

(e) *Informal hearing.*—The Director, Office of Oil and Gas, may, in his discretion, order an informal hearing if he feels such a hearing might be beneficial to a final determination on review.

(f) *Effect of decisions.*—All decisions by the Director, Office of Oil and Gas, on review of decisions of Field Allocation Officers or Regional Administrators, shall be final for the Department.

(g) *Sanctions.*—All decisions by the Director, Office of Oil and Gas, involving the imposition of sanctions may be appealed to the Director, Office of Hearings and Appeals.

(h) *Petitions for reconsideration.*—A petitioner applying for an assignment under Sec. 3 of Subpart C of this part may petition the Director for reconsideration of his decision and submit new information in support thereof. The Director, after reconsideration, may sustain or modify the original decision. The Director, at his discretion, may require a hearing upon the matter.

### Sec. 2 Appeals to the Director, Office of Hearings and Appeals.

(a) *Who may appeal.*—A person aggrieved by a decision of the Director imposing a sanction under these regulations shall have the right to appeal such decision to the Director, Office of Hearings and Appeals, Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203.

(b) *Notice of appeal and briefs.*—The appellant shall file a written notice of appeal and all briefs in support thereof, signed by him or by his attorney or other qualified representative, in the Office of the Director, within 30 days from the date of receipt of the decision from which the appeal is taken. The notice shall contain an identification of the action or decision appealed from and give a concise but complete statement of the facts and law relied upon and the relief sought. The appellant shall mail a copy of the notice of appeal, any accompanying statement of reasons therefor, and any written arguments or briefs, to the Director, Office of Oil and Gas.

(c) *Designation of Board.*—Upon notice of appeal the Director, Office of Hearings and Appeals, shall designate an ad hoc Fuel Allocation Appeals Board to decide such an appeal. The Board will consist of at least two members. Appellant and the Director, Office of Oil and Gas, will be advised of the designation of the Board, its composition and chairman.

(d) *Transmittal of appeal file.*—Within 10 days after receipt of a copy of the notice of appeal, the Director, Office of Oil and Gas, shall transmit to the Director, Office of Hearings and Appeals, the entire official file in the matter.

(e) *Request for hearing.*—Appellant may request a hearing on any relevant, disputed issues of fact. Such request shall be filed with the Director, Office of Hearings and Appeals, within the time in



which the Notice of Appeal must be filed. If said request is not so filed, appellant may be deemed to have submitted the appeal on the record.

(f) *Answer.*—The Director, Office of Oil and Gas, shall have 15 days from receipt of the Notice of Appeal within which to file his answer and any other pleadings.

(g) *Decisions on appeals.*—The Fuel Allocation Appeals Board will review the record and take such action as the circumstances warrant. The Board may direct a hearing on the entire matter or specified portions thereof, may decide the appeal forthwith upon the record already made, or may make other disposition of the case. The Board may grant an opportunity for oral argument. Any hearing on such appeals shall be conducted by a member of said Board and shall be governed insofar as practicable by the regulations applicable to other hearings before the Office of Hearings and Appeals.

(h) *Effect of decision.*—The decision of the Fuel Allocation Board shall be final for the Department.

(i) *Power of Director, Office of Hearings and Appeals, and of the Secretary.*—Nothing herein shall be construed to deprive the Director, Office of Hearings and Appeals, or the Secretary of the Interior of their supervisory authority to take jurisdiction of any case and render the final decision in the matter, after holding such hearing as may be required.

#### Subpart F—Sanctions, Penalties and Enforcement

##### Section 1 General.

Any person who violates any provision of this part or any order issued pursuant thereto shall be subject to penalties and sanctions as provided in section 18 of EPO Reg. 2 of this chapter (hereinafter Section 18) or any other section of this part.

##### Sec. 2 Criminal.

A person who willfully violates any provision of this part or any order issued pursuant thereto shall be subject to a fine of not more than \$5,000 for each violation. Criminal violations will be prosecuted by the Department of Justice upon referral from the Office of the Solicitor.

##### Sec. 3 Sanctions.

(a) *Civil penalties.*—A person who violates any provision of this part or any order issued pursuant thereto shall be subject to a civil penalty of not more than \$2,500 for each violation.

(b) *Exclusion.*—Any person who violates any provision of this part or any order issued pursuant thereto shall be subject to exclusion, in whole or in part, for a specified period of time from the Program. Any reduction or loss in al-

location, including losses and reductions in allocations provided for under the Middle Distillate Allocation Program shall be considered an exclusion for purposes of this Subpart.

##### Sec. 4 Enforcement of civil penalties.

The Solicitor of the Department of the Interior, upon request of the Director of the Office of Oil and Gas, after a final determination of liability, shall refer violations under Section 18 to the Attorney General for disposition as he may deem appropriate.

##### Sec. 5 Injunctions.

The Solicitor, upon request of the Director of the Office of Oil and Gas, shall refer all requests for preliminary and

permanent injunctions and temporary restraining orders under Section 19 of EPO Reg. 2 of this chapter, to the Attorney General for disposition as he may deem appropriate. Prior to the making of a request hereunder, the Director of the Office of Oil and Gas shall issue an order directing compliance with the provisions of this Part or any order issued pursuant thereto.

##### Sec. 6 Cumulative penalties.

The provisions herein for penalties and sanctions shall be deemed cumulative and not mutually exclusive.

ROGERS C. B. MORTON,  
Secretary of the Interior.

OCTOBER 19, 1973.

OFFICE OF OIL AND GAS  
REGIONAL OFFICES



● REGIONAL OFFICES  
■ NATIONAL OFFICE  
▲ FIELD OFFICES

#### OOG REGIONAL OFFICES

##### PETROLEUM ALLOCATION PROGRAM

###### REGION 1

Regional Director, Office of Oil and Gas, Maine, New Hampshire, Vermont, Rhode Island, Massachusetts, Connecticut.  
150 Causeway Street (Rm 607), Boston, Mass. 02114.

###### REGION 2

Regional Director, Office of Oil and Gas, New York, New Jersey, Virgin Islands, Puerto Rico.  
252 Seventh Avenue, Fourth Floor, New York, N.Y. 10011.

###### REGION 3

Regional Director, Office of Oil and Gas, Pennsylvania, Delaware, Virginia, West Virginia, Maryland, District of Columbia.  
Federal Office Building, 600 Arch Street, Room 7248, Philadelphia, Pa. 19106.

###### REGION 4

Regional Director, Office of Oil and Gas, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, Kentucky, Canal Zone.  
Suite 750, 1375 Peachtree Street NW., Atlanta, Ga. 30309.

###### REGION 5

Regional Director, Federal Office Building, Michigan, Illinois, Wisconsin, Minnesota, Indiana, Ohio.  
Room 218, 536 South Clark Street, Chicago, Ill. 60606.



## RULES AND REGULATIONS

## REGION 6

Regional Director, Office of Oil and Gas, Texas, Louisiana, Arkansas, Oklahoma, New  
2320 La Branch Street, Room 2104, Hous- Mexico.  
ton, Tex. 77004.

## REGION 7

Regional Director, Office of Oil and Gas, Iowa, Nebraska, Missouri, Kansas.  
Federal Office Building, Room 2511, 911  
Walnut Street, Kansas City, Mo. 64108.

## REGION 8

Regional Director, Office of Oil and Gas, Montana, Wyoming, North Dakota, South  
Building 67, Room 1470, Denver Federal Dakota, Colorado, Utah.  
Center, Denver, Colo. 80225.

## REGION 9

Regional Director, Office of Oil and Gas, California, Nevada, Arizona, Hawaii, Ameri-  
Federal Office Building, 450 Office Building, can Samoa, Guam, Trust Territory of the  
Box 36032, San Francisco, Calif. 94102. Pacific Islands.

## REGION 10

Regional Director, Office of Oil and Gas, Washington, Alaska, Oregon, Idaho.  
Federal Office Building, 909 First Avenue,  
Room 3098, Seattle, Wash. 98104.

[FR Doc.73-22739 Filed 10-23-73; 11:45 am]



# 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 982 ]

### FILBERTS GROWN IN OREGON AND WASHINGTON

Proposed Expenses of the Filbert Control Board, and Rate of Assessment, for the 1973-74 Fiscal Year

Notice is given of a proposal regarding expenses of the Filbert Control Board, and rate of assessment, for the 1973-74 fiscal year, under §§ 982.60 and 982.61 of the marketing agreement, as amended, and Order No. 982, as amended (7 CFR Part 982), regulating the handling of filberts grown in Oregon and Washington. The marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The Board has recommended for the 1973-74 fiscal year beginning August 1, 1973, a budget of expenses in the total amount of \$34,835. Based on the volume of filberts estimated to be subject to this regulatory program during the 1973-74 fiscal year, an assessment rate of 0.20 cent per pound of assessable filberts is expected to provide sufficient funds to meet the estimated expenses of the Board.

Consideration will be given to any written data, views, or arguments pertaining to the proposal which are received by the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than November 2, 1973. All written submissions made pursuant to this notice should be in quadruplicate and will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is as follows:

§ 982.318 Expenses of the Filbert Control Board and rate of assessment for the 1973-74 fiscal year.

(a) *Expenses.*—Expenses in the amount of \$34,835 are reasonable and likely to be incurred by the Filbert Control Board during the fiscal year beginning August 1, 1973, for its maintenance and functioning and for such purposes as the Secretary may, pursuant to the provisions of this part, determine to be appropriate.

(b) *Rate of assessment.*—The rate of assessment for said fiscal year, payable by each handler in accordance with § 982.61, is fixed at 0.20 cent per pound of filberts.

Dated October 17, 1973.

CHARLES R. BRADER,  
Deputy Director,

Fruit and Vegetable Division.

[FR Doc.73-22524 Filed 10-23-73;8:45 am]

[ 7 CFR Parts 1062, 1001, 1002, 1004, 1006, 1007, 1011, 1012, 1013, 1015, 1030, 1032, 1033, 1036, 1040, 1044, 1046, 1049, 1050, 1060, 1061, 1063, 1064, 1065, 1068, 1069, 1070, 1071, 1073, 1075, 1076, 1078, 1079, 1090, 1094, 1096, 1097, 1098, 1099, 1101, 1102, 1104, 1106, 1108, 1120, 1121, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1136, 1137, 1138, 1139 ]

[Docket No. AO-10-A47, etc.]

### MILK IN THE ST. LOUIS-OZARKS AND CERTAIN OTHER MARKETING AREAS

#### Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreements and to Orders

7 CFR part	Marketing area	Docket No.
1062	St. Louis-Ozarks	AO-10-A47.
1001	Boston Regional	AO-14-A82.
1002	New York-New Jersey	AO-71-A66.
1004	Middle Atlantic	AO-160-A49.
1006	Upper Florida	AO-356-A11.
1007	Georgia	AO-306-A10.
1011	Appalachian	AO-251-A15.
1012	Tampa Bay	AO-347-A15.
1013	Southeastern Florida	AO-286-A23.
1015	Connecticut	AO-305-A30.
1030	Chicago Regional	AO-361-A10.
1032	Southern Illinois	AO-313-A24.
1033	Ohio Valley	AO-166-A43.
1036	Eastern Ohio-Western Pennsylvania	AO-179-A38.
1040	Southern Michigan	AO-228-A27.
1044	Michigan Upper Peninsula	AO-289-A20.
1046	Louisville-Lexington-Evansville	AO-123-A40.
1049	Indiana	AO-319-A21.
1050	Central Illinois	AO-355-A15.
1060	Minnesota-North Dakota	AO-300-A8.
1061	Southeastern Minnesota-Northern Iowa (Dairyland)	AO-367-A7.
1063	Quad Cities-Dubuque	AO-105-A38.
1064	Greater Kansas City	AO-23-A45.
1065	Nebraska-Western Iowa	AO-86-A30.
1068	Minneapolis-St. Paul, Minn.	AO-178-A30.
1069	Duluth-Superior	AO-153-A21.
1070	Cedar Rapids-Iowa City	AO-223-A28.
1071	Neosho Valley	AO-227-A29.
1073	Wichita	AO-173-A30.
1075	Black Hills, S. Dak.	AO-248-A15.
1076	Eastern South Dakota	AO-200-A19.
1078	North Central Iowa	AO-272-A22.
1079	Des Moines, Iowa	AO-295-A27.
1090	Chattanooga, Tenn.	AO-266-A17.
1094	New Orleans, La.	AO-103-A35.
1096	Northern Louisiana	AO-257-A23.
1097	Memphis, Tenn.	AO-219-A28.
1098	Nashville, Tenn.	AO-184-A33.
1099	Paducah, Ky.	AO-183-A29.
1101	Knoxville, Tenn.	AO-195-A22.
1102	Fort Smith, Ark.	AO-237-A23.
1104	Red River Valley	AO-296-A22.
1106	Oklahoma Metropolitan	AO-210-A35.
1108	Central Arkansas	AO-243-A26.
1120	Lubbock-Plainview, Tex.	AO-328-A16.
1121	South Texas	AO-304-A7.
1124	Oregon-Washington	AO-368-A6.
1126	Puget Sound, Wash.	AO-226-A26.
1126	North Texas	AO-231-A40.
1127	San Antonio, Tex.	AO-232-A26.
1128	Central West Texas	AO-238-A29.
1129	Austin-Waco, Tex.	AO-256-A22.
1130	Corpus Christi, Tex.	AO-289-A26.
1131	Central Arizona	AO-271-A17.
1132	Texas Panhandle	AO-262-A25.
1133	Inland Empire	AO-276-A26.
1134	Western Colorado	AO-301-A14.
1136	Great Basin	AO-300-A19.
1137	Eastern Colorado	AO-326-A18.
1138	Rio Grande Valley	AO-335-A21.
1139	Lake Mead, Nevada	AO-374-A1.

Notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreements and orders regulating the handling of milk in the aforementioned marketing areas.

Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250, on or before November 13, 1973. The exceptions should be filed in quadruplicate. 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 above notice of filing of the decision and of opportunity to file exceptions thereto is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

#### PRELIMINARY STATEMENT

The hearing on the record of which this recommended decision is based was conducted at Clayton, Missouri, on August 28-30 and September 18-19, 1973, pursuant to notice thereof which was issued on August 23, 1973 (38 FR 22803).

The material issues on the record of the hearing relate to:

1. Need for increasing the Class I price level under each order.
2. Advance announcement of minimum Class I prices for the next several months.
3. Discontinuance of Class I base plans or other base or quota plans during the period of any emergency price adjustment.
4. Whether an emergency exists to warrant the omission of a recommended decision.

#### FINDINGS AND CONCLUSIONS

The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Class I price level.*—Other than the emergency action already taken for September, no action should be taken to increase the Class I price level under each order.

As stated in the hearing notice, the purpose of the hearing was to receive evidence on the economic and emergency marketing conditions relative to the appropriate Class I price level under each order for the forthcoming fall and winter months.



At the outset of the hearing, consideration was given to the need for immediate action to increase the Class I price for September. It was the general position of producers that the September Class I price should be related to the basic formula price for the preceding month, rather than for the second preceding month as the orders now provide. Presently, Class I prices under all orders are determined by adding a specified differential to a basic formula price, which is an average of prices paid during the second preceding month for manufacturing grade milk in Minnesota and Wisconsin. (Under two orders, Red River Valley and Southern Illinois, Class I prices are tied directly to Class I prices under other orders that use the basic formula price.)

Following the August 28-30 hearing session, the Department issued on September 4 (38 FR 24216) an order suspending certain pricing provisions affecting minimum price levels under the 61 orders. This action resulted in Class I prices for September 9-30 being based on the basic formula price for the preceding month, rather than for the second preceding month. Such Class I prices, therefore, were based on the August basic formula price of \$6.38 per hundredweight. Without the suspension, Class I prices for all of September would have been determined by adding the appropriate Class I differential to the July basic formula price of \$5.78. Thus, the suspension resulted in producers in all Federal order markets receiving on September 9 a Class I price increase of 60 cents per hundredweight they otherwise would not have received until October 1.

At the resumption of the hearing on September 18, producers proposed that the Class I prices for October likewise be related to the basic formula price for the preceding month. They indicated that on the basis of rising market prices for butter, nonfat dry milk and cheese, the Minnesota-Wisconsin price for September probably would range between \$6.90 and \$7.05, an estimated increase of 52 to 67 cents over the August Minnesota-Wisconsin price. It was their contention that the higher prices already being paid in the manufacturing milk sector should be reflected immediately in the Federal order Class I prices for October rather than in the November prices as the orders otherwise would provide. Contending, however, that a still higher price was needed to provide adequate returns for their milk, producers proposed that the basic formula price used in computing October Class I prices be fixed at a level above the estimated September Minnesota-Wisconsin price. Proposals for the fixed basic formula price ranged from \$7.25 to \$7.65.

Producers also urged that immediate action be taken to undergird Class I prices for several months beyond October. Producer groups differed somewhat, however, on how this should be done.

A producer organization representing cooperative associations throughout the country proposed a "floor" under the basic formula price equal to the highest

Minnesota-Wisconsin price expected to prevail this fall or winter. Under its proposal, the basic formula price used in computing Class I prices for November 1973 through June 1974 would be not less than \$7.25. However, should the actual Minnesota-Wisconsin price exceed this level, such price would then become the applicable basic formula price floor for the remainder of the November-June period. Under the proposal, similar upward adjustments in the floor price would be made should there be additional increases in the Minnesota-Wisconsin price.

While supporting the use of a \$7.25 floor under the basic formula price, several cooperative associations in the Northeast proposed, in addition, that the Class I price differentials under the Boston Regional, Connecticut, New York-New Jersey, Middle Atlantic and Eastern Ohio-Western Pennsylvania orders be increased \$2.00. Proponents urged that such price changes remain in effect until reconsidered at a later hearing. Other cooperatives in the Northeast, on the other hand, proposed that the Class I price differentials be increased only by the amount by which a \$7.25 floor under the basic formula price would fall short of increasing Class I prices \$2.00 over the Class I price level for July 1973, i.e., 41 cents. The latter groups proposed that all Federal orders be changed in this manner to maintain the present intermarket alignment of Class I prices.

Another organization proposed that the basic formula price to be applicable in the November through June period be not less than \$7.65. It indicated, however, that should this not be adopted the Class I price differential under each order should be increased 75 cents.

It was the general position of all producer organizations that dairy farmers need assurance at least over the fall and winter months that order prices will be related more closely to the cost of producing milk. Proponents cited the rising production costs of recent months and indicated that without such price assurance a further exodus of resources from dairying could be expected. They contended that without immediate price action under all orders the already declining supplies of milk could be further jeopardized.

Except for limited support by certain handlers for some type of emergency price action, the basic position of handlers was that no emergency price action is warranted. Handlers contended that present economic forces in the dairy industry are now increasing Class I prices adequately and are reflecting the current supply-demand situation for milk, including the impact of the recent increases in production costs. They held that minimum Class I prices should be left free to move either up or down as these economic forces are reflected in present formulas in milk orders.

The concern of producers about the future adequacy of milk supplies for fluid use is not without foundation. In recent months, milk producers have been ex-

periencing significant cost increases for feed and other milk production inputs. At the time the hearing was called, the average of prices paid by farmers for all production items was 29 percent higher than a year earlier. Examples of recent cost increases over last year for individual items are 10 percent for wages, 6 percent for taxes, 9 percent for interest, 9 percent for fertilizer, 24 percent for seed, 8 percent for farm machinery, and 16 percent for building and fencing materials.

Feed purchasers, in particular, have caused a heavy drain on the resources of many dairymen. The average cost of feed at mid-August was 84 percent over a year ago.

Milk prices did not keep pace with rising feed costs, as indicated by the milk-feed price ratio. This is a numerical measure of the pounds of concentrate ration equal in value to a pound of milk. For July, this ratio was 1.29; in August it was 1.14. From 1968 to 1972, when milk supplies were in reasonable balance with demand, milk-feed price ratios averaged between 1.70 and 1.74 annually.

Concurrently with rising milk production costs, prices for slaughter cattle rose to unusually high levels. Such price levels have been a strong inducement for heavy culling of milk cows by dairymen.

To minimize the impact of the higher costs, dairymen have adjusted their operations in various ways, including reduced feeding of grain and concentrates, heavy culling, dispersal of herds, and shifting of dairy production resources to more remunerative agricultural enterprises, with the net result being a decrease in the total milk supply for fluid consumption at a time of increasing consumer demand. In 59 of the 61 Federal order markets for which there are comparable data, producer receipts for January through August 1973 decreased 2.4 percent from the comparable 1972 period. Producer milk used in Class I, on the other hand, increased 1.2 percent from last year in the January-August period.

Nationally, milk production has been declining steadily for a number of months. For January through August 1973, production was 2.4 percent less than for the same period a year ago. Milk cow numbers for August dropped 2.7 percent from August 1972, and milk per cow was down 1.2 percent. On the demand side, national sales of milk and dairy products have been rising steadily. For January through July 1973, total commercial use of all milk was up 2.3 percent from a year earlier.

Although producers have been operating in past months under such adverse financial conditions, recent developments suggest that a more normal cost-price relationship for producers can be expected in the future on the basis of present price formulas. As noted earlier, the Minnesota-Wisconsin price in August was 60 cents per hundredweight above the July price. This increase was reflected in all Federal order Class I prices on September 9. The September Minnesota-Wisconsin price also increased substantially, by 53 cents, with such in-



crease to be reflected in the minimum Class I prices for November. The Minnesota-Wisconsin price of \$6.91 for September was 35 percent above such price a year ago.

On the basis of recent additional increases in the market prices of butter, nonfat dry milk and cheese, producers can anticipate further Class I price increases in the near future under the present price formulas.<sup>1</sup> At the hearing, producer representatives estimated a peak Minnesota-Wisconsin price this fall of \$7.25, which estimate does not appear to be unreasonable in light of present conditions.

The cost of feed, on the other hand, has dropped somewhat in recent weeks. In September, the average feed cost was 65 percent higher than a year ago; a month earlier, feed costs had been up 84 percent. The milk-feed price ratio for September was 1.40, up from the August ratio of 1.14, indicating a much more favorable feed situation for producers currently. If the projected record-high harvest of feed grains materializes, further downward pressure on feed prices can be expected.

Under these circumstances, it appears that economic forces have recently brought, and can be expected to bring in the future, production costs and milk prices to a relationship that will continue to assure adequate milk supplies for the fluid markets. The proposals for adjusting the present Class I price formulas are therefore denied.

**2. Advance announcement of Class I prices.**—No change should be made in the procedure for announcing Class I prices.

Under the present orders, the Class I price for the current month is announced on or before the 5th day of the preceding month and is based on the basic formula price (Minnesota-Wisconsin price) for the second preceding month. With this announcement procedure, the Class I price is known by handlers nearly four weeks in advance of the month in which applicable.

In conjunction with the over-all consideration of appropriate Class I price levels, consideration was given at the hearing to amending each order to provide that prices currently being generated by the Minnesota-Wisconsin price series be immediately applicable in determining Class I prices. Adoption of this pricing arrangement would require that the Class I price for the current month be based on the Minnesota-Wisconsin price for the preceding month, rather than for the second preceding month as at present. In this case, the Class I price could not be announced until about the 5th day of the month in which the price would apply. This pricing arrangement

was used until last year under most orders.

On the basis of a national hearing, all orders then in effect were amended on March 1, 1972, to provide for the advance announcement of Class I prices. As indicated in the decision for that proceeding (37 FR 1388), this action, which was widely favored by both handlers and producers, was taken to afford handlers a reasonable opportunity to adjust their resale prices following a change in their cost of Class I milk. Under the prior arrangement of not knowing the current Class I price until the 5th day of the month in which applicable, handlers could not adjust their resale prices on the basis of firm knowledge as to the change in their raw material cost. Thus, in many instances handlers absorbed Class I price increases for extended periods before making needed adjustments in their resale prices.

At the current price hearing, handlers and producers solidly affirmed their support of advance announcement of Class I prices. Although producers urged that the most recent Minnesota-Wisconsin price be reflected in the Class I prices for September and October 1973, they indicated that the present price announcement procedure should apply in other months.

Marketing circumstances do not require that prices currently being generated by the Minnesota-Wisconsin price series be immediately applicable in determining Class I prices. Thus, the basic formula price for the second preceding month should continue to be used in computing Class I prices for the current month, thereby enabling the announcement of Class I prices prior to the month to which they apply.

**3. Discontinuance of Class I base plans and other base or quota plans.**—No change should be made in Class I base plans or other base plans pursuant to this decision.

A base plan, under a Federal milk order, provides for allocation of returns among producers based on their milk deliveries during a representative period. The total classified use value of milk of all handlers is apportioned among producers by assigning the higher returns for Class I milk primarily to the base milk deliveries of producers. If producers' bases exceed total Class I disposition of handlers, the returns to producers for base milk are a blend of the Class I and other class returns.

Class I base plans, as authorized by the Act, provide for adjustment of producers' bases in relation to total Class I disposition of all handlers. Other base plans are authorized to encourage seasonal adjustment in the production of milk, and under such plans producers may be paid for base milk in all months or in only certain months of the year.

The hearing considered a proposal to delete Class I base plans under the Puget Sound and Georgia orders during a period of emergency price adjustment. It also considered the need for discontinuation, at least temporarily, of any

other base or quota plan, including plans operated outside of orders, that may tend to limit milk production by individual farmers. (A plan operated outside an order may be under the auspices of a producer cooperative association or a state agency.)

At the hearing, testimony was presented both in favor of, and in opposition to, continuance of Class I base plans, or other base or quota plans.

In testimony favoring elimination of base plans, it was stated that a Class I price increase would benefit principally the large base holders, and would have negligible benefits for producers with bases small relative to their milk production. These witnesses favored eliminating the base plans so that a Class I price increase would give equal encouragement to all producers who wish to increase their production.

Additional testimony for elimination of the Class I base plan in the Puget Sound market emphasized the substantial cost faced by a new producer in order to obtain the base price for his production. He would have to buy base (assuming base is obtainable from established producers), or for an extended period accept payment at the lower excess price on most of his milk. Also, an established producer expanding his production faces similar costs on the increased production. It was testified that a producer receiving only the excess price for increased production would not be able to meet today's high production cost out of such returns.

In the Florida markets cooperatives indicated that base plans operated by them outside the orders could be made temporarily inoperative if this were necessary in conjunction with the price action contemplated in the proposals.

In opposing suspension of order base plans, witnesses testified that Class I base plans in the Puget Sound and Georgia markets do not lessen the incentive for producers to maintain production. It was stated also that base plans provide particular incentive for producers to maintain or increase production in the fall season when production is normally lowest, and that Class I base plans, or quota plans, can be used to provide goals for increased production by producers.

Also, as justification for keeping the base plans, it was pointed out that many producers have incurred substantial expense to adjust their production to their base, or have purchased base. These producers would suffer loss of this investment, as well as lower returns on their milk, if base plans were made inoperative. It was further stated that substantial confusion could result at the time of resumption of a Class I base plan if it were temporarily suspended.

Parties also objected on procedural grounds to suspension or deletion of base plans on the basis of this hearing, which involves an emergency issue. It was pointed out that the Class I base plans in the orders have been adopted on the basis of a public hearing in the market to

<sup>1</sup> Official notice is taken of the Dairy and Poultry Market News reports for October 2, 4, and 5, 1973, issued at Madison, Wisconsin, by the U.S. Department of Agriculture and Wisconsin Department of Agriculture for the purpose of noting dairy product prices and the Minnesota-Wisconsin price for September.



which the plan applies, issuance of recommended and final decisions thereon, and approval by individual producers in a referendum held in the particular market. Any consideration of rendering base plans inoperative, it was contended, should be only under similar procedure.

The consideration of discontinuance of Class I base plans and other base plans in this hearing was in conjunction with proposals for emergency action to increase Class I prices under all orders. In this decision it is concluded that such emergency action for Class I prices is not needed. In the circumstances the record does not provide an imperative reason for action on the base plans at this time. The base plans will be kept under review, however, to determine whether they are working in conflict with class pricing provisions in maintaining adequate market supplies.

4. *Need for omitting recommended decision.*—This proceeding should include the issuance of a recommended decision and the opportunity to file exceptions thereto.

Consideration was given at the hearing to the need for omitting certain customary procedural steps to expedite the effectuation of any pricing amendments that might result from the hearing. For reasons set forth earlier, it is concluded that the orders should not be amended. Thus, there is no emergency that necessitates the omission of a recommended decision and the opportunity for interested parties to file exceptions to the proposed findings and conclusions.

#### RULINGS ON PROPOSED FINDINGS AND CONCLUSIONS

Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

#### DETERMINATION

The findings and conclusions of this decision do not require any change in the regulatory provisions of the orders regulating the handling of milk in the aforementioned marketing areas.

Signed at Washington, D.C., on October 17, 1973.

JOHN C. BLUM,  
Deputy Administrator,  
Regulatory Programs.

[FR Doc. 73-22526 Filed 10-23-73; 8:45 am]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration

#### [ 21 CFR Parts 1010, 1020 ]

### ELECTRONIC PRODUCT RADIATION CONTROL

#### Variances From Performance Standards

The Commissioner of Food and Drugs proposes to amend the regulations for the administration and enforcement of the Radiation Control for Health and Safety Act of 1968 to provide for the granting of variances to any electronic product for which there are standards under 21 CFR Subchapter J (formerly Part 278, recodified in the FEDERAL REGISTER of October 15, 1973 (38 FR 28623)) by adding a new § 1010.4 to Part 1010, Performance Standards for Electronic Products: General. Since this proposed regulation would also be applicable to variances from the performance standard for diagnostic x-ray systems and their major components, the Commissioner proposes to revoke § 1020.30 (1) (21 CFR 1020.30(1)).

In the development of new or experimental electronic products which would normally be subject to a standard under 21 CFR Subchapter J, it may be necessary to evaluate, test, or observe prototype or experimental units under actual conditions of use. Variances provide a mechanism by which these products could be evaluated even though they do not comply with all provisions of an applicable standard. Variances also provide a mechanism for the development and marketing of equipment intended for specialized procedures which were not anticipated at the time a particular standard was promulgated; or for marketing of a product which, although not meeting all provisions of an applicable standard, does provide radiation protection at least equal to those products which meet the standard. Otherwise, such equipment could not be manufactured and marketed until the applicable standard is amended.

The proposed variance provision is intended to be similar to § 1020.30 (1), but modified to be generally applicable. In the proposal, the criteria for granting variances have been stated in broader terms in order to apply to a wider spectrum of electronic products and in anticipation of special cases which may arise from the variety of electronic products covered by standards now and in the future.

In addition, the following features, though not appearing in § 1020.30 (1), are in the proposed provision:

1. All variances granted would be assigned a termination date. Section 1020.30 (1) requires a termination date in some cases, but also authorizes granting variances for the manufacture of a speci-

fied number of units without specifying a time limit during which they must be manufactured. In a rapidly changing field such as electronics, the granting of such open-ended variances is not considered compatible with proper radiation protection practice.

2. The proposed provision would permit the Director, Bureau of Radiological Health, Food and Drug Administration, to amend and renew variances if he determines there are grounds for such action. This will avoid the necessity for submission and processing of completely new applications where unwarranted.

3. The proposed general variance provision would set forth the authority of the Director, Bureau of Radiological Health, to withdraw a variance prior to its termination date when justified by the provisions of 21 CFR Subchapter J, as well as to protect the public health. A variance might be withdrawn if, for example, a standard is amended so as to make the variance unnecessary. Other causes could be based upon additional substantive information not anticipated or not available at the time of the granting of the variance.

4. Applications for variances will be submitted to the Hearing Clerk, Food and Drug Administration.

5. A notice of an approved variance or an amendment or extension thereof will be published in the FEDERAL REGISTER and will indicate the applicable performance standard for which the variance is requested, the manner in which the variance differs from the standard, the effective date and the termination date of the variance, all requirements and conditions attached to the variance, and, if appropriate, the number of units or other similar limitations for which the variance is approved.

6. An approved variance or amendment or extension thereof shall become effective 30 days after publication of a notice of approval in the FEDERAL REGISTER, unless objections and supporting information are submitted requesting that the variance or amendment or extension of a variance be modified or not be granted. Upon receipt of such objections and supporting documentation, the effective date of the action will be stayed until the Director, Bureau of Radiological Health rules on them. This ruling shall be made within 60 days, shall be published in the FEDERAL REGISTER and shall constitute final action from which appeal lies to the courts.

7. All applications for variances and amendments and extensions thereof and all correspondence relating to such applications shall be available for public disclosure in the Office of the Hearing Clerk, except for information covered by the confidentiality provisions of section 360A (e) of the act.



8. Where applicable, State radiation regulatory authorities will be notified of applications for variances as well as actions taken.

The procedural steps proposed in items 4 through 8 above are intended to make information and actions on variances readily available to the public and to assure that interested and affected persons and agencies have an opportunity to comment on proposed variances.

Application of a general variance regulation to all standards under the act necessitates revocation of the variance provision in the x-ray standard, § 1020.30(i). The Commissioner has determined that it is in the public interest to institute a uniform procedure for variances for all standards under the act and therefore proposes to make the revocation of § 1020.30(i) concurrent with the establishment of the general variance regulation.

Therefore, pursuant to provisions of the Public Health Service Act, as amended by the Radiation Control for Health and Safety Act of 1968 (sec. 358, 82 Stat. 1177-1179; 42 U.S.C. 263f) and under authority delegated to him (21 CFR 2.120), the Commissioner proposes to amend Parts 1010 and 1020 of Subchapter J as follows:

1. By adding a new § 1010.4 to read as follows:

**§ 1010.4 Variances.**

(a) *Criteria for variances.*—Upon application by a manufacturer (including assembler), the Director, Bureau of Radiological Health, Food and Drug Administration, may grant a variance from one or more provisions of any standard under this part and Parts 1020 and 1030 for an electronic product subject to such standard, when he determines that the variance is so limited in its applicability as not to justify an amendment to the standard, or is of such need as not to allow sufficient time for the processing of an amendment to the standard, and that the granting of such variance is in keeping with the purposes of the Radiation Control for Health and Safety Act of 1968. In addition, the issuance of the variance will be based upon a determination that the product:

(1) Utilizes alternate means for providing radiation safety or protection equal to or greater than that provided by products meeting all requirements of the applicable standard, or

(2) Utilizes suitable means for providing radiation safety or protection and is required to perform a necessary function or is intended for a special purpose which cannot be performed or accomplished with equipment meeting all requirements of the applicable standard, or for which one or more requirements of the applicable standard would not be appropriate.

(b) *Applications for variances.*—Applications for variances, amendments, or extensions thereof shall be submitted in quintuplicate to the Hearing Clerk, Food and Drug Administration, Rm. 6-86, 5600 Fishers Lane, Rockville, MD 20852.

(1) The application for variance shall include the following information:

(i) A description of the product and its intended use.

(ii) An explanation of how compliance with the applicable standard would restrict or be inappropriate for this intended use.

(iii) A description of the manner in which it is proposed to deviate from the requirements of the applicable standard.

(iv) A description of the advantages to be derived from such deviation.

(v) An explanation of how alternate or suitable means of protection will be provided.

(vi) The period of time it is desired that the variance be in effect, and, if appropriate, the number of units the applicant wishes to manufacture.

(vii) In the case of prototype or experimental equipment, the proposed location of each unit.

(viii) Such other information required by regulation or by the Director, Bureau of Radiological Health to evaluate and act on the application.

(2) The application for amendment or extension of a variance shall include the following information:

(i) The variance number and expiration date.

(ii) The amendment or extension requested and basis for the amendment or extension.

(iii) A description of the effect of the amendment or extension on protection from radiation produced by the product.

(iv) An explanation of how alternate or suitable means of protection will be provided.

(c) *Ruling on applications.*—(1) The Director, Bureau of Radiological Health may approve or deny, in whole or in part, a requested variance or any amendment or extension thereof and he shall inform the applicant in writing of his action on a requested variance or amendment or extension.

(2) A notice of an approved variance or any amendment or extension will be published in the FEDERAL REGISTER. Such notice will name the applicable performance standard for which the variance is requested and will state the manner in which the variance differs from the standard, the effective date and the termination date of the variance, all requirements and conditions attached to the variance, and, if appropriate, the number of units or other similar limitations for which the variance is approved. Each variance shall be assigned an identifying number.

(3) An approved variance or amendment or extension thereof shall become effective 30 days after publication of a notice in the FEDERAL REGISTER unless objections and supporting documentation are submitted to the Hearing Clerk, Food and Drug Administration, Rm. 6-86, 5600 Fishers Lane, Rockville, MD 20852, requesting that the variance or amendment or extension be modified or not be granted. Upon receipt of such objections and supporting documentation, the effective date of the action is automatically stayed until the Director rules on

them. This ruling shall be made within 60 days, published in the FEDERAL REGISTER and shall constitute final agency action from which appeal lies to the courts.

(4) The Director, Bureau of Radiological Health, shall amend or withdraw a variance whenever he determines that such action is necessary to protect the public health or otherwise is justified by the provisions of 21 CFR Subchapter J. Such action shall become effective in accordance with the procedure in paragraph (c) (3) of this section, except that it shall become effective immediately when the Director determines that it is necessary to prevent an imminent health hazard.

(5) All applications for variances and amendments and extensions thereof and all correspondence relating to such applications shall be available for public disclosure in the office of the Hearing Clerk, except for information covered by the confidentiality provisions of section 360A(e) of the act.

(d) *Certification of equipment covered by variance.*—The manufacturer of any product for which a variance is granted shall modify the tag, label, or other certification required by § 1010.2 to state:

(1) That the product is in conformity with the applicable standard except with respect to those characteristics covered by the variance;

(2) That the product is in conformity with the provisions of the variance; and

(3) The assigned number and effective date of the variance.

**§ 1020.30 [Amended]**

2. By revoking paragraph (i) of § 1020.30.

Interested persons may, on or before December 24, 1973, file with the Hearing Clerk, Food and Drug Administration, Rm. 6-86, 5600 Fishers Lane, Rockville, MD 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. It is proposed to make these amendments effective 10 days after publication of a final order. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated October 10, 1973.

SAM D. FINE,  
Associate Commissioner for  
Compliance.

[FR Doc. 73-22549 Filed 10-23-73; 8:45 am]

**DEPARTMENT OF  
TRANSPORTATION**

National Highway Traffic Safety  
Administration

[49 CFR Part 571]

[Docket No. 73-24; Notice 1]

**OCCUPANT CRASH PROTECTION**

**Labeling Requirements**

The purpose of this notice is to propose an amendment to Motor Vehicle Safety Standard No. 208 Occupant crash



protection, concerning the labeling requirements for crash deployed occupant protection systems (§4.5.1). The proposed amendment responds to a rule-making petition submitted by General Motors on May 21, 1973.

General Motors asked for two changes in the labeling requirement. In place of specifying the system's maintenance schedule by month and year, the petition asked that the schedule be determined by reference to the vehicle certification label required by 49 CFR Part 567, Certification. Such a reference would avoid the need to change the labels on the line each month. Secondly, the petition asked that the schedule be stated, alternatively, in terms of mileage. Such an alternative statement is commonly used in warranties and is familiar to consumers.

The NHTSA has tentatively decided to change the labeling requirement in accordance with GM's request. It therefore proposes to amend §4.5.1 of Motor Vehicle Safety Standard No. 208 (49 CFR 571.208) to read as follows:

**§4.5.1 Labeling and driver's manual information.**—Each vehicle shall have a label setting forth the manufacturer's recommended schedule for the maintenance or replacement, necessary to retain the performance required by this standard, of any crash deployed occupant protection system. The schedule shall be specified by month and year, or in terms of vehicle mileage, or by intervals measured from the date appearing on the vehicle certification label provided pursuant to 49 CFR Part 567. The label shall be permanently affixed to the vehicle within the passenger compartment and lettered in English in block capitals and numerals not less than three thirty-seconds of an inch high. Instructions concerning maintenance or replacement of the system and a description of the functional operation of the system shall be provided with each vehicle, with an appropriate reference on the label. If a vehicle owner's manual is provided, this information shall be included in the manual.

Interested persons are invited to submit comments on the proposal. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5221, 400 Seventh Street SW., Washington, D.C. 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. However, the rulemaking action may proceed at any time after that date, and comments received after the closing date and too late for consideration in regard to the action will be treated as suggestions for future rulemaking. The NHTSA will continue to file relevant material, as it becomes available in the docket after the closing date, and it is recommended that

interested persons continue to examine the docket for new material.

Interested persons should note that this notice is issued under Docket No. 73-24, rather than as part of Docket No. 69-7, which contains the previous notices relating to Standard No. 208. The NHTSA intends the changes proposed by this notice to be considered, for purposes of judicial review, as separate from the earlier orders issued under Docket No. 69-7.

**Comment closing date**—November 26, 1973.

**Proposed effective date**—Date of publication of final rule in the **FEDERAL REGISTER**.

(Secs. 103, 119 Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407) delegation of authority at 49 CFR 1.51 and 49 CFR 501.8)

Issued on October 17, 1973.

ROBERT L. CARTER,  
Associate Administrator,  
Motor Vehicle Programs.

[FR Doc.73-22490 Filed 10-23-73;8:45 am]

#### [ 49 CFR Parts 571, 575 ]

[Docket No. 72-8]

#### MOTOR VEHICLE TEST CONDITIONS Termination of Rulemaking Proceeding

A notice of proposed rulemaking was issued July 19, 1972 (37 FR 14319) proposing a change in the wind velocity test condition appearing in certain of the Federal motor vehicle safety standards. The comment closing date was extended to September 25, 1972 (37 FR 17494, August 29, 1972).

Based on comments submitted to Docket 72-8, the NHTSA has decided to withdraw the proposed rule and leave the wind velocity test condition at 0 m.p.h., rather than permitting 15 m.p.h. in any direction, as had been proposed. This agency is convinced that the increased convenience the proposed rule would have afforded for its own compliance testing is outweighed by the hardship to manufacturers and suppliers of testing to insure compliance under the most adverse of permissible test conditions. The proposed rule would have significantly increased the severity of the affected standards: 49 CFR 571.122 Motorcycle Brake Systems, Docket No. 70-27, Hydraulic Brake Systems (35 FR 17345); Docket No. 1-19, High Speed Warning and Control (35 FR 18295); 49 CFR 575.101, Vehicle Stopping Distance; 49 CFR 575.106, Acceleration and Passing Ability; and Docket 70-24, Vehicle Stopping Distance (35 FR 17353). No further action in this area will be taken without further notice and opportunity for comment.

(Sec. 105, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407) delegations of authority at 49 CFR 1.51 and 49 CFR 501.8.)

Issued on October 17, 1973.

ROBERT L. CARTER,  
Associate Administrator,  
Motor Vehicle Programs.

[FR Doc.73-22489 Filed 10-23-73;8:45 am]

## FEDERAL COMMUNICATIONS COMMISSION

[ 47 CFR Part 76 ]

[Docket No. 19554]

### CABLECASTING OF CERTAIN PROGRAMS Order Scheduling Oral Argument

In the matter of Amendment of Part 76, Subpart G, of the Commission's Rules and Regulations Pertaining to the Cablecasting of Programs for which a Per-program or Per-channel Charge is Made.

1. In order to facilitate an informed decision in the captioned proceeding, we have determined that an oral argument on the issues raised in the proceeding would be appropriate. Such an oral argument has been requested by the National Association of Broadcasters and supported by the Association of Maximum Service Telecasters, National Broadcasting Company, American Broadcasting Company, Columbia Broadcasting System, and the National Association of Theatre Owners.<sup>1</sup>

2. It is our intention to hold this oral argument on November 5, 6, and 7, 1973. And, in order to sharpen the focus of the debate, we will first hear argument on those aspects of the proceeding that involve the subscription cablecasting of sports programming. We intend to then proceed to those aspects of the proceeding that involve feature films, series programs and other non-sports programming. We also may use, at some point during the argument, the panel discussion format with appropriate spokesmen selected by the Commission given an opportunity to question and respond to each other.

3. All interested parties, whether or not they have previously participated in this matter, will be heard to the extent that time permits. However, in order to conserve time, parties with generally the same interest or position are urged to consolidate their presentations. We are hopeful that the parties themselves, as well as attorneys will participate or at least be available to respond to questions which may arise. In addition, we specifically encourage parties with no financial interest in the decision herein, such as those from the academic world, to participate.

4. Persons desiring to make oral presentations are requested to file, by October 23, 1973, a written notice of intention to appear and participate. This notice shall specify which of the issues mentioned above (sports and non-sports) are to be addressed and shall give sufficient indication of the nature of the parties' interest in the proceeding to permit appropriate grouping. The Commission, by further order, will specify the exact time and place where the argument will be heard, the procedure to be followed, and the time allocated to each party.

<sup>1</sup>TheatreVision, Inc., opposed the request on the grounds that it would delay the resolution of this proceeding. We believe that any delay that may be caused by this oral argument is justified in terms of the additional assistance we expect to receive through it in reaching a correct decision in this important proceeding.



Accordingly, *It is ordered*, That oral argument in the captioned proceeding, is scheduled before the Commission en banc beginning November 5, 1973.

Adopted October 16, 1973.

Released October 17, 1973.

FEDERAL COMMUNICATIONS  
COMMISSION,\*

[SEAL] VINCENT J. MULLINS,  
Secretary.

[FR Doc.73-22565 Filed 10-23-73;8:45 am]

\* Commissioners Robert E. Lee and Johnson absent.

# FEDERAL MARITIME COMMISSION

[ 46 CFR Part 538 ]

[General Order 19; Docket No. 73-53]

## RULES GOVERNING THE FILING OF INCREASES IN CONTRACT RATES ON LESS THAN STATUTORY NOTICE IN THE EVENT OF TARIFF CURRENCY DEPRECIATION

### Further Enlargement of Time To File Comments

Upon consideration of various requests for an additional enlargement of time to submit comments in response to the no-

tice of proposed rulemaking in this proceeding (38 FR 22495; August 21, 1973) the Commission has determined to grant a limited enlargement to and including November 1, 1973. Time for filing Hearing Counsel's replies and answers to Hearing Counsel are correspondingly enlarged to November 15, 1973, and November 27, 1973 respectively.

By the Commission.

[SEAL] FRANCIS C. HURNEY,  
Secretary.

[FR Doc.73-22573 Filed 10-23-73;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 STATE

### ADVISORY COMMISSION ON INTERNATIONAL EDUCATIONAL AND CULTURAL AFFAIRS

#### Notice of Meeting

The United States Advisory Commission on International Educational and Cultural Affairs will meet in open session on Friday, November 2, 1973, at the Department of State, Room 1207, from 12 noon to 1 p.m. The agenda will include plans for the December meeting, development of the distribution of the quarterly magazine "Exchange," and orientation plans for new members. For purposes of fulfilling building security requirements, anyone wishing to attend the open session must advise the Staff Director by telephone in advance of the meeting. Telephone: 632-2764.

From 9 a.m. to 12 noon the Advisory Commission will meet in closed session as provided for by 5 U.S.C. 552(b) (1).

Dated October 16, 1973.

MARGARET G. TWYMAN,  
Staff Director,  
Commission Secretariat.

[FR Doc.73-22551 Filed 10-23-73;8:45 am]

### NATIONAL COMMITTEE FOR THE INTERNATIONAL RADIO CONSULTATIVE COMMITTEE (CCIR)

#### Notice of Meeting

The Department of State announces that the U.S. National Committee for the International Radio Consultative Committee (CCIR) will meet on November 20, 1973, at 9:30 a.m. in Room 1105, Department of State, 22d and C Streets NW., Washington, D.C.

The U.S. National Committee assists in the resolution of administrative/procedural problems pertaining to U.S. CCIR activities; provides advice on matters of policy and positions in preparation for CCIR Plenary Assemblies and meetings of the international CCIR Study Groups; and recommends the disposition of all proposed U.S. contributions to the international CCIR which are submitted to the Committee for its consideration.

The main purposes of the meeting on November 20 will be:

- Review of preparations and positions for the international Study Group meetings in 1974;
- Preliminary discussion of U.S. positions/proposals for the XIIIth Plenary Assembly of the CCIR in 1974;
- Review of U.S. CCIR responsibilities and procedures pursuant to Public Law 92-463.

Members of the general public who desire to attend the meeting on November 20 will be admitted up to the limits of the capacity of the meeting room. In that regard, entrance to the Department of State building is controlled and entry will be facilitated if arrangements are made in advance of the meeting. It is requested that prior to November 20, 1973, members of the general public who plan to attend the meeting inform their name and address to Mr. Gordon L. Huffcutt, Office of Telecommunications, Department of State; the telephone number is area code 202-632-2631. All non-Government attendees at the meeting should use the C Street entrance to the building.

Dated October 16, 1973.

GORDON L. HUFFCUTT,  
Chairman,  
U.S. CCIR National Committee.

[FR Doc.73-22552 Filed 10-23-73;8:45 am]

## DEPARTMENT OF JUSTICE

### Law Enforcement Assistance Administration

#### PRIVATE SECURITY ADVISORY COUNCIL AND CHAIRMEN OF COMMITTEES OF THE COUNCIL TO THE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

#### Notice of Meeting

Notice is hereby given that the Private Security Advisory Council and the Chairman of each of the committees of the Council to the Law Enforcement Assistance Administration will meet on November 1 and 2, 1973, at the Kona Kai Club in San Diego, California.

The meeting will be open to the public. Any interested person may file a written statement with the council for its consideration.

Statements may be sent to or information requested from Robert Macy, Law Enforcement Assistance Administration, U.S. Department of Justice, 633 Indiana Avenue NW., Washington, D.C. 20530.

JACK A. NADOLA,  
Advisory Committee Management  
Officer, Office of General Counsel.

[FR Doc.73-22527 Filed 10-23-73;8:45 am]

## DEPARTMENT OF THE INTERIOR

### National Park Service

[INT DES 73-62]

#### ROCKY MOUNTAIN NATIONAL PARK, COLORADO

#### Notice of Availability of Draft Environmental Statement; Master Plan

Pursuant to section 102(2)(C) of the National Environmental Policy Act of

1969, the Department of the Interior has prepared a draft environmental statement for Rocky Mountain National Park, Colorado.

The environmental statement considers the management and use of Rocky Mountain National Park.

Written comments on the environmental statement are invited and will be accepted on or before December 24, 1973. The comment period may be extended on an individual case basis as provided for in the Council on Environmental Quality Guidelines of August 1, 1973. Comments should be addressed to the Superintendent, Rocky Mountain National Park (address given below).

Copies of the draft environmental statement are available from or for inspection at the following locations:

Midwest Regional Office, National Park Service, 1709 Jackson Street, Omaha, Nebr. 68102.

Superintendent, Rocky Mountain National Park, Estes Park, Colo. 80517.

Dated October 11, 1973.

JOHN M. SEIDL,  
Deputy Assistant Secretary  
of the Interior.

[FR Doc.73-22487 Filed 10-23-73;8:45 am]

[INT DES 73-63]

#### ROCKY MOUNTAIN NATIONAL PARK, COLORADO

#### Availability of Draft Environmental Statement on Proposed Wilderness Area

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental statement on the Proposed Rocky Mountain Wilderness, Rocky Mountain National Park, Colorado.

The draft environmental statement considers the impact on the natural and human environment of designating 238,000 acres of Rocky Mountain National Park as wilderness and recommending an additional 6,409 acres as potential wilderness.

Written comments on the statement are invited and will be accepted on or before December 24, 1973. The comment period may be extended on an individual case basis as provided for in the Council on Environmental Quality Guidelines of August 1, 1973. Comments should be addressed to the Superintendent, Rocky Mountain National Park (address given below).

Copies of the draft environmental statement are available from or for inspection at the following locations:



Midwest Regional Office, National Park Service, 1709 Jackson Street, Omaha, Nebr. 68102.

Superintendent, Rocky Mountain National Park, Estes Park, Colo. 80517.

Dated October 11, 1973.

JOHN M. SEIDL,  
Deputy Assistant Secretary  
of the Interior.

[FR Doc.73-22488 Filed 10-23-73;8:45 am]

#### Office of the Secretary

[INT FES 73-59]

#### PROPOSED HABITAT ENHANCEMENT PROJECT TOPOCK MARSH UNIT, HA- VASU NATIONAL WILDLIFE REFUGE, MOHAVE COUNTY, ARIZONA

##### Notice of Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, Public Law 91-190, the Department of the Interior has prepared a final environmental statement that proposes a habitat enhancement project within the Topock Marsh Unit of Havasu National Wildlife Refuge, Mohave County, Arizona. The project would include diking to permit water management, channeling to improve water circulation, levees and management units to provide habitat for the endangered Yuma clapper rail, and construction of a sediment basin to trap silt from the marsh inlet canal.

Copies of the final statement are available for inspection at the following locations:

Bureau of Sport Fisheries and Wildlife  
500 Gold Avenue SW., Room 9018  
P.O. Box 1306  
Albuquerque, New Mexico 87103  
Headquarters  
Havasu National Wildlife Refuge  
Box A  
Needles, California 92363  
Bureau of Sport Fisheries and Wildlife  
Office of Environmental Quality  
Department of the Interior  
18th and C Streets NW., Room 2246  
Washington, D.C. 20240

Single copies may be obtained by writing the Chief, Office of Environmental Quality, Bureau of Sport Fisheries and Wildlife, Department of the Interior, Washington, D.C. 20240. Please refer to the statement number.

Dated October 11, 1973.

JOHN M. SEIDL,  
Deputy Assistant Secretary,  
Program Development and Budget.

[FR Doc.73-22486 Filed 10-23-73;8:45 am]

#### DEPARTMENT OF AGRICULTURE

##### Agricultural Marketing Service

#### ILLINOIS GRAIN INSPECTION POINT Designation

*Statement of considerations.*—On August 31, 1973, there was published in the FEDERAL REGISTER (38 FR 23544) a notice

announcing that the Champaign-Danville Grain Inspection Departments (also doing business as the Champaign Chamber of Commerce and the Danville Chamber of Commerce) had formed a corporation and had requested that its designation under section 7(f) of the U.S. Grain Standards Act (7 U.S.C. 79(f)) to operate as an official inspection agency at Champaign and Danville, Illinois, be transferred to the Champaign-Danville Grain Inspection Departments, Inc. Interested persons were given until September 30, 1973, to make application for designation to operate as an official inspection agency at Champaign and Danville, Illinois, and to submit views and comments including the name of the person or agency which they recommended to be designated to operate as an official inspection agency at Champaign and Danville, Illinois.

Fifty-eight comments were received supporting the designation of the Champaign-Danville Grain Inspection Departments, Inc., as an official inspection agency at Champaign and Danville, Illinois. No comments were received opposing the designation and no other applications for designation to operate as an official inspection agency at Champaign and Danville, Illinois, were received. Therefore pursuant to the authority contained in section 7(f) of the U.S. Grain Standards Act (7 U.S.C. 79(f)), the designation as the official inspection agency at Champaign and Danville, Illinois, is hereby transferred from the Champaign-Danville Grain Inspection Departments to the Champaign-Danville Grain Inspection Departments, Inc.

(Sec. 7, 39 Stat. 482, as amended 82 Stat. 764; 7 U.S.C. 79(f); 37 FR 28464 and 28476.)

Done in Washington, D.C., on October 17, 1973.

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

[FR Doc.73-22521 Filed 10-23-73;8:45 am]

#### MICHIGAN GRAIN INSPECTION POINT

##### Transfer of Designation

*Statement of considerations.*—On August 31, 1973, there was published in the FEDERAL REGISTER (38 FR 23544) a notice announcing that James P. Magers had requested his designation under section 7(f) of the U.S. Grain Standards Act (7 U.S.C. 79(f)) to operate as an official grain inspection agency at Battle Creek, Michigan, be transferred to J. P. Magers, Inc. Interested persons were given until September 30, 1973, to make application for designation to operate as an official inspection agency at Battle Creek, Michigan, and to submit views and comments as to which inspection agency should be designated at Battle Creek.

No applications or comments were received with respect to the August 31, 1973, notice in the FEDERAL REGISTER. Therefore the designation to operate as an official inspection agency is trans-

ferred from James P. Magers to J. P. Magers, Inc.

(Sec. 7, 39 Stat. 482, as amended 82 Stat. 764; 7 U.S.C. 79(f); 37 FR 28464 and 28476.)

Done in Washington, D.C., on October 17, 1973.

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

[FR Doc.73-22522 Filed 10-23-73;8:45 am]

#### TEXAS GRAIN INSPECTION POINT

##### Revocation

*Statement of considerations.*—On August 31, 1973, there was published in the FEDERAL REGISTER (38 FR 23545) a notice announcing a request by the Plainview Grain Inspection and Weighing Service, Inc., Plainview, Texas, that its assignment at Tulia, Texas, as a designated inspection point be revoked in accordance with the provisions of § 26.99 of the regulations (7 CFR 26.99) issued under the U.S. Grain Standards Act (7 U.S.C. *et seq.*). The request was made because of the low volume of grain inspection work at Tulia and the feasibility of meeting inspection needs from Happy, Texas (another designated inspection point assigned to the Plainview Grain Inspection and Weighing Service, Inc.). Interested organizations and persons were given until September 30, 1973, to submit written data, views, or arguments with respect to the proposed revocation.

No comments were received with respect to the August 31, 1973, notice in the FEDERAL REGISTER. Therefore the assignment of Tulia, Texas, as a designated inspection point is revoked without prejudice to the Plainview Grain Inspection and Weighing Service, Inc.

(Sec. 7, 39 Stat. 482, as amended 82 Stat. 764; 7 U.S.C. 79(f); 37 FR 28464 and 28476.)

Done in Washington, D.C., on October 17, 1973.

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

[FR Doc.73-22523 Filed 10-23-73;8:45 am]

[Marketing Agreement 146]

#### PEANUTS; 1973 CROP

##### Outgoing Quality Regulation; Amendment

Pursuant to the provisions of sections 32 and 34 of the marketing agreement regulating the quality of domestically produced peanuts heretofore entered into between the Secretary of Agriculture and various handlers of peanuts (30 FR 9402) and upon recommendation of the Peanut Administrative Committee established pursuant to such agreement and other information, it is hereby found that the amendment hereinafter set forth to the Outgoing Quality Regulation for 1973 Crop Peanuts (38 FR 19054 and 38 FR 26949) will tend to effectuate the objectives of the Agricultural Marketing Agreement Act of 1937, as amended, and of such agreement.



Amendment of paragraph (h) of the Outgoing Quality Regulation is necessary to provide handlers with an additional outlet for shelled peanuts which fail to meet the requirements of the Outgoing Quality Regulation due to excessive damage and minor defects. The amendment would allow handlers to dispose of such peanuts to export if the peanuts are negative as to aflatoxin. Handlers would be required to dispose of any such peanuts that are positive as to aflatoxin to domestic crushing.

Therefore, paragraph (h) of the Outgoing Quality Regulation (38 FR 19054 and 38 FR 26949) is deleted and replaced by the following:

(h) *Peanuts failing quality requirements.*—(1) Handlers may sell to other handlers shelled peanuts (which originated from Segregation 1 peanuts) that fail to meet the Outgoing Quality Regulation requirements heretofore specified. Lots of peanuts disposed of in this manner must be accompanied by a valid grade inspection certificate, an aflatoxin assay certificate and must be positive lot identified. Transactions made in this manner shall be reported to the Committee by both the seller and buyer on a form provided by the Committee. Any such peanuts acquired by handlers pursuant to paragraph (i) of the Incoming Quality Regulation shall be held and milled separate and apart from other receipts or acquisitions of the receiving handler and further disposition shall be regulated by the requirements specified heretofore.

(2) Handlers may blanch or cause to have blanched peanuts failing to meet requirements of the Outgoing Quality Regulation because of excessive damage or minor defects. To be eligible for disposal into human consumption outlets, such peanuts, after blanching, must meet specifications for unshelled peanuts, damaged kernels, and minor defects as listed in the Outgoing Quality Regulation and be accompanied by an aflatoxin certificate determined to be negative by the Committee.

(3) Handlers may dispose of to domestic crushing or export to countries other than Mexico and Canada shelled peanuts which fail to meet requirements of the Outgoing Quality Regulation because of excessive damage and minor defects providing such peanuts will ride the following prescribed screens:

Type	Screen openings	
	Split and broken kernels	Whole kernels
Virginia.....	1 3/4 inch round	1 3/4 x 1 inch slot
Runners.....	1 3/4 inch round	1 3/4 x 3/4 inch slot
Spanish and Valencia.....	1 3/4 inch round	1 3/4 x 5/8 inch slot

Furthermore, such peanuts riding the above screens shall: contain not more than 2.00 percent foreign material; contain not more than 6.00 percent fall through of kernels passing through such prescribed screens; contain not more than a total of 8.00 percent damage and minor defects, including not more than 4.00 percent damage or unshelled kernels; and not contain moisture content exceeding 10.00 percent in the Virginia-Carolina area and 9.00 percent in the Southwestern and Southeastern areas. Each lot of peanuts so disposed of shall be identified by positive lot identification procedures as specified in paragraph (d) except the type and color of tag shall be specified by the Committee and each bag shall be stenciled "For

Crushing Only" as specified by the Committee. Each lot of peanuts so disposed of shall be sampled and assayed for aflatoxin as specified in paragraph (e) and only peanuts determined negative by the Committee and accompanied by a negative certificate may be exported. Any such peanuts not eligible for export due to excessive aflatoxin or which fail to meet the requirements of this paragraph shall be handled and disposed of in the same manner specified for loose shelled kernels, fall through and pickouts in paragraph (d) and such disposition shall be reported to the Committee on such forms and at such times as it prescribes.

The Peanut Administrative Committee has recommended that this amendment be issued as soon as possible so as to implement and effectuate the provisions of the marketing agreement dealing with the Outgoing Quality Regulation. Marketing of the 1973 peanut crop is underway and such regulations for actual operations under the agreement should therefore be modified and made effective as soon as possible, i.e., on the approval date specified herein. Handlers of peanuts who will be affected by such amendment have signed the marketing agreement authorizing the issuance of such regulation, they are represented on the Committee which recommended such amendment and time does not permit prior notice of the proposed amendment to such handlers.

The foregoing amendment of the Outgoing Quality Regulation is hereby approved.

Dated October 17, 1973.

CHARLES R. BRADER,  
Deputy Director,  
Fruit and Vegetable Division.

[FR Doc.73-22520 Filed 10-23-73;8:45 am]

#### Soil Conservation Service

#### SOWASHEE CREEK WATERSHED PROJECT, MISSISSIPPI

#### Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental statement for the Sowashsee Creek Watershed Project, Lauderdale County, Mississippi, USDA-SCS-ES-WS-(ADM)-73-1(F).

The environmental statement concerns a plan for watershed protection, flood prevention, and recreation. The planned works of improvement include conservation land treatment supplemented by 13 floodwater retarding structures, one multiple purpose structure for floodwater retardation and recreation, basic facilities and about 54.2 miles of channel modification.

The final environmental statement was transmitted to CEQ on October 15, 1973.

Copies are available during regular working hours at the following locations:

Soil Conservation Service, USDA, South Agriculture Building, Room 5227, 14th and Independence Avenue SW., Washington, D.C. 20250.

Soil Conservation Service, USDA, Room 502, Milner Building, 310 South Lamar Street, Jackson, Miss. 39201.

Sowashsee Creek Watershed Project, Mississippi, Notice of Availability of Final Environmental Statement.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151. Please use name and number of statement above when ordering. The estimated cost is \$5.70.

Copies of the draft environmental statement have been sent for comment to various Federal, State, and local agencies as outlined in the Council on Environmental Quality Guidelines.

Dated October 17, 1973.

WILLIAM B. DAVEY,  
Deputy Administrator for  
Watersheds Soil Conservation  
Service.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

[FR Doc.73-22517 Filed 10-23-73;8:45 am]

#### DEPARTMENT OF COMMERCE

#### National Technical Information Service FEDERALLY SPONSORED BUSINESS, ECONOMIC AND TECHNICAL REPORTS

#### Pricing Policy

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*Selected categories in microfiche (SCIM) service.*—SCIM is a continuous service that provides subscribers with new reports in their field of interest by matching the subscriber's subject interest with the new reports as they are received. Selected reports are furnished the users in microfiche.

The service offers two options: either selection from standard subject categories, or a custom-built selection.

Subscriptions using standard subject categories are priced at \$0.38 per title (\$0.53 foreign) retrieved. This includes packing and shipping the selected microfiche to the user twice monthly.

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\$100 a year Participation Fee (\$125 foreign).

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\$0.45 per title for each title matching the user's descriptor selection (\$0.60 foreign). This includes packing and shipping the selected microfiche to the user twice monthly.

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**Data base lease.**—NTIS has implemented a new service whereby its GRA bibliographic data base in magnetic tape form is made accessible to customers through a lease agreement.

Participation may be initiated by entering into a written lease agreement.

For precise information of fees and terms of agreement, contact the Manager, NTISearch Program, NTIS, 5285 Port Royal Road, Springfield, Virginia 22151; telephone 703-451-0560.

WILLIAM T. KNOX,  
Director.

[FR Doc. 73-22559 Filed 10-23-73; 8:45 am]

## GOVERNMENT-OWNED INVENTIONS

### Availability for Licensing

The inventions listed below are owned by the U.S. Government and are available for licensing in accordance with the GSA Patent Licensing Regulations.

Copies of Patent applications, either paper copy (PC) or microfiche (MF), can be purchased from the National Technical Information Service (NTIS), Springfield, Virginia 22151, at the prices cited. Requests for copies of patent applications must include the Patent application number and the title. Requests for licensing information should be directed to the address cited with each copy of the patent application.

Paper copies of patents cannot be purchased from NTIS but are available from the Commissioner of Patents, Washington, D.C. 20231, at \$0.50 each. Requests for licensing information should be directed to the address cited below for each agency.

DOUGLAS J. CAMPION,  
Patent Program Coordinator,  
National Technical Information Service.

U.S. DEPARTMENT OF THE INTERIOR: Branch of Patents; 18th and C Streets NW.; Washington, D.C. 20240.

Patent application 357,742: Method of Detecting Mine Rock Fractures by Gas Injection; filed June 25, 1973; PC \$3.00/MF \$1.45.

Patent application 357,743: Method of Evaluating Mine Rock Fractures by Gas Injection and Flow Logging; filed June 25, 1973; PC \$3.00/MF \$1.45.

Patent application 382,248: System for Packing Particulate Material into Long Cylindrical Containers; filed July 24, 1973; PC \$3.00/MF \$1.45.

Patent application 369,681: Rigid Testing Machine; filed June 25, 1973; PC \$3.00/MF \$1.45.

Patent 3,728,671: Multiple-Electrode Directional, Acoustic Source; filed April 30, 1970, Patented April 17, 1973; not available NTIS.

U.S. Atomic Energy Commission; Assistant General Counsel for Patents; Washington, D.C. 20545.

Patent application 222,785: Electrical Wave Pumped Pulsed Laser; filed February 2, 1972; PC \$3.00/MF \$1.45.

Patent application 303,552: Non-destructive Analysis of Fuel Pins; filed November 3, 1972; PC \$3.00/MF \$1.45.

Patent 3,577,344: Fibrous Thermal Insulation and Method of Making Same; filed January 29, 1969, Patented May 4, 1971; not available NTIS.

Patent 3,724,378: Retarded Glide Bomb; filed December 15, 1970, Patented April 3, 1973; not available NTIS.

Patent 3,736,430: Position Indicating System and Method Therefor; filed October 23, 1969, Patented May 29, 1973; not available NTIS.

Patent 3,737,689: Power Conditioner; filed August 30, 1965, Patented June 5, 1973; not available NTIS.

Patent 3,739,261: Method for Measuring the Amount of Cold Working in a Stainless Steel Sample; filed June 28, 1971, Patented June 12, 1973; not available NTIS.

U.S. DEPARTMENT OF THE AIR FORCE: AF/JACP; Washington, D.C. 20314.

Patent 2,851,876: Ultrasonic Apparatus for the Non-Destructive Evaluation of Structural Bonds; filed March 11, 1955, Patented September 16, 1958; not available NTIS.

Patent 2,912,958: Acoustic Siren for Generating Wide Band Noise; filed July 11, 1958, Patented November 17, 1959; not available NTIS.

Patent 2,954,793: Pressure Compensated Inhalation-Exhalation Valve for Pressure Breathing Mask; filed September 12, 1958, Patented October 4, 1960; not available NTIS.

Patent 2,957,350: Pressure Transducer; filed July 11, 1955, Patented October 25, 1960; not available NTIS.

Patent 2,961,918: High Speed Camera; filed October 22, 1958, Patented November 29, 1960; not available NTIS.

Patent 2,984,809: Tube Socket for Printed Circuits; filed July 22, 1957, Patented May 16, 1961; not available NTIS.

Patent 2,985,473: Floating Seal; filed November 19, 1957, patented May 23, 1961; not available NTIS.

Patent 2,995,792: Quick Release Mechanism; filed February 6, 1959, patented August 15, 1961; not available NTIS.

Patent 3,000,468: Mechanical Timing Unit; filed June 20, 1956, patented September 19, 1961; not available NTIS.

Patent 3,005,966: Printed Circuit Delay Line; filed June 17, 1960, patented October 24, 1961; not available NTIS.

Patent 3,012,470: High Speed Stereoscopic Camera; filed December 4, 1959, patented December 12, 1961; not available NTIS.

Patent 3,016,735: Structural Bond Evaluation; filed June 17, 1958, patented January 16, 1962; not available NTIS.

Patent 3,029,685: High Speed Camera; filed October 21, 1959, patented April 17, 1962; not available NTIS.

Patent 3,040,627: Rotating Mirror; filed March 3, 1961, patented June 25, 1962; not available NTIS.

Patent 3,066,342: Smear Test Sampler for Radioactive and Bacteriological Surveys; filed December 4, 1962, patented December 4, 1969; not available NTIS.

Patent 3,072,094: Acoustic Siren for Generating Wide Band Noise with Improved Efficiency; filed February 12, 1960, patented January 8, 1963; not available NTIS.

Patent 3,078,708: Tensile Cryostat; filed August 21, 1961, patented February 26, 1963; not available NTIS.

Patent 3,119,172: Method of Making An Electrical Connection; filed May 15, 1959, Patented January 28, 1964; not available NTIS.

Patent 3,187,556: Automatic Recording Vicat Type Apparatus for Heat Distortion and Melting Point Determination; filed August 7, 1962, patented June 8, 1965; not available NTIS.

Patent 3,297,414: Method for Making High Purity Fine Particle Oxides; filed June 30, 1964, patented January 10, 1967; not available NTIS.

Patent 3,540,945: Permanent Magnets; filed June 11, 1968, patented November 17, 1970; not available NTIS.

U.S. DEPARTMENT OF THE ARMY: Chief, Patents Division; Office of the Judge Advocate General; Patent Division Rm 2C-455; Pentagon; Washington, D.C. 20310.

Patent 3,398,316: Infrared Imaging Device with Photoconductive Target; filed August 4, 1955, patented August 20, 1968; not available NTIS.

Patent 3,537,004: Automatic Meter Range Changer; filed January 21, 1969, patented October 27, 1970; not available NTIS.

Patent 3,539,308: Composite Aluminum Armor Plate; filed June 15, 1967, patented November 10, 1970; not available NTIS.

Patent 3,539,833: Logic Circuit for use with Adaption Kits and Like Missile Devices; filed October 26, 1967, patented November 10, 1970; not available NTIS.

Patent 3,557,698: Photoflash Bomb; filed January 28, 1953, patented January 26, 1971; not available NTIS.

Patent 3,567,859: Capacitively Coupled Graphic Input System; filed February 16, 1968, patented March 2, 1971; not available NTIS.

Patent 3,568,188: Continuous Wave Radar with Means for Indicating Moving Target Direction; filed March 7, 1967, patented March 2, 1971; not available NTIS.

Patent 3,568,703: Supersonic Jet Engine Inlet Fluectic Bypass Control; filed April 7, 1969, patented March 9, 1971; not available NTIS.

Patent 3,572,088: Device for Conversion of Ultrasonic Images into Visible Displays; filed February 20, 1968, patented March 23, 1971; not available NTIS.

Patent 3,572,095: Apparatus for Measuring Detonation Velocities in Explosives; filed April 9, 1969, patented March 23, 1971; not available NTIS.

Patent 3,572,246: Detonating Fuze System; filed October 23, 1968, patented March 23, 1971; not available NTIS.

Patent 3,572,482: Automatic Clutch and Brake for Hoists; filed January 3, 1969, patented March 30, 1971; not available NTIS.

Patent 3,573,180: Method of Initiating Polymerization Electrolytically; filed November 3, 1967, patented March 30, 1971; not available NTIS.

Patent 3,577,086: Generator of Delayed Sequences Employing Shift Register Techniques; filed September 30, 1968, patented May 4, 1971; not available NTIS.

Patent 3,577,105: Method and Apparatus for Joining Plated Dielectric-Form Waveguide Components; filed May 29, 1969, patented May 4, 1971; not available NTIS.

Patent 3,578,185: Mechanized Vehicle System; filed September 9, 1969, patented May 11, 1971; not available NTIS.

Patent 3,578,468: Solution for Depositing an Electroless Cobalt Alloy; filed March 1, 1968, patented May 11, 1971; not available NTIS.

Patent 3,578,842: Exploding Mirror for Optical Viewing System; filed October 8, 1968, patented May 18, 1971; not available NTIS.

Patent 3,580,069: Subsonic Fluidic Angle-of-Attack Sensor; filed June 9, 1969, patented May 25, 1971; not available NTIS.

Patent 3,583,593: Variable Level Coagulant Reservoir for Self-Sealing Fuel Tanks; filed September 23, 1969, patented June 8, 1971; not available NTIS.

Patent 3,593,767: Barrier Container; filed February 4, 1969, patented July 20, 1971; not available NTIS.

Patent 3,597,829: Method of Making a Nickel Hydroxide Electrode; filed March 18, 1969, patented August 10, 1971; not available NTIS.



Patent 3,601,934: Wind Apron for Air Supported Shelters; filed July 29, 1969, patented August 31, 1971; not available NTIS.

Patent 3,602,041: Engine Wear Life Measurement; filed May 28, 1969, patented August 31, 1971; not available NTIS.

Patent 3,602,845: Slot Line Nonreciprocal Phase Shifter; filed January 27, 1970, patented August 31, 1971; not available NTIS.

Patent 3,607,054: Method for Extending the Growth of Vapor-Liquid-Solid Grown Crystals; filed May 5, 1969, patented September 21, 1971; not available NTIS.

Patent 3,608,434: Dual Area Hydraulic Actuator; filed January 13, 1970, patented September 28, 1971; not available NTIS.

Patent 3,609,598: Periodically Loaded Ferrite Phase Shifter; filed March 19, 1970, patented September 28, 1971; not available NTIS.

Patent 3,610,095: Rocket Means for Driving a Free Punch; filed June 29, 1967, patented October 5, 1971; not available NTIS.

Patent 3,611,231: Q-Switched Frequency Doubling Laser; filed November 17, 1969, patented October 5, 1971; not available NTIS.

Patent 3,611,396: Dual Waveguide Horn Antenna; filed June 18, 1970, patented October 5, 1971; not available NTIS.

Patent 3,613,191: Missile Cover and Method of Making the Cover; filed December 1, 1969, patented October 19, 1971; not available NTIS.

Patent 3,614,125: Utilized High-Mobility Suspension and Drive System for Track Vehicles; filed March 31, 1970, patented October 19, 1971; not available NTIS.

Patent 3,615,407: Method of Treating a Sintered Photoconductor; filed November 21, 1968, patented October 26, 1971; not available NTIS.

Patent 3,616,246: Use of Absorptive Materials for the Production of Fungus Spores; filed August 24, 1964, patented October 26, 1971; not available NTIS.

Patent 3,616,300: Composites Including Electroconductive Reinforcing Material Formed by Electrodeposition and Method of Forming the Composites; filed August 13, 1969, patented October 26, 1971; not available NTIS.

Patent 3,616,382: Process for Making Ozone; filed November 4, 1969, patented October 26, 1971; not available NTIS.

Patent 3,617,586: Burning Rate Accelerating Method; filed December 30, 1963, patented November 2, 1971; not available NTIS.

Patent 3,617,710: Multiplex Digital Laser Generator; filed November 17, 1969, patented November 2, 1971; not available NTIS.

Patent 3,617,909: Electrostatic Lens and Feed-Through; filed December 23, 1969, patented November 2, 1971; not available NTIS.

Patent 3,617,922: Crystal Oscillator with Phase Control Loop Including a Crystal Discriminator; filed May 28, 1970, patented November 2, 1971; not available NTIS.

Patent 3,620,278: Hybrid Pneumatic-Mechanical Variable Configuration Wheel; filed December 16, 1969, patented November 16, 1971; not available NTIS.

Patent 3,621,460: Sputtered Vapor Laser; filed July 6, 1970, patented November 16, 1971; not available NTIS.

Patent 3,622,828: Flat Display Tube with Addressable Cathode; filed December 1, 1969, patented November 23, 1971; not available NTIS.

Patent 3,624,522: Glass Laser Coupling Reflector; filed August 5, 1969, patented November 30, 1971; not available NTIS.

Patent 3,628,250: Mechanical Spherical Triangle Computer; filed October 16, 1969, patented December 21, 1971; not available NTIS.

Patent 3,628,268: Pure Fluid Display; filed May 28, 1970, patented December 21, 1971; not available NTIS.

Patent 3,628,861: Multibeam Optical Wave Transmission; filed August 4, 1969, patented December 21, 1971; not available NTIS.

Patent 3,629,915: Chemical Agent Detector Holder and Method of Testing Air and Liquids for Chemical Agent Contamination; filed July 3, 1969, patented December 21, 1971; not available NTIS.

Patent 3,629,601: High-Resolution Optical Upconverter; filed May 15, 1970, patented December 21, 1971; not available NTIS.

Patent 3,630,901: Grease Compositions; filed September 24, 1969, patented December 28, 1971; not available NTIS.

Patent 3,633,941: Replaceable Shock-Mounted Kingpin Installation; filed March 13, 1970, patented January 11, 1972; not available NTIS.

Patent 3,634,101: Fresh Peach Flavor Additive Composition and Method of Enhancing the Flavor of Freeze-Dehydrated Peaches; filed May 27, 1969, patented January 11, 1972; not available NTIS.

Patent 3,637,658: Processing RDX and HMX; filed November 26, 1968, patented January 25, 1972; not available NTIS.

Patent 3,642,449: Detector Composition and Method; filed July 2, 1969, patented February 15, 1972; not available NTIS.

Patent 3,642,981: Toxic Chemical Vaccines; filed May 4, 1970, patented February 15, 1972; not available NTIS.

Patent 3,645,160: Quick Release Pin; filed October 7, 1969, patented February 29, 1972; not available NTIS.

Patent 3,645,759: Method of Packing Flexible Packages in a Cylindrical Container; filed June 25, 1970, patented February 29, 1972; not available NTIS.

Patent 3,646,335: Recorder Correlator Using Scanning Recorder Devices; filed February 11, 1969, patented February 29, 1972; not available NTIS.

Patent 3,646,358: Optical Upconverter; filed May 15, 1970, patented February 29, 1972; not available NTIS.

Patent 3,650,909: Method of Forming a Polymer Coating; filed May 27, 1970, patented March 21, 1972; not available NTIS.

Patent 3,657,076: Method of Bonding Quartz to Metal; filed December 17, 1970, patented April 18, 1972; not available NTIS.

Patent 3,657,363: Process for the Deuteration of the Hydroxyl of Organic Alcohols; filed September 15, 1967, patented April 18, 1972; not available NTIS.

Patent 3,657,534: Digital Scale for Tomography and Method of Using Same; filed March 12, 1970, patented April 18, 1972; not available NTIS.

Patent 3,661,676: Production of Single Crystal Aluminum Oxide; filed May 4, 1970, patented May 9, 1972; not available NTIS.

Patent 3,663,243: Composition Utilized in Image Development System; filed May 20, 1970, patented May 16, 1972; not available NTIS.

Patent 3,663,337: Method and Apparatus for Making Spiral Reefed Parachutes; filed September 2, 1970, patented May 16, 1972; not available NTIS.

Patent 3,663,896: Ferrofluid Ultrasonic Signal Modulator; filed August 17, 1970, patented May 16, 1972; not available NTIS.

Patent 3,664,811: Preparation of Aluminum Hydride by Hydrogenation of Aluminum in Presence of a Dialkyl Aluminum Hydride; filed December 23, 1968, patented May 23, 1972; not available NTIS.

Patent 3,664,958: Grease compositions; filed September 26, 1969, patented May 23, 1972; not available NTIS.

Patent 3,665,749: Shock Machine; filed July 27, 1970, patented May 30, 1972; not available NTIS.

Patent 3,666,263: Pneumatic Level Sensing Device; filed August 17, 1970, patented May 30, 1972; not available NTIS.

Patent 3,667,103: Apparatus for Inserting Terminals in an Apertured Plate; filed July 21, 1970, patented June 6, 1972; not available NTIS.

Patent 3,667,297: Fluoric Temperature Sensor; filed May 21, 1969, patented June 6, 1972; not available NTIS.

Patent 3,667,471: Surgical Clamp; filed August 15, 1969, patented June 6, 1972; not available NTIS.

Patent 3,667,850: Flare Radiometer; filed November 23, 1970, patented June 6, 1972; not available NTIS.

Patent 3,667,948: Topographic Map and Process for Symbolizing Photographs; filed June 6, 1969, patented June 6, 1972; not available NTIS.

Patent 3,668,174: Heat Resistant Coating for Solder Connections; filed January 27, 1971, patented June 6, 1972; not available NTIS.

Patent 3,618,093: Obstacle Detection Radar System; filed March 14, 1963, patented November 2, 1971; not available NTIS.

Patent 3,668,590: Long Pulse Diurnal Timer; filed May 25, 1971, patented June 6, 1972; not available NTIS.

[FR Doc. 73-22570 Filed 10-23-73; 8:45 am]

## GOVERNMENT-OWNED INVENTIONS

## Notice of Availability for Licensing

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Copies of Patent applications, either paper copy (PC) or microfiche (MF), can be purchased from the National Technical Information Service (NTIS), Springfield, Virginia 22151, at the prices cited. Requests for copies of patent applications must include the patent application number and the title. Requests for licensing information should be directed to the address cited with each copy of the patent application.

Paper copies of patents cannot be purchased from NTIS but are available from the Commissioner of Patents, Washington, D.C. 20231, at \$0.50 each. Requests for licensing information should be directed to the address cited below for each agency.

DOUGLAS J. CAMPION,  
Patent Program Coordinator,  
National Technical Information Service.

U.S. DEPARTMENT OF THE ARMY; Chief, Patents Division, Office of Judge Advocate General, Patent Division Room 2C-455, Pentagon, Washington, D.C. 20310.

Patent 3,224,121: Apparatus for Optimizing Dredge Production; filed January 29, patented December 21, 1965; not available NTIS.

Patent 3,228,287: Device for Compiling Information from an Anaglyph; filed February 9, 1960, patented January 11, 1966; not available NTIS.

Patent 3,517,144: Integrated Circuit Package Programmable Test Socket; filed January 23, 1969, patented June 23, 1970; not available NTIS.

Patent 3,539,871: Circuit Protecting, Gas-Tube, Discharge Interrupter; filed January 15, 1969, patented November 10, 1970; not available NTIS.



Patent 3,539,968: Microwave Connector; filed July 23, 1968, patented November 10, 1970; not available NTIS.

Patent 3,545,251: Controlled Axial Impact Testing Apparatus; filed December 24, 1968, patented December 8, 1970; not available NTIS.

Patent 3,547,031: Rocket Means for Driving a Free Punch; filed August 10, 1965, patented December 15, 1970; not available NTIS.

Patent 3,549,422: Rechargeable Metal-Air Battery; filed December 2, 1968, patented December 22, 1970; not available NTIS.

Patent 3,551,719: Arc Lamp with Concentric Electrodes; filed January 7, 1969, patented December 29, 1970; not available NTIS.

Patent 3,551,843: Noncavity Laser Configuration; filed January 8, 1969, patented December 29, 1970; not available NTIS.

Patent 3,553,661: First-In, First-Out Memory; filed June 27, 1967, patented January 5, 1971; not available NTIS.

Patent 3,554,005: Continuous Tape Sampler; filed June 10, 1968, patented January 12, 1971; not available NTIS.

Patent 3,554,007: Abrasion Tester and Method of Testing Abrasion Resistance of Flexible Sheet Material; filed August 7, 1969, patented January 12, 1971; not available NTIS.

Patent 3,554,008: Pressure Vessel Apparatus; filed July 1, 1969, patented January 12, 1971; not available NTIS.

Patent 3,555,412: Probe for Detection of Surface Cracks in Metals Utilizing a Hall Probe; filed November 26, 1968, patented January 12, 1971; not available NTIS.

Patent 3,555,438: Digital Filter and Pulse Width Discriminator; filed August 29, 1969, patented January 12, 1971; not available NTIS.

Patent 3,561,097: Explosive Spot Welding Method and Means Using Angular Orientation at the Welded Junction; filed May 6, 1968, patented February 9, 1971; not available NTIS.

Patent 3,561,129: North-Seeking System; filed December 27, 1966, patented February 9, 1971; not available NTIS.

Patent 3,561,461: Fluidic Demodulator; filed June 3, 1968, patented February 9, 1971; not available NTIS.

Patent 3,561,842: Light Disrupter; filed April 30, 1965, patented February 9, 1971; not available NTIS.

Patent 3,600,170: Image Forming Material and Method of Forming an Image Therefrom; filed September 2, 1969, patented August 17, 1971; not available NTIS.

Patent 3,603,716: Superconducting R.F. Radiation Shield for High Q Circuits; filed June 27, 1969, patented September 7, 1971; not available NTIS.

Patent 3,604,647: Machine for Winding Bobbins; filed December 30, 1969, patented September 14, 1971; not available NTIS.

Patent 3,607,474: Method of Making an Optical Mask for Reproducing Circuit Boards; filed January 26, 1968, patented September 21, 1971; not available NTIS.

Patent 3,607,850: Polymers of Conjugated Fluorinated Dienes and Method of Making. Using as the Catalyst a Rhodium Salt or Complex; filed April 8, 1969, patented September 21, 1971; not available NTIS.

Patent 3,611,391: Cassegrain Antenna with Dielectric Guiding Structure; filed May 27, 1970, patented October 5, 1971; not available NTIS.

Patent 3,612,041: Apparatus for Detecting Ventricular Fibrillation; filed July 25, 1969, patented October 12, 1971; not available NTIS.

Patent 3,613,889: Floating Settler for Separation of Liquid and Solid Phases; filed June

16, 1970, patented October 19, 1971; not available NTIS.

Patent 3,613,935: Closure and Method of Making the Same; filed March 28, 1967, patented October 19, 1971; not available NTIS.

Patent 3,619,906: Oscillating North-Seeking Platform; filed May 5, 1969, patented November 16, 1971; not available NTIS.

Patent 3,620,089: Fluidic Gyro Caging and Nulling Device; filed November 6, 1969, patented November 16, 1971; not available NTIS.

Patent 3,620,539: Moisture-Proof Wire Holder; filed August 23, 1968, patented November 16, 1971; not available NTIS.

Patent 3,620,623: Optical System for Inter-mixing Dissimilar Step-and-Repeat Patterns; filed April 24, 1970, patented November 16, 1971; not available NTIS.

Patent 3,622,785: Intraoral Minimal Radiation Fluoroscope; filed March 3, 1970, patented November 23, 1971; not available NTIS.

Patent 3,628,355: Eccentric-Ring Combination Lock; filed September 9, 1970, patented December 21, 1971; not available NTIS.

Patent 3,629,659: Gas Tube Isolator and Charging Circuit for Pulse Amplifiers in Phased Arrays; filed December 4, 1970, patented December 21, 1971; not available NTIS.

Patent 3,632,355: Method of Controlling Leavening in a Bakery Mix at Varying Elevations; filed June 16, 1970, patented January 4, 1972; not available NTIS.

Patent 3,633,403: High-Frequency Viscoelastic Vibrator; filed February 6, 1970, patented January 11, 1972; not available NTIS.

Patent 3,639,241: Grease Compositions; filed September 26, 1969, patented February 1, 1972; not available NTIS.

Patent 3,645,261: Drinking and Resuscitation Mask; filed August 4, 1970, patented February 29, 1972; not available NTIS.

Patent 3,645,693: Chemical Detector; filed November 3, 1969, patented February 29, 1972; not available NTIS.

Patent 3,645,833: Article and Method of Quasimotropic Core Filaments; filed May 20, 1970, patented February 29, 1972; not available NTIS.

Patent 3,645,905: Corrosion Inhibited Multi-Purpose Metal Cleaner; filed December 1, 1969, patented February 29, 1972; not available NTIS.

Patent 3,646,446: Binary Information Receiver for Detecting a Phase Modulated Carrier Signal; filed November 12, 1969, patented February 29, 1972; not available NTIS.

Patent 3,657,059: Quasi-Isotropic Sandwich Core; filed May 20, 1970, patented April 18, 1972; not available NTIS.

Patent 3,663,783: Safety Load and Temperature Control System for Microwave Ovens; filed December 7, 1970, patented May 16, 1972; not available NTIS.

Patent 3,666,898: Quiet Listen/Talk Adaptors for Handsets of Other Typical Phones; filed December 10, 1970, patented May 30, 1972; not available NTIS.

Patent 3,666,925: Coded Tape and Open Contact Sensing Circuit; filed May 21, 1971, patented May 30, 1972; not available NTIS.

Patent 3,668,293: Molecular Frequency Standard; filed March 17, 1970, patented June 6, 1972; not available NTIS.

Patent 3,672,218: System for Measuring Temperature of a Cryogenic Environment; filed January 26, 1971, patented June 27, 1972; not available NTIS.

Patent 3,672,975: Copolymerization of Polyacrylic Acid Within Nylon Structures; filed June 9, 1970, patented June 27, 1972; not available NTIS.

Patent 3,672,980: Method of Rapidly Detecting Contaminated Semiconductor Surfaces; filed December 1, 1970, patented June 27, 1972; not available NTIS.

[FR Doc.73-22558 Filed 10-23-73;8:45 am]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### National Institutes of Health NATIONAL CANCER INSTITUTE, PRESIDENT'S CANCER PANEL

#### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the President's Cancer Panel, National Cancer Institute, November 19, 1973, 9:30 a.m. to 12:30 p.m., National Institutes of Health, Building 31, Conference Room 2. This meeting will be open to the public from 9:30 a.m. to 12:30 p.m. for a report from the Director, National Cancer Institute and to discuss the Centers Program. Attendance by the public will be limited to space available.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014, 301-496-1911, will furnish summaries of the open meeting and roster of committee members.

Dr. Richard A. Tjalma, Executive Secretary, Building 31, Room 11A46, National Institutes of Health, Bethesda, Maryland 20014, 301-496-5854, will provide substantive program information.

Dated October 16, 1973.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.73-22548 Filed 10-23-73;8:45 am]

### Social Security Administration

#### ADVISORY COMMITTEE ON MEDICARE ADMINISTRATION, CONTRACTING, AND SUBCONTRACTING

##### Notice of Public Meeting

Notice is hereby given, pursuant to Pub. L. 92-463, that the Advisory Committee on Medicare Administration, Contracting, and Subcontracting, established pursuant to section 1114(f) of the Social Security Act, as amended, which advises the Secretary of Health, Education, and Welfare on Medicare matters, will meet on Monday, November 5, 1973, at 10 a.m., in room G-10 East Building, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland. The meeting is open to the public. The Committee will discuss future directions of inquiry and its report to the Secretary of Health, Education, and Welfare.

Further information on the Committee may be obtained from Mr. Max Perlman, Executive Secretary of the Committee, Room 585, East Building, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235, telephone 301-594-9134. Members of the public planning to attend should send written



notice of intent to the Executive Secretary.

(Catalog of Federal Domestic Assistance Program No. 13.800, Health Insurance for the Aged—Hospital Insurance; and 13.801, Health Insurance for the Aged—Supplementary Medical Insurance.)

Dated October 15, 1973.

MAX PERLMAN,  
Executive Secretary, Advisory  
Committee on Medicare Ad-  
ministration, Contracting and  
Subcontracting.

[FR Doc. 73-22736 Filed 10-23-73; 8:45 am]

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Interstate Land Sales  
Registration

[Docket No. N-73-205]

CLIFFSIDE SUBDIVISION, ET AL.

### Notice of Hearing

Notice is hereby given that:

1. Cliffside Properties, Inc., W. W. Litton, President, its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. Law 90-448) (15 U.S.C. 1701 et seq.), received a Notice of Proceedings and Opportunity for Hearing dated September 19, 1973, which was sent to the developer pursuant to 15 U.S.C. 1706(d) and 24 CFR 1710.45(b) (1) informing the developer of information obtained in the Office of Interstate Land Sales Registration showing that a change had occurred which affected material facts in the Developer's Statement of Record for Cliffside Subdivision, located in Kanawha County, West Virginia, and the failure of the Developer to amend the pertinent sections of the Statement of Record and Property Report.

2. The Respondent filed an answer October 4, 1973, in answer to the allegations of the Notice of Proceedings and Opportunity for a Hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Proceedings and Opportunity for a Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(b), *It is hereby ordered*, That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Administrative Law Judge David Knight, in Room 2251, Department of HUD Building, 451 7th Street SW., Washington, D.C., on October 26, 1973, at 10:00 a.m. and that a prehearing conference be held at 10:00 a.m. October 24, 1973, in room 2151.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C. 20410, on or before October 19, 1973.

5. The Respondent is *hereby notified*, That failure to appear at the above

scheduled hearing shall be deemed a default and the proceeding shall be determined against Respondent, the allegations of which shall be deemed to be true, and an order Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45(b) (1).

This Notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

By the Secretary.

Dated October 16, 1973.

GEORGE K. BERNSTEIN,  
Interstate Land Sales  
Administrator.

[FR Doc. 73-22561 Filed 10-23-73; 8:45 am]

[Docket No. N-73-204]

LAUREL MOUNTAIN VILLAGE, ET AL.

### Notice of Hearing

Notice is hereby given that:

1. Laurel Mountain Development Corporation, Alan R. Patterson, President, its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. Law 90-448) (15 U.S.C. 1701 et seq.), received a Notice of Proceedings and Opportunity for Hearing dated September 19, 1973, which was sent to the developer pursuant to 15 U.S.C. 1706(d) and 24 CFR 1710.45(b) (1) informing the developer of information obtained by the Office of Interstate Land Sales Registration showing that a change had occurred which affected material facts in the Developer's Statement of Record for Laurel Mountain Village, located in Somerset County, Pennsylvania, and the failure of the Developer to amend the pertinent sections of the Statement of Record and Property Report.

2. The Respondent filed an answer October 5, 1973, in answer to the allegations of the Notice of Proceedings and Opportunity for a Hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in a Notice of Proceedings and Opportunity for a Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(b), *It is ordered*, That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Administrative Law Judge David Knight, in Room 7155, Department of HUD Building, 451 7th Street SW., Washington, D.C., on October 29, 1973, at 10:00 a.m. for a prehearing and 2:00 p.m. for a hearing.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C. 20410, on or before October 22, 1973.

5. The Respondent is *hereby notified*, That failure to appear at the above scheduled hearing shall be deemed a default and the proceedings shall be deter-

mined against Respondent, the allegations of which shall be deemed to be true, and an order Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45(b) (1).

This Notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

By the Secretary.

Dated October 16, 1973.

GEORGE K. BERNSTEIN,  
Interstate Land Sales  
Administration.

[FR Doc. 73-22560 Filed 10-23-73; 8:45 am]

## ATOMIC ENERGY COMMISSION

### PROGRAM FOR THE MANAGEMENT OF COMMERCIAL-GENERATED HIGH- LEVEL RADIOACTIVE WASTE

#### Preparation of Environmental Impact Statement

Notice is hereby given that in accordance with the National Environmental Policy Act the U.S. Atomic Energy Commission has commenced the preparation of a draft environmental impact statement on its program for developing repositories for interim and ultimate storage by the AEC of commercially-generated high-level radioactive waste. This statement will not discuss the impact of specific high-level waste repositories since sites have not been chosen. Environmental statements on all such repositories will be prepared and issued when they are proposed for Congressional authorization and appropriations.

Copies of documents to be utilized in the preparation of this draft environmental impact statement will be available for inspection at the AEC Public Document Rooms at 1717 H Street NW., Washington, D.C. 20545, and at 1333 Broadway, Oakland, California 94612.

All interested persons desiring to submit suggestions for consideration in connection and the preparation of the draft environmental impact statement should send them in duplicate to Dr. James L. Liverman, Assistant General Manager for Biomedical and Environmental Research and Safety Programs, U.S. Atomic Energy Commission, Washington, D.C. 20545, on or before December 10, 1973.

Dated at Germantown, Maryland, this 17th day of October 1973.

For the Atomic Energy Commission.

PAUL C. BENDER,  
Secretary of the Commission.

[FR Doc. 73-22495 Filed 10-23-73; 8:45 am]

### PAUL W. McDANIEL

#### Certification as Representative Agent

Pursuant to the proviso contained in section 207 of Title 18 USC (P.L. 87-849, 76 Stat. 1124), having found that Dr. Paul W. McDaniel, formerly Director, Division of Research, Atomic Energy Commission, and presently the President of Argonne Universities Association (AUA) possesses outstanding scientific



qualifications, I certify that the national interest would be served by the said Dr. McDaniel acting as agent for or appearing personally before the Atomic Energy Commission on behalf of AUA in connection with the operation of the Argonne National Laboratory under Contract No. W-31-109-Eng-38 on matters in which he participated personally and substantially or which were under his official responsibility as an employee of the Atomic Energy Commission.

This certification is directed to be published in the FEDERAL REGISTER.

Dated October 11, 1973.

R. E. HOLLINGSWORTH,  
General Manager.

[FR Doc.73-22496 Filed 10-23-73;8:45 am]

#### ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

Subcommittee on Indian Point Nuclear Station Unit 3; Meeting

OCTOBER 19, 1973.

In accordance with the purposes of section 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b.), the Advisory Committee on Reactor Safeguards Subcommittee on Indian Point Nuclear Station Unit 3 will hold a meeting on November 7, 1973, in Room 1046, at 1717 H Street NW., Washington, D.C. The purpose of this meeting will be to continue the Committee's formal Operating License review of Indian Point Unit 3. This facility is located at Buchanan, New York.

The following constitutes that portion of the Subcommittee's agenda for the above meeting which will be open to the public:

WEDNESDAY, NOVEMBER 7, 9:30 A.M.-3:30 P.M.

The Subcommittee will hear presentations by Regulatory Staff and representatives of Consolidated Edison Company of New York and their representatives and hold discussions with these groups pertinent to issuance of an Operating License for Indian Point Unit 3.

In connection with the above agenda item, the Subcommittee will hold an executive session beginning at 8:30 a.m. which will involve a discussion of its preliminary views, and an executive session at the end of the day, consisting of an exchange of opinions of the Subcommittee members present and internal deliberations for the purpose of formulation of recommendations to the ACRS. In addition, prior to the executive session at the end of the day, the Subcommittee may hold a closed session with the Regulatory Staff and applicant to discuss privileged information relating to plant security and fuel/emergency core cooling system performance, if necessary.

I have determined, in accordance with subsection 10(d) of Public Law 92-463, that the executive session at the beginning and end of the meeting will consist of an exchange of opinions and formulation of recommendations, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b)

and that a closed session may be held, if necessary, to discuss certain information relating to plant security and fuel/emergency core cooling system performance which is privileged and falls within exemption (4) of 5 U.S.C. 552(b). It is essential to close such portions of the meeting to protect such privileged information and protect the free interchange of internal views and to avoid undue interference with agency or Committee operation.

Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman of the Subcommittee is empowered to conduct the meeting in a manner that in his judgment will facilitate the orderly conduct of business.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda item may do so by mailing 25 copies thereof, postmarked no later than October 31, 1973, to the Executive Secretary, Advisory Committee on Reactor Safeguards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Such comments shall be based upon the Preliminary Safety Analysis Report and related documents on file and available for public inspection at the Atomic Energy Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545, and the Hendrick Hudson Free Library, 31 Albany Post Road, Montrose, New York 10548.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement and shall set forth reasons justifying the need for such oral statement and its usefulness to the Subcommittee. To the extent that the time available for the meeting permits, the Subcommittee will receive oral statements during a period of no more than 30 minutes at an appropriate time, chosen by the Chairman of the Subcommittee, between the hours of 1:30 p.m. and 3:00 p.m. on the day of the meeting.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Subcommittee who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to whether the meeting has been cancelled or rescheduled and in regard to the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call on November 6, 1973, to the Office of the Executive Secretary of the Committee (telephone 301-973-5651) between 8:30 a.m. and 5:15 p.m., Eastern Standard Time.

(e) Questions may be propounded only by members of the Subcommittee and its consultants.

(f) Seating for the public will be available on a first-come, first-served basis.

(g) The use of still, motion picture, and television cameras, the physical installation and presence of which will not interfere with the conduct of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in session.

(h) A copy of the transcript of the open portions of the meeting will be available for inspection during the following workday at the Atomic Energy Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545, and within approximately nine days at the Hendrick Hudson Free Library, 31 Albany Post Road, Montrose, New York 10548. On request, copies of the minutes of the meeting will be made available for inspection at the Atomic Energy Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545, on or after January 7, 1973. Copies may be obtained upon payment of appropriate charges.

JOHN C. RYAN,  
Advisory Committee  
Management Officer.

[FR Doc.73-22741 Filed 10-23-73;10:13 am]

#### ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

Subcommittee on Seismic Activity;  
Modification of Agenda

OCTOBER 19, 1973.

The FEDERAL REGISTER notice, published in 38 FR 28104 and 28105 (October 11, 1973), relating to the ACRS Seismic Activity Subcommittee Meeting on October 26, 1973, is revised to include an additional topic for discussion.

The subject scheduled for discussion is a draft of a proposed Regulatory Guide, "Instrumentation for Earthquakes" (Proposed Revision 1 of Regulatory Guide 1.12).

I have determined, in accordance with subsection 10(d) of Public Law 92-463, that the subject matter of the discussion will be a draft document which falls within exemption (5) of 5 U.S.C. 552(b) and that the discussion of this document will consist of an exchange of opinions, which, if written, would fall within exemption (5) of 5 U.S.C. 552(b). It is essential to close this portion of the meeting to protect the free interchange of internal views and to avoid undue interference with Committee operation.

JOHN C. RYAN,  
Advisory Committee  
Management Officer.

[FR Doc.73-22740 Filed 10-23-73;10:13 am]

#### CIVIL AERONAUTICS BOARD

[Docket Nos. 25151, 25206]

FRONTIER AIRLINES, INC.

Notice of Hearing

Notice is hereby given pursuant to the Federal Aviation Act of 1958, as amend-



ed, that a hearing in the above-entitled proceeding is assigned to be held on November 14, 1973, at 10 a.m. (local time) at the Metropolitan Hall of Justice, Courtroom No. 4, 250 East 4th Street, South, Salt Lake City, Utah, before the undersigned administrative law judge.

Dated at Washington, D.C., October 16, 1973.

[SEAL] RICHARD M. HARTSOCK,  
Administrative Law Judge.  
[FR Doc. 73-22476 Filed 10-23-73; 8:45 am]

[Docket No. 25002]

#### KUONI TRAVEL, INC.

##### Notice of Hearing

In the matter of Kuoni Travel Limited (Switzerland), d/b/a Kuoni Travel, Inc. Amendment of foreign air carrier permit travel group charters.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding is assigned to be held November 19, 1973, at 10 a.m. (local time) in Room 1031N, North Universal Building, 1875 Connecticut Avenue NW., Washington, D.C., before the undersigned.

Dated at Washington, D.C., October 16, 1973.

[SEAL] JOSEPH L. FITZMAURICE,  
Administrative Law Judge.  
[FR Doc. 73-22477 Filed 10-23-73; 8:45 am]

[Docket No. 23892 Order 73-10-53]

#### SHULMAN AIR FREIGHT, INC. AND WTC AIR FREIGHT

##### Order Denying Petition for Reconsideration and Disapproving Agreement

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 12th day of October 1973.

By Order 73-6-121, Shulman Air Freight, Inc. (Shulman), and WTC Air Freight (WTC), were granted 90 days within which to advise the Board of steps taken to amend the terms of a Shulman/WTC joint-load/charter arrangement (CAB 22727) and to admit Airborne Freight Corp. (Airborne) thereto.<sup>1</sup> The order continued, for the duration of the 90-day period, a previous deferral of action on the joint load agreement.<sup>2</sup>

A motion for stay of Order 73-6-121

<sup>1</sup> The order was in response to the refusal of WTC and Shulman to admit Airborne to the joint-load/charter arrangement, contrary to longstanding Board policy. The order concluded that joint-loading pursuant to CAB 22727, involving two separately chartered aircraft, was effectively no different in operation and result than the earlier, superseded agreement, CAB 21800, which provided for the equal sharing of space on a single, regularly chartered aircraft. On the strength of this conclusion, it was determined that Airborne should be afforded equal access to the total capacity represented by the two chartered aircraft, and that CAB 22727, failing to reflect the true scope of the joint load agreement, should be amended.

<sup>2</sup> See Order 71-10-38, October 8, 1971.

has been filed by Shulman and WTC (the Respondents) as well as a petition for reconsideration thereof. Airborne has answered in opposition to both filings.

Respondents challenge the Board's findings that the Shulman and WTC agreement "operates to effectively split in equal proportions all space cumulatively made available to the parties via both chartered aircraft." Addressing the factor most relied upon by the Board in reaching this finding—i.e., the equal sharing of single operating aircraft,<sup>3</sup> Respondents suggest, with no supporting evidence, that Airlift, and not Shulman or WTC, is responsible for the equal sharing of single operating flights. Renouncing this joint activity as an aspect of their joint-load agreement, Respondents state that the joint-load arrangement is casual, and not regular.

The Board's earlier determination was bottomed upon the belief that both the joint-load agreement and the respective charters were conducted under the direction and control of Shulman and WTC. Nothing in the petition shows otherwise. Accordingly, we reaffirm our earlier determination.

Respondents argue that the "de facto cooperative arrangement" cited by the Board as a basis for its decision is in essence an allegation of "pooling." The concept of "pooling" in turn is presented as being something more than a "de facto cooperative arrangement." By thus enlarging upon the Board's findings, and then attacking the validity of those enlarged findings, Respondents conclude that Order 73-6-121 reached erroneous conclusions.

Even were we to concede for purpose of argument that the aircraft are not pooled within the definition advanced by Respondents, the available space is clearly shared in a "cooperative working arrangement" within the literal meaning of section 412. Inasmuch as the circuitous allegations thus made have no foundation in the Board's findings in Order 73-6-121, this portion of the petition requires no further discussion.

Respondents further deny the equal sharing of single aircraft by alleging an absence of any obligation to share costs and expenses. However, the absence of documentation of any contractual obligation of the parties hardly negates the existence of a de facto sharing arrangement. This is particularly so where failure of the non-offering party to take its share would benefit, rather than damage, the offering party. We are of the view that the conduct of WTC and Shulman convincingly infers an equal sharing of space respecting single operating aircraft, and we so affirm.

The petition for reconsideration seeks to place emphasis on situations not in-

<sup>3</sup> Order 73-6-121 noted that in each instance where one of the two daily flights were canceled, WTC and Shulman shared the single remaining flight. This sharing arrangement was found to go beyond the scope of CAB 22727. Moreover, this sharing was also the principal basis for the Board's determination that Airborne should be admitted to the arrangement on an equal, rather than some lesser, basis.

volving cancellations of flights, contending inter alia that 80 percent of the total available containers were not affected by canceled flights, that only 9 percent of WTC's charter container spaces were purchased from Shulman on days with no cancellations, and that on these days WTC also shipped on scheduled service, though extra space was available for purchase by WTC. As apparent in Order 73-6-121, these factors are of little consequence here. The significant point is that the joint-load agreement results in the availability to each participant of fully one-half of the entire space aggregately operated, both in terms of total flights annually operated and in terms of daily flights. As noted, this is the consequence of the equal sharing of single operating aircraft for which Respondents have failed to disclaim responsibility.

Respondents state that admission of Airborne will effectively destroy the charter arrangement because of technical difficulties thereby created, that the limited amount and unpredictability of available space render Airborne's participation untenable, and that these contentions were never answered by the Board.

The contentions respecting possible technical difficulties created by additional participants are not new, but are essentially those considered in the previous proceedings responsible for the policy to which compliance is now requested.<sup>4</sup> In this connection, Respondents' arguments have not gone unnoticed. Moreover, as specifically stated in Order 73-6-121, there is no need to address the merits of infrequent and irregular participation by a new participant in light of our determination that Airborne's participation must be allowed with respect to the full amount of space involved in the two charters. Respondents' challenge to that determination is without merit, as noted previously, and there is therefore no reason, as before, to address the merits of a participation format not imposed by the Board.

Shulman and WTC also contend that Order 73-6-121 has the effect of disapproving the agreement without making the appropriate statutory findings. However, the thrust of Order 73-6-121 is to place Shulman and WTC on notice that their failure to admit Airborne to the joint-load arrangement, and thereby to adhere to the Board's open-end policy respecting joint-load agreements, rendered it impossible for the Board to continue to defer action on the agreement.<sup>5</sup>

<sup>4</sup> Order E-22640, September 10, 1965.

<sup>5</sup> CAB 22727 supersedes CAB 21800, which, with related agreements, was the subject of a rulemaking proceeding (see EDR-198, dated April 14, 1971) relating to chartering of aircraft by air freight forwarders. Action was deferred on all agreements involved. Order 72-4-116 set the subject matter of the rule making proceeding for a formal evidentiary hearing. Again, action was deferred on the affected agreements. However, footnote 11 of Order 72-4-116 specifically stated that the hearing therein initiated would not affect the question whether Airborne Freight Corporation should be entitled to become a party to the Shulman/WTC charter joint-load arrangement.



[Docket 25630]

**SURINAAMSE LUCHTVRACHT ONDER-  
NEMING N.V. (SURINAM AIR CARGO  
CORPORATION); SURINAM-MIAMI  
SERVICE**

**Notice of Foreign Air Carrier Permit  
Renewal Hearing**

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a public hearing in this proceeding is assigned to be held on November 2, 1973, at 10:00 a.m. (local time), in Room 1031 North, Universal Building North., 1875 Connecticut Avenue NW., Washington, D.C., before the undersigned.

Dated at Washington, D.C., October 17, 1973.

[SEAL] ALEXANDER N. ARGERAKIS,  
Administrative Law Judge.

[FR Doc. 73-22587 Filed 10-23-73; 8:45 am]

[Docket No. 23333; Order 73-10-42]

**INTERNATIONAL AIR TRANSPORT  
ASSOCIATION**

**Order Regarding Specific Commodity Rates**

Issued under delegated authority, October 11, 1973.

Agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA) and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreements, adopted pursuant to unprotested notices to the carriers and promulgated in IATA letters dated September 20, 1973 (Agreement C.A.B. 23950, R-1 through R-3 and Agreement C.A.B. 23951), and September 26, 1973 (Agreement C.A.B. 23969, R-1 through R-7), name eleven new specific commodity rates as set forth in the attachment hereto. These rates reflect reductions from the otherwise applicable general cargo rates, and will be approved herein.

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.14, it is not found that the subject agreements are adverse to the public interest or in violation of the Act, provided that approval is subject to the conditions hereinafter ordered.

Accordingly, it is ordered, That:

1. Agreement C.A.B. 23950, R-1 through R-3, Agreement C.A.B. 23951, and Agreement C.A.B. 23969, R-1 through R-7, be and hereby are approved, provided that approval shall not constitute approval of the specific commodity descriptions contained herein for purposes of tariff publication, provided further that tariff filings shall be marked to be-

\* Attachment filed as part of the original document.

come effective on not less than 30 days' notice from the date of filing; and

2. The findings and approval herein shall not be deemed to modify the findings and Orders of the Board in its decision in Agreements Adopted by IATA Relating to North Atlantic Cargo Rates, Order 73-2-24 of February 6, 1973, Order 73-7-9 of July 5, 1973, and Order 73-9-109 of September 28, 1973, and are subject to all provisions of such orders.

Persons entitled to petition the Board for review of this order, pursuant to the Board's Regulations, 14 CFR 385.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and became the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

[SEAL] EDWIN Z. HOLLAND,  
Secretary.

[FR Doc. 73-22479 Filed 10-23-73; 8:45 am]

**CONSUMER PRODUCT SAFETY  
COMMISSION**

**SAFETY RULE FOR TOYS**

**Notice of Denial of Petition for Issuance**

On June 10, 1973, the Consumer Product Safety Commission received a petition submitted on behalf of the Toy Manufacturers of America (TMA) requesting that pursuant to sections 30(d) and 10(a) of the Consumer Product Safety Act (15 U.S.C. 2051 et seq.), the Commission commence a proceeding for the issuance of a consumer product safety rule for toys in accordance with the provisions of the Consumer Product Safety Act, rather than continue to regulate toys in accordance with the provisions of the Federal Hazardous Substances Act, (15 U.S.C. 1261 et seq.).

TMA contends that the petition should be granted for the following reasons:

1. The Consumer Product Safety Act provides for uniform safety standards and certification and labeling while the Federal Hazardous Substances Act provides for the banning of hazardous toys;

2. The Consumer Product Safety Act preemption clause minimizes conflicting state and local safety requirements while the preemption clause of the Federal Hazardous Substances Act only relates to conflicting state and local precautionary labeling requirements;

3. The Consumer Product Safety Act has enforcement and remedial provisions which are more effective than those provided in the Federal Hazardous Substances Act;

4. The Consumer Product Safety Act provides for more effective regulation of imported toys;

5. The Consumer Product Safety Act provides for private enforcement rights

Ordering paragraph 1 of Order 73-6-121 explicitly stated that the Board was deferring action for an additional 90 days, after which a decision to approve or disapprove would be made. The order did not disapprove the agreement.

However, upon reconsideration we have decided to disapprove the agreement.\* In so doing we rely upon the findings made herein, supra, and those made and the views stated in Order 73-6-121. We find that the provisions of the agreement, augmented by our findings as to the parties' operations thereunder, cause this agreement to be at war with our several prior, consistent views that closed end joint-loading agreements are adverse to the public interest. We recognize that we shall have the opportunity to decide the matter de novo as part of the Air Freight Forwarder Charter Investigation, Docket 23287. Whatever decision may result therefrom the instant agreement's infirmities give us no reason to depart at this time from our previously stated views. We find, therefore, that the present agreement is adverse to the public interest, and we conclude pursuant to 49 U.S.C. 1382 that it should be disapproved. Because, pending this decision on their petition for reconsideration and motion for stay, the parties have not had the clear opportunity to conform to the directions contained in Order 73-6-121, we shall stay the disapproval for a final 91-day period. Finally, for clarity's sake, we emphasize that the instant disapproval does not preclude the charter of aircraft by airfreight forwarders; but it does indicate our present disinclination to approve agreements among forwarders who wish jointly to load such charters, where the agreements are other than on a reasonably open ended basis and where by virtue thereof a competitor who is able to participate meaningfully in such an arrangement is precluded from doing so to his detriment.

Accordingly, it is ordered, That:

1. The petition for reconsideration of Order 73-6-121, filed by Shulman Air Freight, Inc., and WTC Air Freight, and the accompanying motion for stay thereof, be and they hereby are denied;

2. Agreement CAB 22727 be and it hereby is disapproved, such disapproval to be effective 91 days from the date of this order; and

3. This order shall be served on WTC, Shulman and Airborne, and upon Wings and Wheels Express, Inc., The Flying Tiger Line Inc., and the Departments of Justice and Transportation.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,  
Secretary.

[FR Doc. 73-22478 Filed 10-23-73; 8:45 am]

\*The original 90 days has expired, and applicants have not indicated any intent to revise the agreement as required.



while the Federal Hazardous Substances Act has no such provision; and

6. TMA has developed a voluntary standard for toys which, under provisions of the Consumer Product Safety Act, could be proposed as a consumer product safety standard.

Under section 30(d) of the Consumer Product Safety Act, the sole issue for consideration by the Commission in determining whether to proceed under a transferred act or the Consumer Product Safety Act is whether action taken under the transferred act would eliminate or reduce to a sufficient extent a risk of injury which is associated with the consumer products. Although in an individual case the Consumer Product Safety Act may prove to be more efficient than one of the transferred acts, the Commission concludes that this, as well as the evidence presented in the petition, is not sufficient to permit it to make the statutory determination that the risks of injury from all categories of toys could not be eliminated or reduced to a sufficient extent by action under the Federal Hazardous Substances Act.

Annexed to TMA's petition is a document entitled "Safety Standard for Toys—Proposed Voluntary Product Standard TS 215." Inasmuch as the Commission has concluded that there is insufficient evidence to justify making the required section 30(d) finding with regard to toys as a class, it is not appropriate for the Commission to grant a section 10 petition under the Consumer Product Safety Act to institute rulemaking for toys as a class. Accordingly, the petition is denied.

A copy of the petition may be seen during working hours, 8:30 A.M. to 5:00 P.M. Monday through Friday, in the Office of the Secretary, Consumer Product Safety Commission, Room 701E, 7315 Wisconsin Avenue, Bethesda, Maryland.

Dated October 3, 1973.

SADYE E. DUNN,  
Secretary, Consumer Product  
Safety Commission.

[FR Doc. 73-22555 Filed 10-23-73; 8:45 am]

## ENVIRONMENTAL PROTECTION AGENCY

### ENVIRONMENTAL IMPACT STATEMENTS AND OTHER ACTIONS IMPACTING THE ENVIRONMENT

#### Availability of Environmental Protection Agency Comments

Pursuant to the requirements of sec. 102(2)(C) of the National Environmental Policy Act of 1969 and sec. 309 of the Clean Air Act, as amended, the Environmental Protection Agency (EPA) has reviewed and commented in writing on Federal agency actions impacting the environment contained in the following appendices during the period of September 16, 1973, and September 30, 1973.

Appendix I contains a listing of draft environmental impact statements reviewed and commented upon in writing during this review period. The list includes the Federal agency responsible for the statement, the number and title of

the statement, the classification of the nature of EPA's comments as defined in Appendix II, and the EPA source for copies of the comments as set forth in Appendix V.

Appendix II contains the definitions of the classifications of EPA's comments on the draft environmental impact statements as set forth in Appendix I.

Appendix III contains a listing of final environmental impact statements reviewed and commented upon in writing during this reviewing period. The listing will include the Federal agency responsible for the statement, the number and title of the statement, a summary of the nature of EPA's comments, and the EPA source for copies of the comments as set forth in Appendix V.

Appendix IV contains a listing of proposed Federal agency regulations, legislation proposed by Federal agencies, and any other proposed actions reviewed and commented upon in writing pursuant to sec. 309(a) of the Clean Air Act, as amended, during the referenced reviewing period. The listing includes the Fed-

eral agency responsible for the proposed action, the title of the action, a summary of the nature of EPA's comments, and the EPA source for copies of the comments as set forth in Appendix V.

Appendix V contains a listing of the names and addresses of the sources for copies of EPA comments listed in Appendices I, III, and IV.

Copies of the EPA Manual, setting forth the policies and procedures for EPA's review of agency actions, may be obtained by writing the Public Inquiries Branch, Office of Public Affairs, Environmental Protection Agency, Washington, D.C. 20460. Copies of the draft and final environmental impact statements referenced herein are available from the originating Federal department or agency or from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151.

Dated October 17, 1973.

REBECCA W. HANMER,  
Acting Director,  
Office of Federal Activities.

#### APPENDIX I

DRAFT ENVIRONMENTAL IMPACT STATEMENTS FOR WHICH COMMENTS WERE ISSUED BETWEEN SEPTEMBER 16, 1973 AND SEPTEMBER 30, 1973

Responsible Federal agency	Title and Identifying Number	General nature of comments	Source for copies of comments
Atomic Energy Commission.....	D-AEC-06113-NJ: Oyster Creek Nuclear Generating Station, N.J.	ER-2	A
Do.....	D-AEC-06114-CT: Millstone Nuclear Power Plant, Unit 3, Conn.	ER-2	A
Do.....	D-AEC-06117-PA: Limerick Generating Station, Units 1 and 2 (revised), Pennsylvania.	ER-2	A
Department of Agriculture.....	D-AFS-34086-MT: Porcupine/Bufalo Horn Multiple-use plan, Montana.	ER-2	I
Do.....	D-AFS-34087-MT: Pleasant Valley Multiple-use plan, Montana.	ER-2	I
Do.....	D-AFS-38002-ID: Little Slate Creek Unit Plan, Idaho.	LO-1	K
Do.....	D-AFS-61147-CO: Proposed Winter Park Management Unit, Colorado.	ER-1	I
Do.....	D-AFS-63035-MT: North Bridger Planning Unit Multiple-Use Plan, Montana.	3	I
Do.....	D-AFS-65041-ID: Multiple-Use plan, White Pine Planning, Palouse Ranger District, Idaho.	LO-1	K
Do.....	D-AFS-65044-CA: Rangeland Enhancement Program, Clearwater National Forest, California.	LO-1	J
Do.....	D-SCS-36292-NC: Bryant Swamp Watershed, Bladen County, N.C.	ER-2	E
Corps of Engineers.....	D-COE-47078-MA: Addition Unit No. 7, Mystic Electric Generating Plant, Massachusetts.	ER-2	B
Do.....	D-COE-31030-CA: Kern River (Aqueduct Intertie) Kern County, Calif.	3	J
Do.....	D-COE-35083-CA: Dredging at Los Angeles, Long Beach Harbors, Calif.	3	J
Do.....	D-COE-35085-ME: Rockland Harbor (Maintenance Dredging), Maine.	LO-1	B
Do.....	D-COE-36256-FL: Oklawaha River Basin Flood Control, Fla.	ER-2	E
Do.....	D-COE-36332-KS: Kendall Dam and Lake Project, Arkansas River, Kans.	LO-2	H
Do.....	D-COE-39042-OR: Oregon Slough, North Portland Harbor, Oreg.	LO-2	K
Do.....	D-COE-39043-NH: Lancaster Dam and Lake Israel River, Lancaster, N.H.	LO-2	B
Do.....	D-COE-39083-00: Operation and maintenance of Baltimore Harbor and channels, Md.	ER-2	A
Do.....	D-COE-60083-IN: Indiana Harbor Maintenance, dredging and disposal, Ind.	LO-2	F
Do.....	D-COE-60084-WI: Maintenance dredging at Milwaukee Harbor, Wis.	LO-2	F
Do.....	D-COE-81134-NH: U.S. Post Office, Manchester, N.H.	LO-2	B
Do.....	D-COE-81139-CT: U.S. Post Office (preferential mail), Hartford, Conn.	ER-2	B
Department of Health, Education, and Welfare.....	D-NIH-81142-MD: Lister Hill National Center for Biomedical Communication, Bethesda, Md.	LO-1	D
Department of Housing and Urban development.....	D-HUD-85012-IA: City-University I urban renewal project, Iowa City, Iowa.	3	H
Department of the Interior.....	D-NPS-61150-TX: Proposed Diablo East Development site at Amistad, Tex.	LO-2	H
Do.....	D-BLM-02045-00: 1973 Outer Continental shelf oil and gas sale, Offshore Mississippi, Alabama, and Florida.	ER-2	A
Do.....	D-BOR-39041-IA: Upper Iowa River acquisition, Winneshiek County, Iowa.	LO-2	H
Do.....	LD-DO1-99045-00: Deepwater Ports Facilities Act of 1973.	LO-1	A
Department of Justice.....	D-JUS-61286-CA: Pasadena Police Helipad, Pasadena, Calif.	LO-2	J
National Capital Planning Commission.....	D-NCP-69000-DC: Dwight D. Eisenhower Memorial Bicentennial Civic Center, Washington, D.C.	LO-2	D



the information submitted. The Agency is able to make a preliminary determination of the impact on the environment. EPA has requested that the originator provide the information that was not included in the draft statement.

mental impact of the proposed project or action, or that the statement inadequately analyzes reasonable available alternatives. The Agency has requested more information and analysis concerning the potential environmental hazards and has asked that substantial revision be made to the impact statement.

#### CATEGORY 3—INADEQUATE

EPA believes that the draft impact statement does not adequately assess the environment.

#### APPENDIX III

FINAL ENVIRONMENTAL IMPACT STATEMENTS FOR WHICH COMMENTS WERE NOTED BETWEEN SEPTEMBER 14, 1973 AND SEPTEMBER 26, 1973

Identifying number	Title	General nature of comments	Source for copies of comments
<i>Department of Transportation</i> F-FAA-4173- NC	Rutherford County Airport, Rutherford County, N.C.	The final statement adequately accommodated the EPA areas of concern expressed in our comments on the draft statement.	E
F-FAA-4184- TN	Fayetteville Municipal Airport, Fayetteville, Tenn.	EPA generally agreed with the proposed project. However, EPA recommended discussion efforts to ensure compatible land use and land use planning around the airport. Also, EPA recommended preparation of an outline of specific noise measures to be taken for prevention of future problems.	E
F-FHW-4153- KY	Improvement of State Route 18 from I-75 to City of Florence, Boone County, Ky.	EPA generally agreed with the proposed project. However, EPA recommended that further documentation be included in the final statement on the noise of the project.	E
<i>General Services Administration</i> F-GSA-3129- NC	Courthouse and Federal Office Building, Winston-Salem, N.C.	The final statement adequately accommodated the EPA areas of concern expressed in our comments on the draft statement.	E
<i>Corps of Engineers</i> F-COE-3052- PA	Taylor Lake, Jordan Creek, Lehigh County, Pa.	Based on available information EPA expresses no specific opposition to the construction of the project, but does continue to have reservations relative to the proposed release schedule. Since additional investigations are being undertaken by the COE and USGS, EPA has requested the opportunity to review and comment on the results of the investigations. This a supplement to the final EIS requested and accepted for NEPA review. EPA also supports additional consideration of the Lehigh River and groundwater supplies for supplemental water supply usage.	D
<i>Department of Housing and Urban Development</i> F-HUD-8008- TX	New community of San Antonio, New Town in Town, San Antonio, Tex.	EPA generally agreed with the conceptual plan. However, EPA recommended that once a definitive plan of development has been established that the impact statement be revised and updated and subject to EPA review.	G
<i>Department of the Interior</i> F-BIE-3408- CO	North side of collection system of the Fryburg-Arkansas Project, Colo.	In general, the responses to EPA's comments on the draft statement were satisfactory. However, response to our comment on salinity increases in the Colorado River was not adequately addressed. It is also important that the cumulative impact of additional projects on salinity increases be assessed in the forthcoming comprehensive impact statement for the Fryburg-Arkansas project.	I

#### APPENDIX I—Continued

Responsible Federal agency	Title and Identifying Number	General nature of comments	Source for copies of comments
National Aeronautics and Space Administration	D-NAS-1200-40: Viking 1973 Space project.	ER-2	A
Department of Transportation	D-CGD-50134-FL: Proposed south cross-town expressway, dual fixed bridges and approaches, Tampa, Hillsborough County, Fla.	ER-2	E
Do.	D-CGD-32066-NY: New York vessel traffic system for Port of New York City, N.Y.	LO-1	C
Do.	D-FAA-3129-AE: Goodnews Airport, Alaska	LO-1	K
Do.	D-FAA-3129-NE: Eppley Airfield, Douglas County, Omaha, Neb.	LO-1	H
Do.	D-FAA-3120-NC: Stanley County Airport, N.C.	LO-1	E
Do.	D-FHW-41033-ID: Curran Road Extension, Idaho	ER-2	E
Do.	D-FHW-41041-IN: I-Project 89-91/98, construction, Indiana	LO-2	E
Do.	D-FHW-41044-NM: Junction of S.R. 14 and U.S. 66, Bernalillo County, N.M.	LO-2	G
Do.	D-FHW-41045-CA: Highway interchange, Route 9 at S.R. 14, Santa Clara County, Calif.	ER-2	B
Do.	D-FHW-41053-KY: Madison-Benton Road U.S. 641, Shelby County, Ky.	ER-2	E
Do.	D-FHW-41054-GA: Widening of S.R. 234, U.S. 29, DeKalb County, Ga.	LO-1	E
Do.	D-FHW-41055-AL: Alabama Route 31, section to Dothan, Crossroad, Jackson County, Ala.	LO-2	E
Do.	D-FHW-41056-NY: New York Route 81, Macedon to Lyons, N.Y.	ER-2	C
Do.	D-FHW-41060-NY: New York Route 13, Ithaca to Cortland Counties, N.Y.	ER-2	C
Do.	D-FHW-41067-AZ: Kingman-Ash Fork Highway, Ash Fork Interstates Inway, Ariz.	LO-1	J
Do.	D-FHW-41082-UT: Monroe Boulevard Extension, Utah.	ER-2	I
Do.	D-FHW-41091-VA: I-395, Arlington County, Va.	ER-2	D
Do.	D-FHW-41091-WI: S-203, East Price County line, STH 70, Oshkosh and Vilas Counties, Wis.	LO-2	F
Do.	D-FHW-41091-AZ: S.R. 396, Superstition Freeway, Phoenix, Ariz.	ER-2	I
Do.	D-FHW-41097-TX: Loop 1, from F.M. 124 northwest of the city of Austin, Tex.	ER-2	G

#### APPENDIX II

##### DEFINITION OF CODES FOR THE GENERAL NATURE OF EPA COMMENTS

##### ENVIRONMENTAL IMPACT OF THE ACTION

##### LO—LACK OF OBJECTION

EPA has no objections to the proposed action as described in the draft impact statement; or suggests only minor changes in the proposed action.

##### ER—ENVIRONMENTAL RESERVATIONS

EPA has reservations concerning the environmental effects of certain aspects of the proposed action. EPA believes that further study of suggested alternatives or modifications is required and has asked the originating Federal agency to reassess these aspects.

##### EU—ENVIRONMENTALLY UNSATISFACTORY

EPA believes that the proposed action is unsatisfactory because of its potentially

harmful effect on the environment. Furthermore, the Agency believes that the potential safeguards which might be utilized may not adequately protect the environment from hazards arising from this action. The Agency recommends that alternatives to the action be analyzed further (including the possibility of no action at all).

##### ASSESSMENT OF THE IMPACT STATEMENT

##### CATEGORY 1—ADEQUATE

The draft impact statement adequately sets forth the environmental impact of the proposed project or action as well as alternatives reasonably available to the project or action.

##### CATEGORY 2—INSUFFICIENT INFORMATION

EPA believes that the draft impact statement does not contain sufficient information to assess fully the environmental impact of the proposed project or action. However, from



## APPENDIX IV

REGULATIONS, LEGISLATION AND OTHER FEDERAL AGENCY ACTIONS FOR WHICH COMMENTS WERE ISSUED BETWEEN SEPTEMBER 16, 1973 AND SEPTEMBER 30, 1973

Identifying Number	Title	General nature of comments	Source for copies of comments
<b>Federal Power Commission</b>			
R-FPC-99052-00: 18 CFR Parts 2, 3, 9--	Disposal of interests in project lands and applications for certain uses of project property requiring Commission approval.	EPA's comments recommend that the regulations be modified to highlight recreation and fish and wildlife values and suggests that consideration be given to preparing detailed guidelines for the preparation of environmental reports on proposed changes in project property use. The comments concur with the handling of cumulative effects in the regulations and suggests that these effects could be effectively handled in the context of general land use plans.	A
<b>Department of Transportation</b>			
R-CGD-99050-00: 33 CFR Part 160--Puget Sound vessel traffic system.		EPA concurs with the proposed regulation which is considered to be an important step in reducing the potential for loss of life and property, and pollution of the environment.	A

## APPENDIX V

## SOURCES FOR COPIES OF EPA COMMENTS

- A. Director, Office of Public Affairs  
Environmental Protection Agency  
401 M Street SW.  
Washington, D.C. 20460
- B. Director of Public Affairs  
Region I  
Environmental Protection Agency  
Room 2303  
John F. Kennedy Federal Building  
Boston, Massachusetts 02203
- C. Director of Public Affairs  
Region II  
Environmental Protection Agency  
Room 847  
26 Federal Plaza  
New York, New York 10007
- D. Director of Public Affairs  
Region III  
Environmental Protection Agency  
Curtis Bldg., 6th and Walnut Streets  
Philadelphia, Pennsylvania 19106
- E. Director of Public Affairs  
Region IV  
Environmental Protection Agency  
Suite 300  
1421 Peachtree Street, N.E.  
Atlanta, Georgia 30309
- F. Director of Public Affairs  
Region V  
Environmental Protection Agency  
1 N. Wacker Drive  
Chicago, Illinois 60606
- G. Director of Public Affairs  
Region VI  
Environmental Protection Agency  
1600 Patterson Street  
Dallas, Texas 75201
- H. Director of Public Affairs  
Region VII  
Environmental Protection Agency  
1735 Baltimore Street  
Kansas City, Missouri 64108
- I. Director of Public Affairs  
Region VIII  
Environmental Protection Agency  
Lincoln Tower, Room 916  
1860 Lincoln Street  
Denver, Colorado 80203
- J. Director of Public Affairs  
Region IX  
Environmental Protection Agency  
100 California Street  
San Francisco, California 94102
- K. Director of Public Affairs  
Region X  
Environmental Protection Agency  
1200 6th Avenue  
Seattle, Washington 98101

[FR Doc.73-22418 Filed 10-23-73;8:45 am]

## FEDERAL COMMUNICATIONS COMMISSION

## NATIONAL INDUSTRY ADVISORY COMMITTEE, BROADCAST SERVICES SUBCOMMITTEE

## Notice of Meeting

OCTOBER 17, 1973.

Pursuant to the provisions of Public Law 92-463, announcement is made of a public meeting of Working Groups I & V, Broadcast Services Subcommittee, National Industry Advisory Committee, to be held Thursday, November 15, 1973. The Working Groups will meet in joint session at 1771 N Street NW., Washington, D.C., in the National Association of Broadcasters Board Room at 10:00 AM.

Purpose: To consider, prepare and submit recommendations to the Federal Communications Commission concerning voluntary organized industry participation in the Emergency Broadcast System (EBS).

Agenda: The agenda for the meeting is as follows:

## Item

1. Proposed new FCC Rules for operation of the Emergency Broadcast System.
2. Proposed new Standing Operation Procedures for use with the operation of the Emergency Broadcast System. The SOP's are issued to control points of the national Radio and Television Broadcast Networks (ABC, CBS, NBC, NPR, UPI-Audio, ABC-TV, CBS-TV, NBC-TV, and PBS), AT&T, AP, and UPI.

It is suggested that those desiring more specific information about the meeting telephone the Office of the Defense Commissioner, FCC, (202) 632-7007.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] VINCENT J. MULLINS,  
Secretary.

[FR Doc.73-22568 Filed 10-23-73;8:45 am]

## QUESTIONS CONCERNING BASIC QUALIFICATIONS OF BROADCAST APPLICANTS

## Guidelines

OCTOBER 5, 1973.

During the past year, it has come to our attention that an increasing number of applications have been filed by

applicants where questions were outstanding concerning the applicants basic qualifications. In the past we have considered these applications on an ad hoc basis. While our ad hoc determinations have provided some guidance in light of the number of applications received we believe it is appropriate to issue certain broad guidelines in this area. In this manner those interested in applying for new facilities or in applying to buy or sell existing facilities will be aware of how the Commission intends to proceed in this area.<sup>1</sup>

## Deferral of Action on Applications.

Action on applications to construct new facilities or to acquire, either by assignment or transfer of control, existing facilities will generally be deferred where:

A. with respect to the applicant, prospective purchaser, or an individual who will have a controlling interest in the applicant there are unresolved basic character qualifications questions included as part of:

(1) a license renewal or revocation proceeding instituted following a Commission investigation or investigative proceeding.<sup>2</sup>

In all other situations, we will not only examine the nature of the questions raised, but will also take into consideration other compelling public interest factors. Where we find that the public interest would be served by granting the application, such a grant will be made subject to the outcome of the pending proceeding. If such a finding cannot be made, then action on the application will be deferred.

Action by the Commission October 3, 1973. Commissioners Burch (Chairman), Reid and Hooks, with Commissioners Johnson and Wiley concurring in the result, and Commissioner H. Rex Lee dissenting.

Sent to all broadcast licensees.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] VINCENT J. MULLINS,  
Secretary.

[FR Doc.73-22566 Filed 10-23-73;8:45 am]

<sup>1</sup> Applications for renewal of license and for modification of existing facilities are not encompassed by this Notice, since in these instances the applications relate to existing facilities operated by the same licensee.

<sup>2</sup> If a Commission investigation or investigative proceeding is in progress, processing of such pending applications will not be completed until the investigative process is concluded. This is not considered a material delay, since usually these are completed within reasonable processing expectations for applications with serious regulatory problems.

(2) a pending criminal proceeding involving a felony or one where the alleged criminal misconduct involves moral turpitude.

B. with respect to a prospective seller or an individual who has a controlling interest in the prospective seller there is:

(1) a pending renewal, revocation or investigative proceeding involving the particular station which is sought to be sold.



**FEDERAL MARITIME COMMISSION  
CITY OF LONG BEACH AND NATIONAL  
MOLASSES CO.**

**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, Louisiana, and San Francisco, California. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, by Nov. 13, 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. Leonard Putnam, City Attorney, City of Long Beach, Suite 600, City Hall, Long Beach, Calif. 90802.

Agreement No. T-2153-4, between the City of Long Beach (City) and National Molasses Company (NMC), modifies the parties' basic agreement granting NMC the right to use certain premises as a bulk liquid terminal, including the preferential assignment of wharf space. The purpose of the modification is to: (1) Grant an exclusive permit for use of an additional 1,244 square feet of adjacent terminal space; (2) grant a nonexclusive permit for a pipeline right-of-way; and (3) provide for the nonexclusive preferential assignment of Berths 242 and 243. As compensation for these rights City shall receive an annual increase of \$451.92 plus all accrued tariff charges, with those charges, for dockage and wharfage at Berth 242, being subject to a guaranteed annual minimum of \$20,972.

By Order of the Federal Maritime Commission.

Dated: October 17, 1973.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc. 73-22572 Filed 10-23-73; 8:45 am]

**COMPANIA TRANSATLANTICA ESPANOLA,  
S.A., ET AL.**

**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, Louisiana, and San Francisco, California. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, by Nov. 13, 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.

**COMPANIA TRANSATLANTICA ESPANOLA, S.A. EMPRESA INSULANA DE NAVEGACION AND COMPANHIA NACIONAL DE NAVEGACAO.**

**Notice of Agreement filed by:**

W. F. Burns, Traffic Manager, Smith & Johnson, Eleven Broadway, New York, N.Y. 10004.

Agreement No. 10093, among the above-named parties, provides for discussion and agreement upon rates, charges, classifications, practices and related tariff matters to be charged by them respectively in the trade from the U.S. North Atlantic ports to ports in Spain.

By order of the Federal Maritime Commission.

Dated: October 17, 1973.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc. 73-22574 Filed 10-23-73; 8:45 am]

**FEDERAL POWER COMMISSION  
ALGONQUIN GAS TRANSMISSION CO.**

[Docket No. RP73-98]

**Order Suspending Proposed Rate Increase and Denying Motion To Consolidate**

OCTOBER 12, 1973.

On September 14, 1973, Algonquin Gas Transmission Company (Algonquin)

filed a proposed rate increase in its initial Rate Schedule SNG-1 (First Revised Sheet No. 11-C and Second Revised Sheet No. 11-D of Original Volume No. 1). The proposed revised rate consists of a monthly Demand Charge of \$22.389 per Mcf of SNG Contract Demand per month for each month, October through April and a Commodity Charge of \$1.7468 per Mcf. The amount of increase based on estimated sales for the period October 16 through April 16, 1974, is approximately \$17.8 million annually.

By order of August 29, 1973, the Commission rejected Algonquin's filing of June 8, 1973, in Docket No. RP73-98 on the basis that:

(1) The cost of feedstock commodity charge departs from the Commission's regulations requiring that rates be stated in dollars and cents and prohibiting the inclusion of periodic adjustment provisions;

(2) The Commission's authorizations of the new service in Opinion 637 and 637-A required that Algonquin prove that any rate increase for synthetic gas is cost based, and that the increased costs are reasonably and prudently incurred and;

(3) Algonquin filed no cost and revenue data, nor testimony and exhibits to support the alleged increase in costs.

In its filing of September 14, 1973, Algonquin states that its present filing corrects the deficiencies pointed out in our August 29, 1973 order.

Furthermore, Algonquin states that by reason of the "volatile cost" of naphtha feedstock and in order to meet the requirement that the rate be cost based, Algonquin is submitting a proposed provision for its General Terms and Conditions, Original Sheet Nos. 30-H and 30-I to its FPC Gas Tariff Original Volume No. 1, providing for deferred cost accounting and amortization of that account by subsequent rate increment adjustments to reflect either higher or lower feedstock costs. A review of the tariff sheets providing for deferred cost accounting and amortization thereof indicates that these sheets are improperly tendered under Section 4 of the Natural Gas Act and the regulations thereunder. Section 154.38(d)(3) of the regulations under the Natural Gas Act specifically prohibits automatic rate adjustments through the use of provisions similar to the one contained in this filing. Accordingly, we shall not accept these tariff sheets for filing but rather will permit the parties to submit evidence that relates to these sheets to assist the Commission in determining the propriety of their prospective application.

Moreover, Algonquin requests that the Commission accept the enclosed tariff sheets for filing effective as of the same date of the initial SNG-1 service with a one-day suspension. Algonquin's filing of September 14, 1973, was noticed on October 1, 1973, with petitions to intervene or protests to be filed on or before October 10, 1973.

A review of Algonquin's filing of September 14, 1973, indicates that a one day



suspension is not warranted and we shall therefore order a suspension for the full statutory period.

Furthermore, our review of the filing of September 14, 1973, indicates that certain issues may require further development in a full evidentiary hearing. The proposed increases in rates and charges have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or preferential or otherwise unlawful.

On September 21, 1973, Algonquin filed a Motion to Consolidate Proceedings in Docket No. RP73-98 and Docket No. RP73-112. In its motion, Algonquin states that the company-wide rate increase in Docket No. RP73-112 filed June 15, 1973, contains detailed cost and revenue data for Algonquin's entire system. Algonquin also claims such data includes cost and revenue data related to its synthetic natural gas system and Rate Schedule SNG-1. Furthermore, Algonquin states that the prepared testimony and exhibits in Statement P filed in Docket No. RP73-112 also relate to Rate Schedule SNG-1 and Algonquin SNG, Inc. Therefore, Algonquin states that the two proceedings are interrelated and involve the same parties and accordingly, they should be heard and decided on a consolidated record. On September 28, 1973, Boston Gas Co., et al., filed an answer opposing the motion of September 21, 1973. On October 3, 1973, Algonquin filed an answer to Boston Gas' opposition.

In Opinion No. 637, issued December 7, 1972, in Docket No. CP72-35, et al., this Commission stated:

We find that special service rate schedules, designed by Algonquin Gas to record the full incremental cost of synthetic gas from those customers contracting to buy SNG, are in the public interest. . . . These schedules must, of course, insure that the cost of Algonquin Gas' proposed facilities, the cost of synthetic gas itself, and a fair allocation of cost of service of transport in the existing jurisdictional facilities of Algonquin Gas will be recovered from those customers who contract to receive the specialized SNG service here contemplated. No deficiency in the recovery of these incremental costs is to be assessed against any other class of Algonquin Gas Service.

It is quite clear from Commission Opinion No. 637 that only those customers who contract to buy SNG are to pay for it. That is, only SNG revenues are to pay for SNG costs and provide the SNG subsidiary with a proper rate of return.

Algonquin's motion of September 21, 1973, would commingle and confuse the two dockets. We believe, as we indicated in Commission Opinion No. 637, that SNG rate cases should have separate cost of services, revenues and rate of return from general rate increase cases. To allow consolidation would severely hinder our ability to separate the costs associated with the two different services and prevent the disposition of these two dockets in an expeditious manner. Although the testimony and exhibits may overlap in some respects we believe that this overlap would not be burdensome on the parties.

For the foregoing reasons we shall reject Algonquin's motion to consolidate Docket Nos. RP73-98 and RP73-112.

#### *The Commission finds*

(1) The proposed First Revised Sheet No. 11-C and Second Revised Sheet No. 11-D of Original Volume No. 1 in Docket No. RP73-98 has not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential or otherwise unlawful.

(2) Original Sheet Nos. 30-H and 30-I of Original No. 1 are improperly filed, under Section 4 of the Natural Gas Act and the Regulations thereunder and accordingly cannot be accepted. However, we shall permit the parties to submit evidence that relates to these sheets to assist the Commission in determining the propriety of their prospective application.

(3) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the rates and charges contained in Algonquin's FPC Gas Tariff, as proposed to be amended in the filing of September 14, 1973, and that First Revised Sheet No. 11-C and Second Revised Sheet No. 11-D of Original Volume No. 1 be accepted for filing and suspended as hereinafter ordered.

(4) The disposition of this proceeding should be expedited in accordance with the procedure set forth below.

(5) Good cause exists to deny Algonquin's motion of September 17, 1973, to consolidate Docket Nos. RP73-98 and RP73-112.

#### *The Commission orders*

(A) Pursuant to the authority of the Natural Gas Act, particularly Sections 4 and 5 thereof, the Commission rules and regulations (18 CFR, Chapter I), a pre-hearing conference shall be held pursuant to § 1.18 of the Commission's rules of practice and procedure on March 12, 1974, at 10:00 a.m., e.s.t., in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. A hearing for the purposes of cross-examination concerning the lawfulness and reasonableness of the rates and charges in Algonquin's FPC Gas Tariff, as proposed to be amended herein, shall be held commencing on March 26, 1974.

(B) On or before February 5, the Commission Staff shall serve its prepared testimony and exhibits. Any intervenor evidence will be filed on or before February 19, 1974. Any rebuttal evidence by Algonquin shall be served on or before March 5, 1974.

(C) Pending hearing and a decision thereon, Algonquin's proposed tariff sheets First Revised Sheet No. 11-C and Second Revised Sheet No. 11-D of Original Volume No. 1 are accepted for filing, suspended for five months from the date of commencement of initial SNG service and the use thereof deferred until such further time as it is made effective in the manner provided in the Natural Gas Act.

(D) Algonquin's Original Sheet Nos. 30-H and 30-I are improperly filed under Section 4 of the Natural Gas Act and the regulations thereunder. However the hearing ordered herein shall permit the parties to submit evidence that relates to these sheets to assist the Commission in determining the propriety of their prospective application.

(E) Algonquin's motion of September 17, 1973, to consolidate Docket Nos. RP73-98 and RP73-112 is hereby denied.

(F) At the prehearing conference on March 12, 1974, the prepared testimony (Statement P) of Algonquin, together with its entire rate filing of Docket No. RP73-98, shall be admitted to the record as its complete case-in-chief subject to appropriate motions, if any, by parties to the proceeding.

(G) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5 (d)), shall preside at the hearing in this proceeding, shall prescribe relevant procedural matters not herein provided, and shall control this proceeding in accordance with the policies expressed in § 2.59 of the Commission's rules of practice and procedure.

(H) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc. 73-22507 Filed 10-23-73; 8:45 am]

[Docket No. CP74-90]

#### **EL PASO NATURAL GAS CO.**

#### **Notice of Application**

OCTOBER 15, 1973.

Take notice that on October 1, 1973, El Paso Natural Gas Company (Applicant) filed in Docket No. CP74-90 an application pursuant to section 7(c) of the Natural Gas Act, as implemented by § 157.7(b) of the Commission's regulations thereunder, for a certificate of public convenience and necessity authorizing the construction, during the calendar year 1974, and operation of natural gas facilities to enable Applicant to take into its certificated main pipeline system supplies of natural gas which will be purchased from producers thereof, for its Northwest Division System all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the purpose of this budget-type application is to augment its ability to act with reasonable dispatch in contracting for and connecting to its pipeline system supplies of natural gas in various producing areas generally coextensive with said system.

The total cost of the proposed facilities will not exceed \$4,000,000 and the total cost for any single project will not exceed \$1,000,000. Applicant states that these costs will be financed through the use of working funds which will be supplied



mented, as necessary, by short-term borrowings.

Applicant states that it has filed a similar proposal for a budget-type authorization in Docket No. CP74-85 for facilities which will have a total cost of \$5,000,000. That total cost coupled with the instant proposal's, total cost will exceed the cost limitations of § 157.7(b) (1) of the Commission's regulations. Applicant believes that the divestiture of its Northwest Division System will occur in the near future, and therefore, a waiver of the cost limitation is requested so as to provide Applicant's successor in interest, Northwest Pipeline Corporation with adequate facilities for attaching additional supplies of natural gas.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 5, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-22509 Filed 10-23-73;8:45 am]

**COLUMBIA GULF TRANSMISSION CO.**  
[Docket No. CP74-88]

**Notice of Application**

OCTOBER 12, 1973.

Take notice that on September 28, 1973, Columbia Gulf Transmission Company (Applicant), P.O. Box 683, Houston, Texas 77001, filed in Docket No.

CP74-88 an application pursuant to section 7(c) of the Natural Gas Act and § 157.7(b) of the Regulations thereunder for a certificate of public convenience and necessity authorizing the construction, during the twelve-month period commencing January 6, 1974, and operation of facilities to enable Applicant to take into its certificated main pipeline system natural gas purchased from producers thereof by Columbia Gas Transmission Corporation, all as more fully set forth in the application which is on file and open to public inspection.

Applicant states the purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in connecting to its pipeline system additional supplies of natural gas in areas generally coextensive with said system.

The application states that the total cost of all facilities will not exceed \$7,000,000, with no single onshore project to exceed a cost of \$1,000,000, and with no single offshore project to exceed a cost of \$1,750,000. Applicant states that the proposed facilities will be financed from funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 5, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-22508 Filed 10-23-73;8:45 am]

[Project No. 176; Docket No. E-7562]

**ESCONDIDO MUTUAL WATER CO., ET AL.**

**Notice of Filing of Application for Non-Power License**

OCTOBER 15, 1973.

Secretary of the Interior Acting in his capacity as Trustee for the Rincon, La Jolla, and San Pasqual Bands of Mission Indians v. Escondido Mutual Water Company and City of Escondido, California. Vista Irrigation District.

Public notice is hereby given that the Rincon, San Pasqual, La Jolla, Pauma, and Pala Bands of Mission Indians filed on June 5, 1972, as supplemented on July 6, 1972, August 8, 1972, July 25, 1973, and July 27, 1973, their joint application for a non-power license for Project No. 176. The project is located in San Diego County, California along the San Luis Rey River and Escondido Creek in the vicinity of Escondido, California. The existing license expires on June 24, 1974.

The project consists principally of a concrete diversion dam about 16 feet high located on the San Luis Rey River; a conduit approximately 15 miles long consisting of tunnels, canals, a siphon, and flumes conveying the flow to the point of release into Lake Wohlford; the Rincon Powerhouse which utilizes water from the conduit at a point 6 miles below the diversion dam where it is diverted through a 2,100-foot long penstock connected to the powerhouse which contains two generating units totaling 240 kilowatts and operating under a head of 820 feet; two operators' cottages, one located at the Rincon powerhouse and one at the diversion dam; telephone and power lines, access roads and trails necessary to operate and maintain the project; Lake Wohlford Reservoir and Dam on Escondido Creek; and a powerhouse below the Lake Wohlford Dam containing three generating units totaling 520 kilowatts operating under a head of 490 feet.

The Bands' joint application states that if a nonpower license is issued to them, they plan to use the water by irrigating more reservation acreage and developing a new lake on the Rincon Reservation for irrigation and recreational purposes. The La Jolla Band plans to further expand its fishery and develop additional camping and other recreational facilities on its reservation. In addition, current project rights-of-way would be substantially narrowed, relocated, or fenced. Water would be provided to acreage not presently under irrigation on the reservations. Over 100 camp sites with tables and sanitation facilities would be constructed on the Rincon Reservation along with hiking and horseback trails.

The Joint Applicants further proposed that the United States Department of the Interior assume regulating supervision over the project. They also propose to continue to maintain the power facilities within the project until a major breakdown occurs. At that time the power facilities would be sold for salvage.



Any person desiring to be heard or to make protest with reference to the Indian Bands' application for a non-power license for Project No. 176, at the expiration of the present license period, should on or before December 13, 1973, file with the Federal Power Commission, Washington, D.C. 20426, protests or petitions to intervene in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceedings. Persons wishing to become parties to the proceedings or to participate as a party in the hearing now set for this proceeding must file petitions to intervene in accordance with the Commission's rules. The application for a nonpower license is on file with this Commission and available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-22510 Filed 10-23-73;8:45 am]

[Docket No. RP74-27]

**BACA GAS GATHERING SYSTEM, INC.**  
**Notice of Rate Increase**

OCTOBER 15, 1973.

Take notice that Baca Gas Gathering System, Inc. (Baca), on October 1, 1973, tendered for filing Second Revised Sheet No. 3-A, Volume 1; Third Revised Sheet No. 22, Volume 1; and First Revised Sheet No. 3A, Volume 2. Baca states that the increase of \$31,200 reflected in the tariff sheets were authorized by Opinion No. 658 under Docket No. R-425 on April 11, 1973.

Baca requests waiver of the 30-day notice requirement and that the tariff sheets become effective October 1, 1973.

Any person desiring to be heard or to protest said filing should file a petition to intervene, or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before October 28, 1973. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestant parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-22500 Filed 10-23-73;8:45 am]

[Docket Nos. CP73-184, CI73-485]

**COLORADO INTERSTATE GAS CO. ET AL.**  
**AND CIG EXPLORATION, INC.**

**Certification of Proposed Settlement Agreement**

OCTOBER 15, 1973.

Take notice that on October 3, 1973, Presiding Administrative Law Judge Wil-

liam C. Levy certified to the Commission a proposed Stipulation and Agreement of Settlement (Settlement Agreement) filed on October 3, 1973 by Colorado Interstate Gas Company, a division of Colorado Interstate Corporation (CIG) and CIG Exploration, Inc. (Exploration) and other signatory parties thereto, together with a Motion for Approval thereof.

The proposed Settlement Agreement would authorize CIG to transfer to Exploration its producing properties, the production from which will be sold to CIG by Exploration at applicable area rates. The purpose of the transfer is to establish and fund a five-year exploration and development program by Exploration with the additional revenues generated by pricing the gas produced at the applicable area rates instead of the cost-of-service basis currently used by CIG. That authorization would be subject to certain protective conditions set out in the Settlement Agreement which include, inter alia, that Exploration will expend for exploration and development over the five-year program period a minimum of 50.9 million dollars, that Exploration will dedicate reserves of 275,000 MMcf within a seven-year period, that if Exploration should fail to achieve this level of reserve dedication, it would make reimbursement to CIG, to be flowed through to CIG's customers, on the basis of 18.51 cents per Mcf for each Mcf short of 275,000 MMcf, and that all gas produced and discovered by Exploration from the leaseholds there involved or acquired by Exploration with monies from the fund will be dedicated to CIG's system to the extent economically feasible. The Settlement Agreement also authorizes CIG to include in its cost of service, the cost of gas purchased from Exploration at the applicable area rate then prevailing.

Any person desiring to make comments on this proposed Stipulation and Agreement of Settlement should file written comments with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with § 1.10 of the Commission's rules of practice and procedure (18 CFR 1.10). All such comments should be filed on or before October 26, 1973.

Copies of the Stipulation and Agreement of Settlement and Motion for Approval are on file in the Commission's public files and are available for inspection by any person desiring to inquire more fully into the contents thereof.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-22501 Filed 10-23-73;8:45 am]

[Docket No. E-8008]

**FLORIDA POWER AND LIGHT CO.**  
**Extension of Time and Postponement of Hearing**

OCTOBER 15, 1973.

On October 5, 1973, Staff Counsel filed a motion to extend the service date and the hearing date as fixed by notice issued May 31, 1973, in the above-designated matter. The motion states that counsel for the company has informed the par-

ties that the large amount of intervenor testimony and the issues raised therein necessitated a delay in the company rebuttal service date until October 15, 1973. Upon consideration, notice is hereby given that the procedural dates are modified as follows:

Company Rebuttal Date, October 25, 1973.  
Hearing, November 7, 1973, 10 a.m., e.s.t.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-22512 Filed 10-23-73;8:45 am]

[Docket No. RP74-26]

**LOUISIANA-NEVADA TRANSIT CO.**  
**Notice of Rate Increase**

OCTOBER 12, 1973.

Take notice that Louisiana-Nevada Transit Company (Louisiana-Nevada), on September 28, 1973, tendered for filing an increase in the rate for the sale of natural gas under its Rate Schedule G-1.

Louisiana-Nevada states the City of DeQueen, Arkansas (City) is the sole purchaser under Rate Schedule G-1 and that said Rate Schedule has terminated, but service continues to be rendered under the expired Service Agreement.

Louisiana-Nevada states that the proposed rate increase is 39.50 cents per Mcf. According to Louisiana-Nevada the rate filing includes provision for a Purchased Gas Adjustment clause as Section 12 of the General Terms and Conditions of Louisiana-Nevada's FPC Gas Tariff as permitted by Commission Order Nos. 452 and 452-A.

Louisiana-Nevada requests a waiver of the requirement for filing an auditor's statement. The proposed effective date is November 1, 1973.

Any person desiring to be heard or to protest said filing should file a petition to intervene, or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before October 29, 1973. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestant parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc. 73-22502 Filed 10-23-73;8:45 am]

[Docket No. CP74-87]

**LOWELL GAS CO. AND**  
**NEW ENGLAND LNG CO., INC.**  
**Notice of Application**

OCTOBER 15, 1973.

Take notice that on September 27, 1973, Lowell Gas Company (Lowell), 95 East Merrimack Street, Lowell, Massachusetts 01853, and New England LNG Co., Inc. (NELNG), Willie and Dutton



Streets, Lowell, Massachusetts 01853, filed in Docket No. CP74-87 a joint application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicants state that Lowell has contracted with Consolidated Edison Company of New York, Inc. (Con Edison), for an exchange in which 1,000,000 Mcf of natural gas will be released by Con Edison for the account of Lowell, during the fall and early winter of 1973, and Lowell will provide 334,000 Mcf of peaking service to Con Edison. Applicants state said exchange has been commenced under § 157.22 of the regulations under the Natural Gas Act (18 CFR 157.22).

Lowell herein requests authority to sell to NELNG 180,000 Mcf of said natural gas released by Con Edison, 500,000 Mcf of which is to be delivered by Transcontinental Gas Pipeline Company (Transco) to Philadelphia Gas Works (PGW) for Lowell's account.

NELNG states that the 180,000 Mcf of gas it proposes to purchase from Lowell will be used to pay back PGW for gas borrowed during the winter of 1972-3 which was liquefied by PGW and delivered to NELNG which sold said gas to various distributing companies. NELNG requests authority to deliver or cause to be delivered said gas to PGW.

NELNG states that authorization of the proposed sale by Lowell will enable NELNG to satisfy contractual obligations with PGW.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 6, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a

formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-22513 Filed 10-23-73;8:45 am]

[Docket No. E-8415]

#### NORTHERN STATES POWER CO.

##### Proposed Changes in Rates and Charges

OCTOBER 15, 1973.

Take notice that Northern States Power Company (Northern) tendered for filing on September 24, 1973, proposed changes to its FPC Rate Schedule No. 154 which designates the Upper Mississippi Valley Power Pool Agreement, Supplement Nos. 14 and 15. The tender consists of rate changes contained in the Third Revised Service Schedules A and B and First Revised Service Schedule I for the period November 1, 1973, through October 31, 1974 respectively. Northern states that this tender is in accordance with Commission instructions of November 22, 1972. Northern requests an effective date of November 1, 1973.

In support of its tender, Northern asserts the increased costs shown in its submittal result from increased costs of material, labor, financing, environmental protection facilities and the costs of satisfying regulatory authorities including delays resulting therefrom. Further, Northern avers that the rates provided for in Service Schedules A, B, and I are negotiated rates.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before October 26, 1973. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-22503 Filed 10-23-73;8:45 am]

[Docket No. E-8423]

#### ORANGE AND ROCKLAND UTILITIES, INC.

##### Initial Rate Filing

OCTOBER 15, 1973.

Take notice that on September 28, 1973, Orange and Rockland Utilities, Inc. (Rockland) tendered for filing, pursuant to Section 35.12 of the Commissions

Regulations, an initial rate schedule set forth as an Agreement between Rockland and Consolidated Edison Company of New York, Inc. (Con Ed). The Agreement provides for the sale of 200 MW of capability and the energy therewith by Rockland to Con Ed from Rockland's entitlement in Bowline Point Unit No. 1 from October 29, 1973, through April 27, 1974.

The Agreement provides that Con Ed will pay \$80/MW-day for the 200 MW of capability being purchased, and that the charges for associated energy shall be the variable operating and maintenance costs directly related to the energy sold together with a percentage of operating and maintenance costs. Rockland claims that the capability being sold under this Agreement in the winter of 1973-74 is not required to meet the needs of its own system customers, thus the Agreement will enable Rockland to obtain revenues which would have to be fully absorbed by it and its retail customers.

Any person desiring to be heard or to protest said filing should file a petition to intervene, unless such petition has been filed previously, or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before October 26, 1973. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.73-22514 Filed 10-23-73;8:45 am]

[Docket No. C174-186]

#### PHILLIPS PETROLEUM CO.

##### Notice of Application

OCTOBER 15, 1973.

Take notice that on September 17, 1973, Phillips Petroleum Company (Applicant), Bartlesville, Oklahoma 74004, filed in Docket No. C174-186 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to United Gas Pipe Line Company from the West Bryce-land Field, Bienville Parish, Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it commenced the sale of natural gas on August 24, 1973, within the contemplation of § 157.29 of the Regulations under the Natural Gas Act (18 CFR 157.29) and proposes to continue said sale for one year from the end of the sixty-day emergency period within



the contemplation of § 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70). Applicant proposes to sell approximately 5,000 Mcf of gas per day at 60.0 cents per Mcf at 15.025 p.s.i.a., subject to upward and downward Btu adjustment.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before October 29, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc. 73-22504 Filed 10-23-73; 8:45 am]

[Docket No. CP74-89]

#### UNITED GAS PIPE LINE CO.

##### Notice of Application

OCTOBER 12, 1973.

Take notice that on October 1, 1973, United Gas Pipe Line Company (Applicant), 1500 Southwest Tower, Houston, Texas 77002, filed in Docket No. CP74-89 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of natural gas facilities in the West Cameron Area, South Addition, offshore Louisiana, and near Erath, Louisiana, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate approximately 7.8 miles of 24-inch pipeline beginning at Block 587, West Cameron Area, South Addition, offshore Louisiana, and extending in a generally northerly direction to Block 565, West Cameron Area. Applicant states that this line is needed in order for it to deliver gas produced from West Cameron Area, which it has contracted to buy, to Stingray Pipeline Company (Stingray) which will transport this gas onshore for Applicant's account to Natural Gas Pipeline Company of America at a point near Erath, Vermilion Parish, Louisiana. Natural in turn will redeliver this gas to Applicant at the outlet of Texaco Inc.'s Henry Plant near Erath. In order to accept this gas at the Henry plant, Applicant proposes to construct approximately 1.7 miles of 16-inch pipeline from the outlet of the Henry Plant to Applicant's transmission system. Applicant indicates that it has acquired the rights through advance payment agreements to purchase gas reserves attributable to the interests of Pennzoil Offshore Gas Operators, Inc., and Cities Service Oil Company from Blocks 587, 548, and 572 in the West Cameron Area.

Applicant estimates the cost of the proposed facilities at \$5,530,000, which it plans to finance from funds on hand.

Stingray has filed an application in Docket No. CP73-27 for authorization to construct the offshore pipeline, into which Applicant proposes to deliver the subject gas. Natural has filed an application, as amended, in Docket No. CP73-219, for authorization to transport the subject gas for United.

Applicant additionally requests that the subject application be consolidated with the proceeding pending in Docket No. CP73-27, et al. (which includes Docket No. CP73-219 and which has been set for formal hearing).

Any person desiring to be heard or to make any protest with reference to said application should on or before November 5, 1973, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own re-

view of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc. 73-22515 Filed 10-23-73; 8:45 am]

## FEDERAL RESERVE SYSTEM

### FEDERAL OPEN MARKET COMMITTEE

#### Domestic Policy Directive of May 15, 1973

In accordance with § 271.5 of its rules regarding availability of information, there is set forth below the Committee's Domestic Policy Directive issued at its meeting held on July 17, 1973.

The information reviewed at this meeting, including recent developments in industrial production, employment, and retail sales, suggests that growth in economic activity moderated in the second quarter from the exceptionally rapid pace of the two preceding quarters. Increases in employment were relatively substantial, however, and in June the unemployment rate dropped below 5 percent. Wage rates advanced at a faster pace during the second quarter than earlier in the year. In the months immediately preceding the price freeze imposed in mid-June, the rise in prices of both industrial commodities and farm and food products remained extraordinarily rapid.

The U.S. merchandise trade balance worsened in May as import prices rose sharply further, but the trade deficit remained well below the first-quarter average. In foreign exchange markets, the jointly floating continental European currencies rose sharply further against the dollar in early July. After the first week in July, the dollar recovered somewhat on the basis of market expectations of official intervention. On July 10 the Federal Reserve announced substantial increases in its swap arrangements with other central banks.

Both the narrowly and more broadly defined money stock rose sharply in May and June, although inflows of consumer-type time and savings deposits slackened somewhat in the latter month. Expansion in bank credit continued at a substantial pace. Since mid-June both short- and long-term market interest rates have advanced considerably further, with the sharpest increases in the short-term sector. On June 29 increases were announced in Federal Reserve discount rates, from 6½ to 7 percent, and in member bank reserve requirements; on July 5 ceiling interest rates were increased on time and savings deposits at commercial banks and other thrift institutions.

In light of the foregoing developments, it is the policy of the Federal Open Market Committee to foster financial conditions conducive to abatement of inflationary pressures, a more sustainable rate of advance in economic activity, and progress toward equilibrium in the country's balance of payments.

To implement this policy, while taking account of international and domestic financial market developments and the forthcoming Treasury financing, the Committee seeks to achieve bank reserve and money market conditions consistent with slower



growth in monetary aggregates over the months immediately ahead than occurred on average in the first half of the year.

By order of the Federal Open Market Committee, October 15, 1973.

ARTHUR L. BROIDA,  
Secretary.

[FR Doc.73-22536 Filed 10-23-73;8:45 am]

#### OLD KENT FINANCIAL CORP.

##### Order Approving Acquisition of Bank

Old Kent Financial Corporation, Grand Rapids, Michigan, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a) (3) of the Act (12 U.S.C. 1842(a) (3)) to acquire all of the voting shares of the successor by merger to the Peoples State Bank of Holland, Holland, Michigan (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 section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant controls two banks with aggregate deposits of \$661.7 million, representing 2.8 percent of the total deposits in commercial banks in Michigan, and is the seventh largest banking organization in the State.<sup>1</sup> The acquisition of Bank (deposits of \$49.1 million) would increase Applicant's share of State deposits by only 0.2 percentage point and its rank would remain unchanged.

Bank is the larger of two banks headquartered in the city of Holland (population of 26,000), located 27 miles southwest of Grand Rapids, and is the second largest of three banks in the Holland banking market<sup>2</sup> with 31 percent of total deposits therein. The largest bank in the market, First Michigan Bank and Trust Company, Zeeland ("Zeeland Bank"), is located five miles northeast of Bank and controls almost 48 percent of total deposits in the market. The smallest of the three banks, which controls approximately 21 percent of deposits, recently affiliated with a bank holding company system. It appears that consummation of the proposal would not have an undue adverse effect on any competing bank.

Applicant's lead bank, Old Kent Bank and Trust Company, Grand Rapids (Old

Kent), with deposits of \$647.3 million, is the largest banking organization in the Grand Rapids banking market and controls 49 percent of its total deposits. While the Grand Rapids and Holland banking markets are adjacent, they are separate market areas. Old Kent's head office is in Grand Rapids and its penetration of the adjacent Holland market has been nominal except for a few large business accounts. This is shown by the fact that Old Kent's Hudsonville branch, located 13 miles northeast of Holland, has not in any way significantly affected the Holland market, and therefore, this branch does not represent a reasonable alternative to banking services offered in Holland. Applicant draws deposits from the Holland market representing only 2 percent of the total deposits in that market while Bank has no deposits drawn from Old Kent's service area. In view of the above, the Board concludes that there is no meaningful existing competition between Applicant and Bank. While Applicant has the size and resources to enter the market de novo, this method of expansion is unlikely as the Holland market is not particularly attractive for such entry. It has not been a rapidly expanding area; the deposits per banking office are \$14.4 million compared to the State average of \$14.7 million and the population per banking office ratio is 5,273 relative to the State average of 5,495. On the basis of the record before it, the Board concludes that the acquisition would have no significant adverse effect on existing or potential competition in any relevant area.

The financial condition and managerial resources of Applicant, its subsidiary banks, and Bank are generally satisfactory, future prospects for all are favorable. Applicant proposes to assist Bank in providing new or improved services with respect to areas such as installment, mortgage, and commercial lending, trust services, computer and international services. While there is no evidence in the record that the banking needs of the area are not being adequately served, the improved or expanded services would provide customers with an alternative source of such services and, further, would enable Bank to compete more effectively with the aggressive Zeeland Bank. Therefore, considerations relating to the convenience and needs of the communities to be served are regarded as consistent with approval. It is the Board's judgment that consummation of the proposed acquisition is in the public interest and that the application should be approved.

On the basis of the records,<sup>3</sup> the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the thirtieth calendar day following the effective date of this order or (b) later than three 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 Chicago pursuant to delegated authority.

By order of the Board of Governors,<sup>4</sup> effective October 12, 1973.

[SEAL] CHESTER B. FELDBERG,  
Secretary of the Board.

[FR Doc.73-22541 Filed 10-23-73;8:45 am]

#### PSB BANK

##### Order Approving Application for Consolidation of Banks

PSB Bank, Holland, Michigan, a proposed State member bank of the Federal Reserve System, has applied for the Board's approval pursuant to the Bank Merger Act (12 U.S.C. 1828(c)) of the consolidation of that bank with The Peoples State Bank of Holland, Holland, Michigan, under the name of The Peoples State Bank of Holland.

As required by the Act, notice of the proposed merger, in form approved by the Board,<sup>1</sup> has been published, and the Board has requested reports on competitive factors from the Attorney General, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation. The Board has considered the application in light of the factors set forth in the Act.

On the basis of the record, the application is approved for the reasons summarized in the Board's Order of this date relating to the application of Old Kent Financial Corporation to acquire the successor by merger to The Peoples State Bank of Holland, provided that said consolidation shall not be consummated (a) before the thirtieth calendar day following the date of this Order or (b) later than three months after the date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Chicago pursuant to delegated authority.

By order of the Board of Governors,<sup>2</sup> effective October 12, 1973.

[SEAL] CHESTER B. FELDBERG,  
Secretary of the Board.

[FR Doc.73-22542 Filed 10-23-73;8:45 am]

#### TWIN GATES CORP. AND NORTHERN STATES BANCORPORATION, INC.

##### Order Approving Acquisition of Kelly Mortgage and Investment Company

Twin Gates Corporation (Twin), Wilmington, Delaware, and its subsidiary,

<sup>1</sup> Voting for this action: Chairman Burns and Governors Mitchell, Daane, and Sheehan. Voting against this action: Governor Brimmer and Holland. Absent and not voting: Governor Bucher.

<sup>2</sup> Dissenting Statement of Governors Brimmer and Holland filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Chicago.

<sup>3</sup> Voting for this action: Chairman Burns and Governors Mitchell, Daane, and Sheehan. Voting against this action: Governors Brimmer and Holland. Absent and not voting: Governor Bucher.

<sup>1</sup> All banking data are as of December 31, 1972, adjusted to reflect bank holding company formations and acquisitions approved by the Board through June 30, 1973.

<sup>2</sup> The Holland banking market is approximated by the northwest portion of Allegan County and the southwest portion of Ottawa County.

<sup>3</sup> Dissenting Statement of Governors Brimmer and Holland filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Chicago.



Northern States Bancorporation, Inc. (Northern), Detroit, Michigan, bank holding companies within the meaning of the Bank Holding Company Act, have applied for the Board's approval, under section 4(c)(8) of the Act and § 225.4 (b)(2) of the Board's Regulation Y, to acquire directly or indirectly all of the voting shares of Kelly Mortgage and Investment Company and its subsidiaries, Kelly Holding Company and Income Advisory Corporation, all with head offices in Flint, Michigan (hereinafter collectively referred to as "Company"), a company that engages directly and indirectly in the activity of mortgage banking and indirectly in the activity of acting as advisor to a real estate investment trust. Such activities have been determined by the Board to be closely related to banking (12 CFR 225.4(a)(1), (3), and (5)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (38 FR 21826). The time for filing comments and views has expired, and none has been timely received.

Twin controls one bank directly and, through its subsidiary, Northern, indirectly controls two additional banks, which banks have aggregate deposits of \$733 million, representing 2.9 percent of total deposits in commercial banks in Michigan.<sup>1</sup> Northern proposes to acquire all of the shares of Company, and, by virtue of section 2(g)(1) of the Act, Twin would be deemed to indirectly control such shares of Company. Directly, and indirectly through subsidiaries, Company's activities include originating and selling mortgage loans to permanent investors, servicing mortgages on business and other nonfarm properties, making interim construction loans, and serving as advisor to a real estate investment trust. Company, with three offices in Michigan, one office in Texas, and one office in Florida, is the 186th largest mortgage company in the Nation in terms of the volume of permanent mortgages serviced.<sup>2</sup>

Company has offices located in Lansing and Birmingham, Michigan. Company's Lansing office is located in the same area as Applicants' subsidiary Bank of Lansing (Lansing Bank), while Company's Birmingham office is located in the Detroit SMSA where Applicant's subsidiary, City National Bank of Detroit (City National) is located. City National and Lansing Bank each engage in (1) interim construction lending; (2) origination of permanent mortgage loans on income producing properties; and (3) origination of permanent mortgage loans on one-to-four family residences. Approximately 90 percent of Company's total 1972 construction loans were originated in the Flint area. Company originated only two permanent mortgage loans on income producing properties in the De-

troit area and only one such loan in the Lansing area in 1972. Company did not originate any mortgage loans on one-to-four family residences in the Detroit area in 1972. Accordingly, it does not appear that Applicants' acquisition of Company would eliminate any significant competition in these product lines in either City National's or Lansing Bank's area.

Consummation of the proposal would eliminate some existing competition between Company and Lansing Bank with respect to permanent one-to-four family residential mortgages. In 1972, Company originated \$2.4 million in such loans in Lansing Bank's area, while Lansing Bank originated \$1.8 million in such loans in that area. Although the combined permanent one-to-four family residential mortgage originations of Company and Lansing Bank may have amounted to 10 percent of the total volume of originations in Lansing Bank's area, several factors diminish the importance of this fact. It appears that two lenders in Lansing Bank's area each originated approximately \$15 million in such loans in 1972. Thus, Applicants' acquisition of Company would not place it in dominant position in that area. Moreover, several alternative sources of residential mortgage credit will remain to serve the area. Accordingly, the Board finds that no significant existing competition would be eliminated in Lansing Bank's area upon consummation of this proposal. Further, it does not appear that Applicants' acquisition of Company would result in the foreclosure of any significant potential competition in view of Company's need for capital in order to expand and the fact that Company and Applicants' subsidiary banks emphasize different types of mortgage lending.

Moreover, upon consummation of this proposal, Applicants' have committed to increase Company's capital by \$1 million. Acquisition of Company by Applicants will also likely provide greater access to financial markets for Company. Accordingly, Applicants' acquisition of Company should enable it to offer a broader range of improved services to its customers and increase its competitive effectiveness.

Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) is favorable. Accordingly, the applications are hereby approved. This determination is subject to the conditions set forth in section 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

The transaction shall be consummated not later than three 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 Chicago.

By order of the Board of Governors,<sup>3</sup> effective October 12, 1973.

[SEAL]

CHESTER B. FELDBERG,  
Secretary of the Board.

[FR Doc. 73-22543 Filed 10-23-73; 8:45 am]

#### WAVERLY INVESTMENT CO.

##### Order Approving Formation of Bank Holding Company and Continuation of Insurance Agency Activities

Waverly Investment Company, Waverly, Missouri, has applied for the Board's approval under section 3(a)(1) of the Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through acquisition of up to 100 percent of the voting shares of Bank of Waverly, Waverly, Missouri (Bank).

Applicant has also applied for the Board's approval under section 4(c)(8) of the Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of Regulation Y to acquire Mallen Insurance Agency, Waverly, Missouri (Agency), and thereby to engage in permissible insurance agency activities in Waverly (population of 900). The operation by a bank holding company of a general insurance agency in a community with a population not exceeding 5,000 is an activity that the Board has previously determined to be closely related to banking (12 CFR 225.4(a)(9)(iii)(a)).

Notice of receipt of the applications has been given in accordance with sections 3 and 4 of the Act, and the time for filing comments and views has expired. The Board has considered the applications and all comments received in light of the factors set forth in section 3(c) of the Act, and the consideration specified in section 4(c)(8) of the Act.

Applicant is a non-operating corporation recently organized for the purpose of acquiring shares of Bank and an existing insurance agency. Bank (deposits of \$3.4 million), the only banking institution in Waverly, an agricultural community located 60 miles east of Kansas City, is the sixth largest of eleven banks in the Waverly banking market<sup>1</sup> and controls 4 percent of deposits in the market. (Banking data are as of December 31, 1972, and market data are as of June 30, 1972.) Since the proposed holding company formation is essentially a restructuring of Bank's present ownership, the Board concludes that consummation of the proposal would not eliminate any existing or potential competition, increase concentration of banking resources, or have an undue adverse effect on the other banks in the relevant market. Therefore, competitive considerations are consistent with approval of the application.

<sup>1</sup> Voting for this action: Vice Chairman Mitchell and Governors Daane, Sheehan, Bucher and Holland. Absent and not voting: Chairman Burns and Governor Brimmer.

<sup>2</sup> The Waverly banking market is approximated by the southeastern portion of Ray County and the northern portion of Lafayette County.

<sup>1</sup> Unless otherwise noted, financial data are as of December 31, 1972.

<sup>2</sup> Data regarding mortgage banking ranking are as of June 30, 1972.



The financial condition, managerial resources, and future prospects of Bank are regarded as satisfactory and consistent with approval of the application. The management of Applicant is essentially the same as that of Bank, and Applicant's financial condition and future prospects are dependent upon profitable operations by both Bank and Agency. Applicant will incur debt in acquiring Bank; however, its income from Bank and the insurance agency activities should provide sufficient revenue to service the debt without impairing the financial condition of Bank. Although consummation of the transaction would have no immediate effect on the area's banking convenience and needs, improved services may result in the future under the more flexible corporate structure of the holding company. Considerations relating to the convenience and needs of the community to be served, therefore, are regarded as being consistent with approval of the application. It is the Board's judgment that consummation of the proposed transaction would be in the public interest and that the application to acquire Bank should be approved.

Agency is a general insurance agency and conducts its business from the premises of Bank in Waverly. It engages in the sale of credit life, credit accident and health insurance to customers of Bank under the name of Waverly Insurance Agency and sells various other types of general insurance under the name of Agency. As it is the only insurance agency in Waverly, continued availability of these services through Applicant assures the residents of the Waverly area of a convenient source of insurance agency services. There is no evidence in the record indicating consummation of the proposal would result in any undue concentration of resources, unfair competition, conflicts of interests, unsound banking practices or other adverse effects on the public interest.

On the basis of the foregoing and other facts reflected in the record, the Board has determined that the considerations affecting the competitive factors under section 3(c) of the Act and the balance of the public interest factors the Board is required to consider regarding the acquisition of Agency under section 4(c) (8) are favorable and that such applications should be approved.

Accordingly, the applications are approved for the reasons summarized above. The acquisition of Bank and Agency shall not be consummated (a) before the thirtieth calendar day following the effective date of this Order, or (b) later than three 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 Kansas City pursuant to delegated authority. The determination as to Applicant's insurance activities is subject to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compli-

ance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

By order of the Board of Governors,<sup>2</sup>  
effective October 15, 1973.

[SEAL] CHESTER B. FELDBERG,  
Secretary of the Board.

[FR Doc. 73-22544 Filed 10-23-73; 8:45 am]

#### ALFRED I. DUPONT TESTAMENTARY TRUST

Determination, and Order for Divestiture, of Control of Florida National Banks of Florida, Inc.

The Board of Governors having by Notice dated July 5, 1973, informed the Trustees of the Alfred I. duPont Testamentary Trust (the Trust) that the Board was not satisfied with the effectiveness of the Trust's action directed toward divestiture of control of the banks in the Florida National Banks of Florida holding company system and that the Board had made a preliminary determination pursuant to Regulation Y (12 CFR 225.2(c)) that the Trust has continued to exercise control and/or a controlling influence over the management or policies of Florida National Banks of Florida (Florida National) and/or its subsidiary banks within the meaning of section 2 of the Bank Holding Company Act of 1956, as amended; and the Trust having, by resolution adopted in response to the Board's Notice, indicated to the Board the Trust's willingness to terminate such control relationship by divesting itself of the Trust's holdings of Two Million Three Hundred Thirty Thousand, Six Hundred Thirty-Eight (2,330,638) shares of capital stock in Florida National and having, by letter dated September 17, 1973, requested until December 31, 1974, to negotiate and conclude the sale and disposition of this block of stock; and

The Trust, not having contested the Board's determination of a control relationship, and not having requested a hearing on the determination of control, as provided in Regulation Y (12 CFR 225.2(c)),

Now therefore the Board finally determines on the basis of the evidence before the Board as summarized in its Notice dated July 5, 1973, and the presumption of control set forth in § 225.2 (b) (2) of Regulation Y that the Trust continues to exercise control and/or a controlling influence over Florida National and/or its subsidiary banks within the meaning of Regulation Y and the Bank Holding Company Act of 1956, as amended, and that the Trust remains a bank holding company within the meaning of section 2(a) (2) of the Bank Holding Company Act, as amended 12 U.S.C. 1841(a) (2).

<sup>2</sup> Voting for this action: Vice Chairman Mitchell and Governors Daane, Brimmer, Sheehan, Bucher and Holland. Absent and not voting: Chairman Burns.

The Board now hereby orders the Trust to terminate its control and/or controlling influence over Florida National and/or its subsidiary banks.

The Trust having informed the Board of its willingness to terminate the control relationship by divestiture of its capital stock holdings in Florida National, and having requested to be given until December 31, 1974, to dispose of said stock holdings, and to cease to be a bank holding company,

It is hereby ordered, That the Trust divest itself of said stock holdings so as to terminate said control relationships as required by the Bank Holding Company Act and Regulation Y as early as possible, but in no event later than December 31, 1974; and,

It is further ordered, That the Trust submit to the Board within sixty (60) days of this Order a specific plan for the divestiture of the stock, which plan shall contain explicit provisions to assure that the Trust's disposition of the stock will terminate control and/or controlling influence by the Trust over Florida National and/or any bank. The plan will be reviewed by the Board for effectiveness in assuring terminating of control and conformity in all respects to the requirements of the Bank Holding Company Act and Regulation Y and the Trust will be promptly advised. After approval of the plan, the Trust shall report in writing to the Board every thirty days on the progress in implementing the plan; and

It is further ordered, That jurisdiction over the divestiture program shall remain with the Board until such time as the Board is satisfied that the Trust has fully complied with the requirements of this Order and the provisions of the Bank Holding Company Act and Regulation Y; and the Board shall take such further action from time to time as may be necessary to assure compliance with the terms of this Order.

It is further ordered, That no request for reconsideration of this Order will be considered unless filed within 10 days after the date hereof nor will it be granted unless the request presents relevant material facts which, for good cause shown, were not previously presented to the Board or unless it otherwise appears to the Board that reconsideration would be appropriate.

By order of the Board of Governors,<sup>1</sup>  
effective October 15, 1973.

[SEAL] CHESTER B. FELDBERG,  
Secretary of the Board.

[FR Doc. 73-22530 Filed 10-23-73; 8:45 am]

#### CENTRAL BANCSHARES OF THE SOUTH, INC.

##### Acquisition of Bank

Central Bancshares of the South, Inc., Birmingham, Alabama, has applied for the Board's approval under section 3(a)

<sup>1</sup> Voting for this action: Vice Chairman Mitchell and Governors Daane, Brimmer, Sheehan, Bucher, and Holland. Absent and not voting: Chairman Burns.



(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 Sumiton Bank, Sumiton, Alabama. 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 November 9, 1973.

Board of Governors of the Federal Reserve System, October 15, 1973.

[SEAL] THEODORE E. ALLISON,  
Assistant Secretary of the Board.

[FR Doc.73-22531 Filed 10-23-73; 8:45 am]

#### CENTRAL NATIONAL BANCSHARES, INC. Order Approving Acquisition of Two Banks and Acquisition of an Insurance Agency

Central National Bancshares, Inc., Des Moines, Iowa, a bank holding company within the meaning of the Bank Holding Company Act, has applied in separate applications for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire shares of each of two banks as follows:

(1) 90 percent or more of the voting shares of Kossuth Security Investment Company (Kossuth Investment), Mason City, Iowa, a bank holding company, thereby indirectly acquiring 80 percent or more of the voting shares of The Security State Bank, Algona, Iowa (Algona State);<sup>1</sup>

(2) 90 percent or more of the voting shares of Unibank, Inc. (Unibank), Mason City, Iowa, a bank holding company, thereby indirectly acquiring 80 percent or more of the voting shares of United Home Bank & Trust Co., Mason City, Iowa (Mason State).<sup>2</sup>

Applicant has also applied for the Board's approval under section 4(c)(8)

<sup>1</sup> Applicant has also applied to acquire voting shares of United American Investment Co., Mason City, Iowa, a bank holding company, thereby acquiring First State Bank, Britt, Iowa, and Britt Insurance Agency, Britt, Iowa, but these applications have been withdrawn.

<sup>2</sup> Kossuth Investment owns 82 percent of the voting shares of Algona State and an offer to purchase shares from minority shareholders will also be made. Kossuth Investment also owns 4.9 percent of the voting shares of The First National Bank of Klemm, Klemm, Iowa, but such ownership will be divested prior to consummation of the proposed acquisitions.

<sup>3</sup> Unibank presently owns approximately 70 percent of the voting shares of Mason State, but will own 80 percent or more of such shares prior to consummation. An offer to purchase shares from minority shareholders will be made. Unibank also owns 4.9 percent of the voting shares of The First National Bank of Klemm, Klemm, Iowa, but such ownership will be divested prior to consummation of the proposed acquisitions.

of the Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y to acquire the assets of LuVerne Insurance Agency, LuVerne, Iowa (Agency), an unincorporated insurance agency operated by Kossuth Investment, and thereby to engage in the activities of a general insurance agency in a community of less than 5,000 persons. Such activities have been determined by the Board to be closely related to banking (12 CFR 225.4(a)(9)(iii)(a)).

Notice of the applications, affording opportunity for interested persons to submit comments and views, has been given in accordance with sections 3 and 4 of the Act (38 FR 12166 and 13062). The time for filing comments and views has expired, and the Board has considered the applications and all comments received in light of the factors set forth in section 3(c) of the Act, and the considerations specified in section 4(c)(8) of the Act.

Applicant controls one bank, Central National Bank and Trust Company, Des Moines, Iowa (Central National), with deposits of approximately \$214 million, representing under 3 percent of total deposits in commercial banks in the State, and is the fifth largest banking organization in Iowa. (Banking data are as of June 30, 1972, and reflect bank holding company formations and acquisitions approved by the Board through August 15, 1973.) Upon consummation of the proposals herein, Applicant would control 3.5 percent of total deposits in commercial banks in the State and would become Iowa's third largest banking organization.

Algona State (deposits of approximately \$12 million) is the larger of two commercial banks in Algona (population of 6,032 as of 1970) and operates a single branch in LuVerne (population of 380 as of 1970). It is the largest of eight commercial banks in its banking market,<sup>4</sup> and control slightly over 26 percent of total deposits therein. The second largest bank in the market is approximately the same size. Mason State (deposits of \$41 million) is the second largest of three commercial banks in Mason City (population 30,491 as of 1970) and is the second largest of eleven commercial banks in the Mason City banking market,<sup>5</sup> with 26 percent of deposits in that market. The largest bank in the market is a holding company affiliate and holds approximately 36 percent of total deposits in commercial banks in that market.

Mason State and Algona State are both located in the northcentral portion of Iowa, approximately 50 miles apart and over 100 miles from Applicant's banking subsidiary, Central National. As a re-

<sup>4</sup> The relevant banking market is approximated by the lower three-fifths of Kossuth County plus the area immediately to the north in Kossuth County including the town of Bancroft.

<sup>5</sup> The Mason City banking market is approximated by Cerro Gorde County and the towns of Sheffield, Nora Springs, and Manly which are located in adjacent counties.

sult of the distances involved, the size of the banks, and other facts of record, there is no significant competition between Algona State and Mason State or between either of them and Central National. Nor, in view of the distances separating the banks, Iowa's restrictive branching laws, and other facts of record, does it appear that significant future competition between Algona State and Mason State or between either of them and Applicant would be foreclosed. However, the application indicates that the President, Chief Executive Officer, and Director of Mason State proposes to continue in those positions and also become a director of Applicant and of Central National. This individual, either by himself or along with business associates, directly or indirectly exercises control over two other banks in the Mason City banking market, American State Bank, Mason City, Iowa (deposits of slightly over \$8 million), and Manly State Bank, Manly, Iowa (deposits of over \$6 million).<sup>6</sup> The Board is concerned with the conflict of interest and anticompetitive implications of permitting this individual to serve as a director of Applicant and as an officer and director of Mason State while he, at the same time, retains significant ownership interests in competing banks. Although Applicant and the individual are aware of these problems and have indicated that certain steps will be taken to avoid these possible consequences, the Board believes that its approval of the subject applications should assure that the individual will not serve as an officer or director of Applicant or any of its banking subsidiaries while at the same time retaining significant interests in any competing bank. Accordingly, the Board has conditioned its approval as hereinafter set forth to assure that the potential conflict of interest and anticompetitive implications will be avoided. On this basis and on the record herein, the Board finds that consummation of the proposals will not have an adverse effect on competition in any relevant area.

The financial condition and managerial resources of Applicant, its subsidiary bank, and the proposed subsidiary banks are regarded as satisfactory and future prospects for all appear favorable. There is no evidence in the record to indicate that the banking needs of the residents of the communities involved are not being adequately served. Consummation, however, is likely to provide the proposed subsidiary banks with improved trust services, greater funding sources, and additional expertise. Considerations re-

<sup>6</sup> The individual is presently the largest single shareholder in each of the two bank holding companies which together control the largest block of American State Bank's shares; also, he, individually, owns shares in American State Bank. In addition, he and members of his family own over 80 percent of the shares of Manly State Bank where he serves as Chairman of the Board of Directors and President. Furthermore, the individual and close business associate presently control each of eight other banks in Iowa, including Algona State.



lating to the convenience and needs of the communities to be served are consistent with approval of the applications. It is the Board's judgment that the proposed acquisitions would be in the public interest and that the applications subject to the conditions set forth below should be approved.

Agency is a general insurance agency and conducts its business solely from the branch office of Algona State in LuVerne. Agency is the only insurance agency in LuVerne and its continued affiliation with the branch of Algona State assures that community of a convenient source of insurance agency services. There is no evidence in the record indicating that consummation of the proposal would result in any undue concentration of resources, unfair competition, conflicts of interests, unsound banking practices, or other adverse effects on the public interest. Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider regarding the acquisition of Agency under § 4(c) (8) is favorable and that such application should be approved.

On the basis of the record, and for the reasons summarized above, the applications under section 3(a) (3) and section 4(c) (8) of the Act are approved, subject to the following conditions:

(1) Applicant shall not permit the individual presently serving as President, Chief Executive Officer, and Director of Mason State to serve as an officer or director of Applicant or of any of Applicant's banking subsidiaries while he, at the same time, serves as officer or director or controls in any manner any bank that competes with a banking subsidiary of Applicant.

(2) Applicant shall not permit the aforesaid individual to serve as a director or officer of Applicant or any of its banking subsidiaries unless:

(a) He shall divest his direct and indirect ownership of voting shares of, and shall cease to control in any manner, American State Bank, Mason City, Iowa, as promptly as possible, and in no event later than six months after he has become an officer or director of Applicant or any of its banking subsidiaries; and

(b) He shall, prior to becoming an officer or director of Applicant or any of its banking subsidiaries, resign as an officer and director of Manly State Bank, Manly, Iowa, refrain from controlling Manly State Bank, and have agreed, in writing, to divest his direct and indirect ownership interests in Manly State Bank, as promptly as possible, and in no event later than two years after he has become an officer or director of Applicant or any of its banking subsidiaries.

(3) Applicant shall not permit International Bank, Washington, D.C., to exercise, directly or indirectly, a controlling influence over the management or policies of Applicant or any of its subsidiaries; and

(4) No shares of any proposed subsidiary may be acquired under the

Order herein (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three 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 Chicago pursuant to delegated authority.

The Order herein is further subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

Applicant's applications to acquire voting shares of United American Investment Co., Mason City, Iowa, thereby acquiring First State Bank, Britt, Iowa, and Britt Insurance Agency, Britt, Iowa, are dismissed as moot.

By orders of the Board of Governors effective October 12, 1973.

[SEAL] CHESTER B. FELDBERG,  
Secretary of the Board.

[FR Doc. 73-22532 Filed 10-23-73; 8:45 am]

#### COMMERCE BANCSHARES, INC.

##### Order Approving Application To Engage in the Underwriting of Credit Life and Credit Accident and Health Insurance

Commerce Bancshares, Inc., Kansas City, Missouri, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c) (8) of the Act and § 225.4(b) (2) of the Board's Regulation Y, to acquire all of the voting shares of a company (Company) to be organized de novo to engage in the underwriting, as reinsurer, of credit life and credit accident and health insurance. Such activity has been determined by the Board to be closely related to banking (12 CFR 225.4(a) (10)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (38 FR 22515). The time for filing comments and views has expired, and none has been timely received.

Applicant, the third largest banking organization in Missouri, controls 26 banks with aggregate deposits of \$1.1 billion representing 8.2 percent of the total deposits of commercial banks in the State. (All banking data are as of December 31, 1972, and reflect holding com-

\* International Bank previously held in excess of 25 percent of the voting shares of Applicant and has taken steps satisfactory to the Board to terminate its control over Applicant. International Bank presently owns less than 5 percent of Applicant's voting shares.

\* Voting for this action: Vice Chairman Mitchell and Governors Daane, Brimmer, Sheehan, Bucher, and Holland. Absent and not voting: Chairman Burns.

pany formations and acquisitions approved through August 31, 1973.)

Company will be formed as an Arizona insurance corporation with initial capital of \$150,000. As Company will be qualified to underwrite insurance directly only in Arizona, its initial activities will be limited to acting as reinsurer of credit life and credit accident and health insurance policies offered in connection with extensions of credit by Applicant's subsidiaries. Such insurance will be directly underwritten by an insurer or insurers qualified to underwrite the insurance in Missouri and will thereafter be "assigned or ceded" to Company. Credit life and disability insurance is generally made available by banks and other lenders and such insurance is designed to assure repayment of a loan in the event of death or disability of the borrower.

In connection with its addition of credit life underwriting to the list of permissible activities for bank holding companies, the Board stated that:

To assure that engaging in the underwriting of credit life and credit accident and health insurance can reasonably be expected to be in the public interest, the Board will only approve applications in which an applicant demonstrates that approval will benefit the consumer or result in other public benefits. Normally such a showing would be made by a projected reduction in rates or increase in policy benefits due to bank holding company performance of this service.

Applicant has stated that Company and the direct insurer(s) which issues the credit life and credit accidental and health insurance offered by Applicant's lending subsidiaries will reduce the rate generally charged by Applicant's lending subsidiaries for credit life insurance by 15 percent and will reduce the rate charged for credit accident and health insurance by 5 percent. The Board believes that the proposed rate changes provide reduced costs to customers and are procompetitive and in the public interest. The Board concludes that such benefits outweigh any possible adverse effects of approval of the application.

Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under § 4(c) (8) is favorable. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

The transaction shall be consummated not later than three 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 Kansas City.



By order of the Board of Governors,<sup>1</sup>  
effective October 15, 1973.

[SEAL] CHESTER B. FELDBERG,  
Secretary of the Board.

[FR Doc.73-22533 Filed 10-23-73;8:45 am]

#### DEPOSITORS CORP.

##### Proposed Acquisition of Firestone Financial Corp.

Depositors Corporation, Augusta, Maine, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4 (b)(2) of the Board's Regulation Y, for permission to acquire all of the voting shares of Firestone Financial Corp., Chestnut Hill, Massachusetts. Notice of the application was published on September 12, 1973, in *The Boston Globe*, a newspaper circulated in Boston, Massachusetts.

Applicant states that the proposed subsidiary would engage in the activities of commercial financing of personal property and equipment through dealers on a full recourse basis and to individual borrowers without recourse, and making mortgage loans principally secured by junior liens on commercial, residential, and unimproved real estate. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Boston.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than November 9, 1973.

Board of Governors of the Federal Reserve System, October 15, 1973.

[SEAL] THEODORE E. ALLISON,  
Assistant Secretary of the Board.

[FR Doc.73-22534 Filed 10-23-73;8:45 am]

<sup>1</sup> Voting for this action: Vice Chairman Mitchell and Governors Daane, Sheehan, Bucher, and Holland. Absent and not voting: Chairman Burns and Governor Brimmer.

#### ELLIS BANKING CORP.

##### Order Approving Acquisition of Bank

Ellis Banking Corporation, Bradenton, Florida, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire all of the voting shares (less directors' qualifying shares) of Commercial Bank of Sarasota, Sarasota, Florida (Bank), a proposed new bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and none has been timely received. The application has been considered in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the eighth largest banking organization in Florida, controls nineteen banks with aggregate deposits of \$553 million, representing 2.8 percent of the total deposits in commercial banks in the State.<sup>1</sup> Since Bank is a proposed new bank, consummation of the acquisition would neither eliminate existing competition nor increase immediately the Applicant's share of commercial bank deposits either in Florida or in the Sarasota market.

The Sarasota local area (consisting of parts of Sarasota and Manatee Counties) is the relevant market. Applicant, largest of five banking organizations (all holding companies), controls \$171 million or 37.3 percent of total commercial deposits through four banks which it presently owns in that market. The second largest organization in this market, Palmer Bank Corporation, controls four banks with \$167 million in deposits, representing 36 percent of market deposits. Applicant's formation and acquisition of Bank will improve Applicant's competitive position in the market but not to the extent that its position will be so dominant as to foreclose others from entry. In fact, in view of the current commercial and residential development under way in the expected service area of the proposed Bank, it appears that the market will continue to remain attractive for de novo entry. Thus, competitive considerations are consistent with approval of the application.

The financial and managerial resources and prospects of Applicant and of its subsidiaries are satisfactory in light of Applicant's commitment to improve the capital position in six of its subsidiary banks. Thus, banking factors to be considered are consistent with approval of the application.

Although the record indicates that the banking needs of the community are being served by existing financial institutions, there are presently no banks located in the proposed service area of

Bank. Residents of this area must now go into downtown Sarasota or further out of the immediate area to accomplish their banking needs. This factor, in addition to an estimated 100 percent increase in the population by 1977, illustrates the need for a convenient source of banking services. It is the Board's judgment that consummation of the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after that date, and (c) Commercial Bank of Sarasota, Sarasota, Florida, shall be opened for business not later than six months after the effective date of this Order. Each of the periods described in (b) and (c) above may be extended for good cause by the Board, or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

By order of the Board of Governors,<sup>2</sup>  
October 15, 1973.

[SEAL] CHESTER B. FELDBERG,  
Secretary of the Board.

[FR Doc.73-22535 Filed 10-23-73;8:45 am]

#### FIRST INTERNATIONAL BANCSHARES, INC.

##### Order Approving Acquisition of Bank

First International Bancshares, Inc., Dallas, Texas, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire all of the voting shares (less directors' qualifying shares) of the successor to First Hutchings-Sealy National Bank of Galveston, Galveston, Texas (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 section 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 section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the largest banking organization in Texas, presently controls 12 banks<sup>1</sup> with aggregate deposits of ap-

<sup>2</sup> Voting for this action: Vice Chairman Mitchell and Governors Daane, Sheehan, Bucher, and Holland. Absent and not voting: Chairman Burns and Governor Brimmer.

<sup>1</sup> In addition to its 12 subsidiary banks, Applicant indirectly controls interests of less than 25 percent in five banks, with aggregate deposits of \$67.2 million (as of December 31, 1972).

<sup>1</sup> Banking data are as of December 31, 1972, adjusted to reflect bank holding company acquisitions and formations approved by the Board through August 2, 1973.



proximately \$2.6 billion,<sup>2</sup> representing 7.4 percent of the total commercial bank deposits in the State. Acquisition of Bank would increase Applicant's share of State deposits by .23 percent and would not result in a significant increase in the concentration of banking resources in Texas.

Bank (approximately \$81 million in deposits) is the largest of 13 banks in the Galveston-Texas City SMSA banking market and controls 24.5 percent of the deposits in commercial banks in the market. Applicant's subsidiary bank closest to Bank is located in Houston, 52 miles away, and no meaningful present competition exists between any of Applicant's subsidiary banks and Bank. Moreover, there appears to be little likelihood for the development of any significant amount of future competition between these institutions in view of the distances involved and Texas' restrictive branching law. Although Applicant could enter the market de novo or through the acquisition of a smaller bank, Applicant's acquisition of Bank is not regarded as having a substantially adverse effect on potential competition because Applicant's acquisition of Bank would not result in Applicant's gaining a dominant share of the market's banking resources, nor would it appear to foreclose the entry of other holding companies into this market. Accordingly, the Board concludes that competitive considerations are consistent with approval of the application.

The financial and managerial resources and future prospects of Bank, and of Applicant and its present subsidiary banks, are regarded as satisfactory. Considerations relating to the banking factors are consistent with approval of the application. Although there is no evidence in the record to indicate that the banking needs of the residents of the Galveston-Texas City banking market are not currently being met, the proposed affiliation is likely to result in expansion of the range of services presently offered by Bank. In approving this application, the Board considered the fact that Galveston is a major port city in the United States and that international trade financing is a highly specialized type of activity which can be provided by Applicant and for which there is a substantial demand in Galveston. Considerations relating to the convenience and needs of the community to be served, therefore, lend weight toward 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,<sup>3</sup> the application is approved for the reasons summarized above. The transaction shall not

be consummated (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three 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 Dallas pursuant to delegated authority.

By order of the Board of Governors,<sup>4</sup> effective October 12, 1973.

[SEAL] CHESTER B. FELDBERG,  
Secretary of the Board.

[FR Doc.73-22537 Filed 10-23-73; 8:45 am]

#### MERCANTILE BANCORPORATION INC.

##### Acquisition of Bank

Mercantile Bancorporation Inc., St. Louis, Missouri, 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 90 percent or more of the voting shares of Rozier Bank, Ste. Genevieve, Missouri. 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 St. Louis. 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 November 1, 1973.

Board of Governors of the Federal Reserve System, October 15, 1973.

THEODORE E. ALLISON,  
Assistant Secretary of the Board.

[FR Doc.73-22538 Filed 10-23-73; 8:45 am]

#### MERCANTILE BANCORPORATION, INC.

##### Order Approving Acquisition of Bank

Mercantile Bancorporation, Inc., St. Louis, Missouri, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a) (3) of the Act (12 U.S.C. 1842(a) (3)), to acquire at least 90 percent of the voting shares of Sedalia Bank and Trust Company, Sedalia, Missouri (Bank).

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

Applicant controls eight banks with aggregate deposits of \$1.3 billion, representing about 9.2 percent of total deposits in commercial banks in Missouri, and ranks as the largest banking organization

in the State.<sup>1</sup> Applicant's acquisition of Bank (deposits of \$18.3 million) would not significantly increase the concentration of banking resources in Missouri.

Bank ranks as the second largest organization in the relevant banking market with approximately 21.5 percent of the market deposits.<sup>2</sup> There is no significant existing competition between Applicant and Bank with Applicant's closest banking subsidiary being located 80 miles from Bank. Nor does there appear to be a reasonable probability of competition developing between Applicant and Bank. The population of Pettis County decreased between 1960 and 1970, and the market, judged by the ratios of deposits and population per banking office, appears to be unattractive for de novo entry. Applicant's acquisition of Bank would still leave alternative means of entry to other holding companies. Moreover, acquisition of Bank by Applicant could enable the former to provide more vigorous competition for the largest bank in the market which is almost twice the size of Bank. Based upon the facts of record, the Board concludes the competitive considerations of the application are consistent with its approval.

The financial and managerial resources and prospects of Applicant, its subsidiary banks, and Bank are regarded as generally satisfactory, particularly in view of Applicant's commitment to provide additional capital and management depth to Bank. This factor lends some support for approval of the application. 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 consummation of the proposed transaction 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 thirtieth calendar day following the effective date of this Order or (b) later than three 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 St. Louis pursuant to delegated authority.

By order of the Board of Governors,<sup>3</sup> effective October 12, 1973.

[SEAL] CHESTER B. FELDBERG,  
Secretary of the Board.

[FR Doc.73-22539 Filed 10-23-73; 8:45 am]

<sup>1</sup> All banking data are as of December 31, 1972, and represent bank holding company formations and acquisitions approved by the Board through August 31, 1973.

<sup>2</sup> The relevant banking market is approximately by Pettis County, which is located in west central Missouri.

<sup>3</sup> Voting for this action: Vice Chairman Mitchell and Governors Daane, Sheehan, Bucher, and Holland. Absent and not voting: Chairman Burns and Governor Brimmer.

<sup>2</sup> All banking data are as of December 31, 1972, and reflect holding company formations and acquisitions approved through August 31, 1973.

<sup>3</sup> Dissenting Statement of Governor Bucher filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Dallas.

<sup>4</sup> Voting for this action: Chairman Burns and Governors Mitchell, Daane, Sheehan, and Holland. Voting against this action: Governor Bucher. Absent and not voting: Governor Brimmer.



# **NORTHEAST BANKSHARE ASSOCIATION Order Approving Acquisition of Bank**

Northeast Bankshare Association, Lewiston, Maine, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a) (3) of the Act (12 U.S.C. 1842(a) (3)) to acquire 80 percent or more of the voting shares of Sanford Trust Company, Sanford, Maine (Bank).

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 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 section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the fourth largest of 25 commercial banking organizations in Maine, controls seven banks, with aggregate deposits of approximately \$196 million,<sup>1</sup> representing 12.4 percent of the total deposits of commercial banks in the State. Acquisition of Bank would increase Applicant's share of State deposits by 1.6 percentage points to a total of 14 percent and would not significantly increase the concentration of banking resources in the State. Upon consummation of the proposed acquisition, Applicant would become the third largest commercial banking organization in Maine.

Bank (\$25.4 million in deposits) is the largest of eight commercial banks in the Sanford banking market (approximated by York County minus the towns of Saco and Old Orchard Beach) and controls approximately 20 percent of the deposits in commercial banks in the market.<sup>2</sup> The second and third largest commercial banks in this market control 14.4 percent and 11 percent, respectively. Applicant's subsidiary bank closest to Bank is located 32 miles away in Westbrook, which is in the adjacent Portland banking market. No meaningful competition exists between Bank and any of Applicant's subsidiary banks. Although there exists the possibility of future competition developing between Applicant's Westbrook subsidiary and Bank (in view of Maine law which permits branching into counties contiguous to that in which a bank's home office is located), the number of financial institutions already operating in Bank's market and the market's growth rate indicate that such possibility is remote.

Moreover, it appears that affiliation with Applicant may have a positive effect on competition in the Sanford market

by introducing the resources of another bank holding company organization into the area to compete with the two larger statewide banking organizations already in this market.

Although Applicant could enter the market de novo or through acquisition of one of the smaller banks in the market, such a prospect would not appear to have a substantially more beneficial effect on competition than the proposal herein. Applicant's acquisition of Bank would not result in Applicant gaining a dominant share of the market's banking resources, nor would it appear to preclude the possibility of other holding companies entering the market. The Board concludes, therefore, that competitive considerations are consistent with approval of the application.

The financial and managerial resources and future prospects of Bank, and of Applicant and its present subsidiary banks, are regarded as satisfactory. Considerations relating to the banking factors are consistent with approval of the application. Although there is no evidence in the record to indicate that banking needs of the residents of the Sanford banking market are not currently being met, the proposed affiliation is likely to result in expansion of the range of services presently offered by Bank. Affiliation with Applicant should provide Bank greater access to the Applicant's financial and managerial resources and thereby enable it to provide additional banking services to the residents of the Sanford area. 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 thirtieth calendar day following the effective date of this Order or (b) later than three 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 Boston pursuant to delegated authority.

By order of the Board of Governors,<sup>3</sup>  
effective October 15, 1973.

[SEAL] CHESTER B. FELDBERG,  
Secretary of the Board.

[FR Doc.73-22540 Filed 10-23-73;8:45 am]

## **NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES**

National Endowment for the Arts

### **FEDERAL GRAPHICS EVALUATION ADVISORY PANEL**

#### **Notice of Meeting**

Pursuant to section 10(a) (2) of the Federal Advisory Committee Act (Public

<sup>3</sup> Voting for this action: Vice Chairman Mitchell and Governors Daane, Sheehan, Bucher, and Holland. Absent and not voting: Chairman Burns and Governor Brimmer.

Law 92-463), notice is hereby given that a meeting of the Federal Graphics Evaluation Advisory Panel to the National Endowment for the Arts is scheduled for October 31, 1973 at 9:15 a.m. in room 1100, Shoreham Building, 806 15th Street, Washington, D.C.

The purpose of this meeting is to evaluate the graphics of the Federal Reserve Board. This effort is part of the Federal Design Improvement Program.

The meeting will be open to the public on a space available basis. Accommodations are limited. Further information can be obtained from Mrs. Eleanor A. Snyder, Advisory Committee Management Officer, National Endowment for the Arts, 806 15th Street, Washington, D.C. 20506, or call (202) 382-3308.

PAUL BERMAN,  
Director of Administration, National Foundation on the Arts and the Humanities.

[FR Doc.73-22506 Filed 10-23-73;8:45 am]

## **NATIONAL SCIENCE FOUNDATION ADVISORY COMMITTEE FOR PLANNING AND INSTITUTIONAL AFFAIRS**

### **Notice of Meeting**

Pursuant to the Federal Advisory Committee Act (P.L. 92-463), notice is hereby given that a meeting of the Advisory Committee for Planning and Institutional Affairs will be held at 9 a.m. on November 1 and 2, 1973, in Room 545 at 1800 G Street NW., Washington, D.C. 20550.

The purpose of this Committee is to provide advice and recommendations to the National Science Foundation concerning planning, evaluation, and policy study activities within the Foundation (with the exception of NSF internal long-range program estimates); and concerning the impact of actual and proposed Foundation programs on the effectiveness and integrity of academic and other institutions performing research, viewed as a whole.

The agenda for this meeting shall include:

- |                   |  |
|-------------------|--|
| <b>NOVEMBER 1</b> |  |
| <b>MORNING</b>    |  |
| 9:00-----         | Welcome and introduction of new members; general orientation to NSF; role of NSF advisory committees; Assistant Director for Administration. |
| 10:00-----        | Opening remarks; Committee Chairman.   |
| 11:00-----        | Coffee break.  |
| 11:15-----        | Science Planning as seen from the top; NSF Director.   |
| 11:45-----        | General discussion of items as suggested by Committee members.   |
| 12:15-----        | Recess for lunch.  |
| <b>AFTERNOON</b>  |  |
| 1:15-----         | Discussion of Planning for Science and Technology; Committee Chairman, Committee members, and NSF staff.                                     |

<sup>1</sup> All banking data are as of December 31, 1972, and reflect holding company formations and acquisitions approved through August 31, 1973.

<sup>2</sup> Twelve banking institutions operate within the Sanford banking market and four of these institutions are savings banks. Of these twelve institutions, Bank is the third largest. The two savings banks that are the first and second largest financial institutions in the market control, respectively, approximately \$29 and \$26 million of deposits.



# NOTICES

29371

## NOVEMBER 1

### MORNING

(Open to the public)

- 4:00 ----- Discussion of topics to be studied; assignment of Committee members and staff to study topics; Committee Chairman.  
5:00 ----- Public discussion, if needed.  
5:30 ----- Adjournment.

## NOVEMBER 2

### MORNING

- 9:00 ----- Discussion of National R. & D. Assessment Program; Director, Office of National R. & D. Assessment.  
9:10 ----- Discussion of Science and Technology Policy Office; Director, Science and Technology Policy Office.  
9:20 ----- Discussion of Science Resource Studies; Division of Director, Division of Science Resources Studies.  
9:30 ----- Work on study topics; Committee members and staff.  
12:00 ----- Recess for lunch.

### AFTERNOON

- 1:00 ----- Continuation of work on study topics; Committee members and staff.  
5:00 ----- Summary and adjournment; Committee Chairman.

This meeting shall be open to the public. Individuals who plan to attend should notify Mrs. Mary L. Parramore, Executive Assistant, Office of Budget, Programming, and Planning Analysis, by telephone (202-632-4050) or by mail (Room 426, 1800 G Street NW., Washington, D.C. 20550) prior to the meeting.

Persons who require further information concerning this Committee may contact Mrs. Mary L. Parramore at the above address. Summary minutes of this meeting may be obtained from the Management Analysis Office, Room K-720, 1800 G Street NW., Washington, D.C. 20550.

T. E. JENKINS,  
Assistant Director  
for Administration.

OCTOBER 9, 1973.

[FR Doc.73-22491 Filed 10-23-73; 8:45 am]

## ADVISORY PANEL FOR CHEMISTRY

### Notice of Meeting

Pursuant to the Federal Advisory Committee Act (P.L. 92-463), notice is hereby given that a meeting of the Advisory Panel for Chemistry will be held at 9 a.m. on November 1 and 3, 1973, and at 8:30 a.m. on November 2, 1973, in Room 338 at 1800 G Street NW., Washington, D.C. 20550.

The purpose of this Panel is to review and evaluate specific proposals or projects and to advise the Foundation of the impact of its research support programs on the scientific community in Chemistry.

The agenda for this meeting shall include:

- 9:00 ----- Introductions; Panel Chairman.  
9:15 ----- Discussion of NSF FY 1974 Budget; Division Director, Division of Mathematical and Physical Sciences.  
10:15 ----- Coffee break.  
10:30 ----- Discussion of Manpower Data; Section Head, Manpower Studies Section, Division of Science Resources Studies.  
11:15 ----- Discussion of Energy R. & D. Policy; Deputy Director Office of Energy R. & D. Policy.  
12:00 ----- Recess for lunch.

### AFTERNOON

(Open to the public)

- 1:30 ----- Discussion of the following topics; Panel Chairman.  
1. Citation Index Data.  
2. Grant size.  
3. Instrumentation Program.  
4. Continuing grants.  
5. NSB Report—Science Indicators 1972.  
6. ACS Report—Chemistry and the U.S. Economy.  
7. Recent Chemistry Section retreat.

## NOVEMBER 2

### MORNING

- 8:30 ----- Panel discussions with the Assistant Director for Research (open to the public); Assistant Director for Research.  
9:30 ----- Panel discussions with the NSF Director (open to the public); NSF Director.  
10:30 ----- Review and evaluation of specific proposals.  
12:00 ----- Recess for lunch.

### AFTERNOON

- 1:30 ----- Continuation of the review and evaluation of specific proposals.

## NOVEMBER 3

- 9:00 ----- Review and evaluation of specific proposals.

The November 1 session and part of the morning portion of the November 2 session (from 8:30 a.m. to 10:30 a.m.) shall be open to the public. Individuals who wish to attend should notify Dr. M. Kent Wilson, Head, Chemistry Section, by telephone (202-632-4262) or by mail (Room 346, 1800 G Street NW., Washington, D.C. 20550) prior to the meeting. The remainder of the meeting is concerned with matters which are within the exemptions of 5 U.S.C. 552(b) and will not be open to the public in accordance with the determination of the Director of the National Science Foundation dated January 15, 1973, pursuant to the provisions of section 10(d) of P.L. 92-463. Persons requiring further information about this Panel should contact Dr. M. Kent Wilson at the above address. Summary minutes relative to the open portion of this meeting may be obtained from the Management Analysis Office, Room K-720, 1800 G Street NW., Washington, D.C. 20550.

T. E. JENKINS,  
Assistant Director  
for Administration.

OCTOBER 9, 1973.

[FR Doc.73-22492 Filed 10-23-73; 8:45 am]

## ADVISORY PANELS FOR ENVIRONMENTAL BIOLOGY AND RESEARCH MANAGEMENT IMPROVEMENT

### Notice of Meetings

Pursuant to the Federal Advisory Committee Act (P.L. 92-463), notice is hereby given of meetings of the following panels including the individuals to contact for further information respecting each panel. The purpose of each of these advisory bodies is to provide advice and recommendations as part of the review and evaluation process for specific proposals and projects.

### ADVISORY PANEL FOR ENVIRONMENTAL BIOLOGY

Date and Time of Meeting: October 31, November 1 and 2, 1973; 9 a.m.

Location of Meeting: room 511, 1800 G Street NW., Washington, D.C. 20550.

Agenda: the agenda will be devoted to the review and evaluation of research proposals.

For Further Information, Contact: Dr. John L. Brooks, Program Director, General Ecology Program, room 331, 1800 G Street NW., Washington, D.C. 20550

### ADVISORY PANEL FOR RESEARCH MANAGEMENT IMPROVEMENT

Date and Time of Meeting: November 1 and 2, 1973; 8:30 a.m.

Location of Meeting: room 642, 1800 G Street NW., Washington, D.C. 20550.

Agenda: the agenda will be devoted to the review and evaluation of research proposals.

For Further Information, Contact: Ms. Jean T. DeBell, Program Director, Research Management Improvement Program, room 648, 1800 G Street NW., Washington, D.C. 20550.

These meetings are concerned with matters which are within the exemptions of 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 P.L. 92-463.

T. E. JENKINS,  
Assistant Director  
for Administration.

OCTOBER 9, 1973.

[FR Doc.73-22493 Filed 10-23-73; 8:45 am]



# SPECIAL ACTION OFFICE FOR DRUG ABUSE PREVENTION

## ADVISORY COMMITTEE ON DRUG DETECTION

### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of a meeting of the Advisory Committee on Drug Detection on November 9, 1973, 9:30 a.m., Room 3104, the New Executive Office Building, 726 Jackson Place NW., Washington, D.C. The principal purpose of the meeting is determination of future goals and procedures of the Center for Disease Control Urine Proficiency Testing System.

This meeting is open to the public. Any member of the public wishing to attend or participate should contact the Chairman, John A. Whyser, M.D., (202) 456-6611. If attendance is not possible, the Chairman will receive written statements which will be read at the time and in the manner permitted by the Committee.

JOHN A. WHYSER,  
Chairman.

[FR Doc. 73-22569 Filed 10-23-73; 8:45 am]

## INTERSTATE COMMERCE COMMISSION

[Notice 367]

### ASSIGNMENT OF HEARINGS

OCTOBER 18, 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 October 24, 1973.

MC-95540 Sub 808, Watkins Motor Lines, Inc., now being assigned hearing December 5, 1973 (3 days), at New Orleans, La., in a hearing room to be later designated.

MC-136315, Olen Burrage Trucking, Inc., now being assigned hearing December 10, 1973 (1 week), at New Orleans, La., in a hearing room to be later designated.

MC-F-11675, Thunderbird Freight Lines, Inc., Control & Merger—Oakley Transfer & Storage Company, and MC 69512 Sub 9, Thunderbird Freight Lines, Inc., now assigned November 8, 1973, at Albuquerque, N. Mex., will be held at the New Mexico Motor Carriers Association Bldg., 1500 Indian School Road NE.

MC 87720 Sub 139, Bass Transportation Co., Inc., now being assigned January 10, 1974 (1 day), at Chicago, Ill., in a hearing room to be later designated.

MC-C-8048, Forlow Travel Bureau, Inc., v. Mrs. Leland (Romine) Hostetler and Mrs. Hugh (Orpha) Easterday, d.b.a. Wana-Go Club, et al., now being assigned January 11, 1974, at Chicago, Ill., in a hearing room to be later designated.

MC 138781, Kro-Flite Cartage Co., now being assigned January 14, 1974 (2 days), at Chicago, Ill., in a hearing room to be later designated.

MC 135691 Sub 4, Dallas Carriers Corp.; MC 135691 Sub 5, Dallas Carriers Corp.; MC 135691 Sub 6, Dallas Carriers Corp.; MC 135691 Sub 7, Dallas Carriers Corp.; MC 135691 Sub 8, Dallas Carriers Corp., now being assigned January 16, 1974 (3 days), at Chicago, Ill., in a hearing room to be later designated.

MC-107515 Sub 847, Refrigerated Transport Co., Inc., MC-107515 857, Refrigerated Transport Co., Inc., now being assigned hearing December 3, 1973 (2 weeks), at Charlotte, N.C., in a hearing room to be later designated.

MC 107839 Sub 149, Denver-Albuquerque Motor Transport, Inc., and MC 113678 Sub 477, Curtis, Inc., now assigned November 5, 1973, at Denver, Colo., will be held in Room B-230, New Custom House, 19th & Stout Street.

MC 128273 Sub 139, Midwestern Express, Inc., now assigned November 12, 1973, MC 123048 Sub 257, Diamond Transportation System, Inc., now assigned November 13, 1973, and MC 138876, O-J Transport Co., now assigned November 14, 1973, at Chicago, Ill., will be held in Room 1614 Court of Claims, 219 South Dearborn Street.

MC 9325 Sub 66 K Lines, Inc., now assigned November 5, 1973, at Olympia, Wash., will be held on the 6th Floor Highway Licenses Bldg., 12th and Washington Street.

MC-C-8077, Middle and Western Farms Cooperative Association, Northern Fruit Co., Ritco Produce, Inc., Jack T. Baillie McAdams, James D. Pauly, Edward Farrington, James Wade, and William R. Crow, Jr., Investigation of Operations and Practices MC-FC-35454, Middle and Western Farms Cooperative Association, Lessee, and B. J. McAdams, Inc., Lessor and MC-134922 Sub 27, B. J. McAdams, Inc., Extension—Helen, Arkansas, now being assigned hearing January 14, 1974 (2 weeks), at Little Rock, Ark., in a hearing room to be later designated.

MC 116763 Sub 251, Carl Subler Trucking, Inc., now being assigned January 15, 1974 (2 days), at Boston, Mass., in a hearing room to be later designated.

MC 138705 Sub 1, Daniel L. Haskell, d.b.a. Casco Bay Transportation Co., now being assigned hearing January 17, 1974 (2 days), at Boston, Mass., in a hearing room to be later designated.

MC 126102 Sub 18, Anderson Motor Lines, Inc., now being assigned hearing January 21, 1974 (2 days), at Boston, Mass., in a hearing room to be later designated.

MC 112963 Sub 40, Roy Bros., Inc., now being assigned hearing January 23, 1974 (3 days), at Boston, Mass., in a hearing room to be later designated.

NO. 35735, Publication Corporation v. The Baltimore & Annapolis Railroad Company, now assigned November 5, 1973, at Washington, D.C., is postponed to November 26, 1973, at Baltimore, Md., in a hearing room to be later designated.

W-406 Sub 11, Ohio Barge Line, Inc., now assigned November 14, 1973, at Pittsburgh, Pa., will be held in Court Room No. 9, U.S. Post Office & Courthouse, 700 Grant Street.

MC 113651 Sub 157, Indiana Refrigerator Lines, Inc., now being assigned January 21, 1974 (2 days), at Denver, Colo., in a hearing room to be later designated.

MC 117169 Sub 4, Beasley's Hot Shot Service, Inc., now being assigned January 23, 1974 (3 days), at Denver, Colo., in a hearing room to be later designated.

MC-138712, New Sigma Car Corp., d.b.a. Allied Limousine Service, now being as-

signed January 21, 1974 (3 days), at New York, N.Y., in a hearing room to be later designated.

MC-128383 (Sub-No. 28), Pinto Trucking Service, Inc., now being assigned hearing January 23, 1974 (3 days), at New York, N.Y., in a hearing room to be later designated.

MC-F-11869, Crouse Cartage Company—Purchase—(B) Heartland Express, Inc., and (BB) Lawson Truck Line, Inc., now assigned November 26, 1973, will be held in Room 616, Union Pacific Plaza, 110 N. 14th St., Omaha, Nebr.

MC-111424 Sub 4, Shippers Truck Service, Inc., is continued to December 10, 1973 (1 week), in Room E-2222, 26 Federal Plaza, December 17, 1973 (1 week), in Courtroom No. 206, Federal Bldg., 26 Federal Plaza, New York, N.Y.

MC 119519 Sub 44, Distributors Service Co., Extension Foodstuffs Between 24 States, now being assigned hearing December 10, 1973 (1 week), at New York, N.Y., in a hearing room to be later designated.

MC-F-11735, Graves Truck Line, Inc.—Purchase—Diamond Freightways, Inc., is continued to December 10, 1973 (4 days), at Omaha, Nebr., in a hearing room to be later designated.

FF-397, Japan Line, Ltd., now assigned November 5, 1973, at Chicago, Ill., will be held in Room 705, 610 South Canal Street.

MC-C-8108, Ideal Truck Lines, Inc.—Investigation And Revocation Of Certificates—; MC 989 Sub 21, Ideal Truck Lines, Inc., now being assigned January 14, 1974, at Lincoln, Nebr., in a hearing room to be later designated.

MC-F-11896, Crouse Cartage Company—Purchase—Marc Truck Lines, Inc., MC-123389, Sub 15, Crouse Cartage Company, now assigned November 5, 1973, at Chicago, Ill., is postponed indefinitely.

MC 1977 Sub 15, Northwest Transport Service, Inc., continued to January 29, 1973 (4 days), at Denver, Colo., in a hearing room to be later designated.

MC 67200 Sub 39 and 40, The Furniture Transport Company, Inc., now assigned December 3, 1973, will be held on the 5th Floor, 150 Causeway St., Boston, Mass.

MC 111812 Sub 489, Midwest Coast Transport, Inc., now assigned November 29, 1973, will be held on the 5th Floor, 150 Causeway St., Boston, Mass.

MC 128343 Sub 23, C-Line, Inc., now assigned November 28, 1973, will be held on the 5th Floor, 150 Causeway St., Boston, Mass.

FF-C-53, Down-East Shippers, Inc., and Traller Train, Inc.—Investigation of Operations, now assigned November 26, 1973, will be held on the 5th Floor, 150 Causeway St., Boston, Mass.

MC 110525 Sub 1024, Chemical Leaman Tank Lines, Inc., Extension—Chattanooga, Tenn.; MC 116459 Sub-42, Russ Transport, Inc., Extension—Chattanooga, Tenn.; MC 124078 Sub 503, Schwerman Trucking Co., Extension—Chattanooga, Tenn.; and MC 136903 Sub 7, Intermodal Transport, Inc., now being assigned January 14, 1974, at Atlanta, Ga., in a hearing room to be later designated.

MC 108676 Sub 53, A. J. Metter Hauling & Rigging, Inc., now being assigned January 16, 1974, at Atlanta, Ga., in a hearing room to be later designated.

MC 106644 Sub 147, Superior Trucking Company, Inc., now being assigned January 21, 1974, at Atlanta, Ga., in a hearing room to be later designated.

MC 103051 Sub 276, Fleet Transport Co., Inc.; and MC 138903 Sub 4, Intermodal Transport, Inc., now being assigned January 23, 1974, at Atlanta, Ga., in a hearing room to be later designated.



## Correction

MC-124174 Sub 92, Momen Trucking Co., Extension-Wallboard, now being assigned hearing December 3, 1973, at the Offices of the Interstate Commerce Commission, Washington, D.C., instead of November 29, 1973.

MC-124020 Sub. 12, LaBar's, Inc., now being assigned hearing November 29, 1973, at the Office of the Interstate Commerce Commission, Washington, D.C., instead of December 3, 1973.

[SEAL] ROBERT L. OSWALD,  
Secretary.  
[FR Doc.73-22578 Filed 10-23-73;8:45 am]

[Notice 141]

MOTOR CARRIER TEMPORARY  
AUTHORITY APPLICATIONS

OCTOBER 16, 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 210(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-87, (49 CFR 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

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

## MOTOR CARRIERS OF PROPERTY

No. MC 107496 (Sub-No. 911 TA), filed October 3, 1973. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Des Moines, Iowa 50309. Applicant's representative: E. Check (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid feed and liquid feed ingredients*, in bulk, from Conrad, Iowa, to points in Minnesota and Wisconsin, for 150 days. SUPPORTING SHIPPER: Green Products Co., Conrad, Iowa 50621. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 124078 (Sub-No. 565 TA) (correction), filed September 26, 1973, published in the FEDERAL REGISTER issue of

October 11, 1973, and republished as corrected this issue. Applicant: SCHWERTMAN TRUCKING CO., 611 South 28th Street, Milwaukee, Wis. 53215. Applicant's representative: Richard H. Prevette (same address as above).

NOTE.—The purpose of this partial republication is to correct the MC number to No. MC 124078 (Sub-No. 565 TA) in lieu of No. MC 120978 (Sub-No. 6 TA), which was published in the FEDERAL REGISTER in error. The rest of the application remains the same.

No. MC 139084 TA (correction), filed September 6, 1973, published in the FEDERAL REGISTER issue of September 26, 1973, and republished as corrected this issue. Applicant: BRADBERRY FARMS, INC., 192 East Main Street, Piggott, Ark. 72454. Applicant's representative: Lance L. Hanshaw, 1433 Donaghey Building, Little Rock, Ark. 72201. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Feeds, feed ingredients and feed chemicals for animals and poultry, more specifically cottonseed meal, feather meal, meat and bone meal, fish meal, urea, gluten products, soybean meal, rice and rice byproducts and dried bakery waste and products*, (1) from Memphis, Tenn.; Clarksdale, Miss.; and Evadale, Ark.; to Peoria, Lincoln, Mendota, Rock Falls, Pittsfield, Fairbury, Ipava, Greenfield, Effingham, Springfield, Beardstown, Danville, Monmouth, and Vandalia, Ill.; Ottumwa, West Branch, Clinton, Olin, and Iowa City, Iowa; New Paris, Plymouth, Indianapolis, and Napanee, Ind.; Janesville and Madison, Wis.; and Dexter, Mo.; (2) from Greenwood, Greenville, Clarksdale, Minter City, Jonestown, and Marks, Miss.; Osceola, Helena, and West Memphis, Ark.; Memphis, Tenn.; Kennett, Mo.; Little Rock, Siloam Springs, Springdale, and Nashville, Ark.; Springfield, Mo.; Gulfport, Miss.; Empire, La.; Pascagoula and Moss Point, Miss.; Cameron, La.; Joplin, Mo.; and Decatur, Ill., to Montgomery, Ala.; Nashville, Ark.; Athens and Tifton, Ga.; Gibson City, Ill.; Decatur, Ind.; Belmont, Des Moines, and Muscatine, Iowa; Abilene, Kans.; Hutchinson, Kans.; Portland, Mich.; Kansas City, Mo.; Moberly and Springfield, Mo.; Hastings, Nebr.; Monroe and Wilson, N.C.; Marion and Ravenna, Ohio; Orangeburg, S.C.; Chattanooga and Memphis, Tenn.; and Madison, Wis.; and (3) from Chicago, Ill., to points in Arkansas, for 180 days. SUPPORTING SHIPPER: I. H. French & Co., P.O. Box 249, Champaign, Ill. 61820; Wilbur-Ellis Company, 47th Street at Second Avenue, New York, N.Y. 10017; and Central Soya, Fort Wayne, Ind. 46802. SEND PROTESTS TO: District Supervisor William H. Land, Jr., Bureau of Operations, Interstate Commerce Commission, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201.

NOTE.—The purpose of this republication is to change the commodity description, which was published in the FEDERAL REGISTER in error.

No. MC 139113 (Sub-No. 1 TA), filed October 4, 1973. Applicant: BRUN-

MC-228 Sub 73, Hudson Transit Lines, Inc., now being assigned hearing January 14, 1974 (2 days), at New York, N.Y., in a hearing room to be later designated.

MC-129664 Sub 1, Comet Messenger and Delivery Service, Inc., now being assigned hearing January 16, 1974 (3 days), at New York, N.Y., in a hearing room to be later designated.

MC-C-8100, Western Express, Inc.—Investigation and Revocation of Certificate—now assigned October 24, 1973, at Washington, D.C., is postponed indefinitely.

No. 35786, Feed Grains To New England, now being assigned for prehearing conference November 27, 1973, at Boston, Mass., in a hearing room to be later designated.

MC 115840 Sub 79, Colonial Fast Freight Lines, Inc., now being assigned hearing January 21, 1974 (1 day), at Birmingham, Ala., in a hearing room to be later designated.

MC 121060 Sub 13, Arrow Truck Lines, Inc., now being assigned hearing January 22, 1974 (1 day), at Birmingham, Ala., in a hearing room to be later designated.

MC 126305 Sub 52, Boyd Brothers Transportation Co., Inc., now being assigned hearing January 23, 1974 (1 day), at Birmingham, Ala., in a hearing room to be later designated.

MC 114552 Sub 64, Senn Trucking Company Extension—Plastic Pipe, MC 114552 Sub 65, Senn Trucking Company, MC 123407 Sub 104, Sawyer Transport, Inc., Extension—Plastic Pipe, now being assigned hearing January 24, 1974 (2 days), at Birmingham, Ala., in a hearing room to be later designated.

MC 115840 Sub 85, Colonial Fast Freight Lines, Inc., now being assigned hearing January 28, 1974 (3 days), at Birmingham, Ala., in a hearing room to be later designated.

MC-F-11665, Arrow Truck Lines, Inc.—Purchase—Byron L. Doster, MC 121060 Sub 23, Arrow Truck Lines, Inc., now being assigned hearing January 31, 1974 (2 days), at Montgomery, Ala., in hearing room to be later designated.

MC-134861 Sub 3, Dickenson Lines, Inc., now being assigned hearing January 21, 1974 (1 week), at St. Paul, Minn., in a hearing room to be later designated.

MC-106207 Sub 365, Frozen Food Express, Inc., & MC-113678 Sub 497, Curtis, Inc., now being assigned hearing January 28, 1974 (1 week) at Milwaukee, Wis., in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.73-22577 Filed 10-23-73;8:45 am]

[NOTICE 368]

## ASSIGNMENT OF HEARINGS

OCTOBER 18, 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 October 24, 1973.



**DIDGE TRANSPORTATION, INC., P.O.** Box 187, Brundidge, Ala. 36010. Applicant's representative: William P. Jackson, Jr., 919 18th Street NW., Suite 425, Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Mayonnaise, salad dressing and salad dressing products, mustard, ketchup, jelly, tartar sauce, gelatin and gelatin products*, from the facilities of Brundidge Foods, Inc., at Brundidge, Ala., to points in and east of Minnesota, Iowa, Missouri, Kansas, Oklahoma, and Texas (except Maine, Vermont, and New Hampshire); (2) *Materials, equipment, and supplies used in the manufacture and distribution of items named in (v) above*, from points in and east of Missouri, Minnesota, Iowa, Kansas, Oklahoma, and Texas (except Maine, Vermont, and New Hampshire), to the facilities of Brundidge Foods, Inc. at Brundidge, Ala.; (3) *Such commodities as are dealt in by wholesale, retail, and chain grocery and food business houses*, from points in and east of Minnesota, Iowa, Missouri, Kansas, Oklahoma, and Texas (except Maine, Vermont, and New Hampshire), to the facilities of Benson Wholesale Company, Inc., and Institutional Distributors, Inc., at or near Geneva, Ala.; and (4) *Such commodities as are dealt in by wholesale, retail, and chain grocery and food business houses*, from points in and east of Minnesota, Iowa, Missouri, Kansas, Oklahoma, and Texas (except Maine, Vermont, and New Hampshire), to the facilities of Southland Grocery Company, Inc., at or near Columbus, Ga., for 180 days. **RESTRICTION:** Restricted to the transportation of traffic under a continuing contract or contracts with Brundidge Foods, Inc., Benson Wholesale Company, Inc., Institutional Distributors, Inc., and Southland Grocery Company, Inc.; and further restricted to the transportation of shipments originating at or destined to facilities of the shippers named hereinbefore; and further restricted against the transportation of shipments in vehicles equipped with mechanical refrigeration. **SUPPORTING SHIPPERS:** Brundidge Foods, Inc., Brundidge, Ala. 36010; Southland Grocery Company, Geneva, Ala. 36340; Benson Wholesale Company, Geneva, Ala. 36340; and Institutional Distributors, Geneva, Ala. 36340. **SEND PROTESTS TO:** Clifford W. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 814, 2121 Building, Birmingham, Ala. 35203.

No. MC 139145 TA, filed October 3, 1973. Applicant: N & M SERVICES, INC., 2300 Hickman Road, Des Moines, Iowa 50310. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fertilizer (except liquids in bulk)* from Garner, Iowa, and (2) *dry*

*feed and feed concentrates*, in mixed loads with fertilizer, from Des Moines, Iowa, to points in Alabama, Illinois, Indiana, Kansas, Kentucky, Michigan, Mississippi, Missouri, New York, Ohio, Pennsylvania, and Tennessee, under contract with ECO-AG Products Corporation, for 180 days. **SUPPORTING SHIPPER:** ECO-AG Products Corporation, 1430 Market Street, Des Moines, Iowa 50309. **SEND PROTESTS TO:** Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 139146 TA, filed October 5, 1973. Applicant: HEASLIP MOTORS LIMITED, 10-20 Main Street, Hagersville, Ontario, Canada NOA 1H0. Applicant's representative: William J. Hirsch, Suite 444, 35 Court Street, Buffalo, N.Y. 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter operations and in sightseeing and pleasure tours, from ports of entry on the International Boundary line between the United States and Canada, to points in the United States (except Alaska and Hawaii) and return, for 180 days. **SUPPORTING SHIPPERS:** H. M. Tours, 9 Howard Street, Hagersville, Ontario, Canada; Hiram Lodge No. 319, 25 Main St. S., Hagersville, Ontario, Canada; Kinsmen Club of Hagersville Inc., 6 Laidlaw St., Hagersville, Ontario, Canada; Canadian Legion B.E.S.I. Branch 164, 5 Alma Street No., Hagersville, Ontario, Canada; Six Nation's Chiefs La Crosse Club, R.R. No. 6, Hagersville, Ontario, Canada; and Hagersville Lions Club, 5 Alma N., Hagersville, Ontario, Canada. **SEND PROTESTS TO:** George M. Parker, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 612 Federal Office Building, 111 West Huron Street, Buffalo, N.Y. 14202.

By the Commission.

[SEAL]

ROBERT L. OSWALD,  
Secretary.

[FR Doc.73-22579 Filed 10-23-73; 8:45 am]

[Notice 142]

#### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 17, 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 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 Fed-

ERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

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

#### MOTOR CARRIERS OF PROPERTY

No. MC 2900 (Sub-No. 246 TA), filed October 9, 1973. Applicant: RYDER TRUCK LINES, INC., Off: 2050 Kings Road, Mlg: P.O. Box 2408, Jacksonville, Fla. 32209. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities (except commodities in bulk, household goods as defined by the Commission, and commodities requiring special equipment)*, serving the plant-site of the CLECO (Central Louisiana Electric Company) Power Plant at or near Zimmerman, La., as an off route point in connection with applicant's presently authorized to regular routes, for 180 days.

NOTE.—Applicant intends to tack with MC 2900 and Subs.

**SUPPORTING SHIPPERS:** There are approximately 9 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. **SEND PROTESTS TO:** District Supervisor G. H. Fauss, Jr., Interstate Commerce Commission, Bureau of Operations, Box 35008, 400 W. Bay Street, Jacksonville, Fla. 32202.

No. MC 82841 (Sub-No. 127 TA), filed October 10, 1973. Applicant: HUNT TRANSPORTATION, INC., 10770 I Street, Omaha, Nebr. 68127. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building materials and (2) asbestos cement pipe*, (1) from the plant-site of Johns-Manville Products Corporation at Waukegan, Ill., and from the plant-site of Johns-Manville Perlite Corporation at or near Joliet, Ill., to points in Iowa, South Dakota, and Nebraska, and (2) from the plant-site of Johns-Manville Products Corporation at Waukegan, Ill., to points in Colorado, Montana, Wyoming, Iowa, Nebraska, and South Dakota, for 180 days. **SUPPORTING SHIPPER:** Johns-Manville Corporation, Greenwood Plaza, Denver, Colo. 80217. **SEND PROTESTS TO:** Carroll Russell, District Supervisor, Bureau of



Operations, Interstate Commerce Commission, Suite 620, Union Pacific Plaza Building, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 85255 (Sub-No. 45 TA), filed October 3, 1973. Applicant: PUGET SOUND TRUCK LINES, INC., P.O. Box 24526, Seattle, Wash. 98124. Applicant's representative: Clyde H. MacIver, 1001 4th Avenue, Suite 3712, Seattle, Wash. 98154. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Newsprint*, from Wauna, Oreg., to Seattle and Everett, Wash., for 180 days. SUPPORTING SHIPPER: Crown Zellerbach Corporation, 1500 SW. First Avenue, Portland, Oreg. 97201. SEND PROTESTS TO: L. D. Boone, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 6049 Federal Office Building, Seattle, Wash. 98104.

No. MC 98869 (Sub-No. 6 TA), filed October 9, 1973. Applicant: KOSCHKEE TRANSFER, INC., Route 1, Fennimore, Wis. 53809. Applicant's representative: Michael J. Wungaard, 329 W. Wilson Street, Madison, Wis. 53703. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (A) between Cobb, Wis., and Highland, Wis.; from Cobb, Wis., over Wisconsin State Highway 80, to Highland and return over the same route and (B) between Montfort, Wis., and Highland, Wis.; from Montfort over Iowa County Highway I to Highland and return over the same route, for 180 days.

NOTE.—Applicant requests authority to tack at Montfort and Cobb, Wis., with its existing authority and the route will be serviced in conjunction with the carrier's other authorized regular route service.

SUPPORTING SHIPPER: There are approximately 9 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. SEND PROTESTS TO: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 139 W. Wilson Street, Room 202, Madison, Wis. 53703.

No. MC 102616 (Sub-No. 881 TA) (correction), filed September 27, 1973, published in the FEDERAL REGISTER issue of October 11, 1973, and republished as corrected this issue. Applicant: COASTAL TANK LINES, INC., P.O. Box 7211, 215 East Waterloo Road, Akron, Ohio 44319. Applicant's representative: James Annand (same address as above).

NOTE.—The purpose of this partial republication is to change the supporting shipper to The Firestone Tire & Rubber Co., 1200 Firestone Parkway, Akron, Ohio 44317, in lieu of Chemical Leaman Tank Lines, Inc.,

Downingtown, Pa., which was published in the Federal Register in error. The rest of the application will remain the same.

No. MC 111401 (Sub-No. 398 TA), filed October 10, 1973. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Blvd., P.O. Box 632, Enid, Okla. 73701. Applicant's representative: Victor R. Comstock (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Activated carbon*, in bulk, from Marshall, Tex., to Piqua, Ohio; Oklahoma City, Okla.; Sahuarita, Ariz.; Las Vegas, Nev., and Carson, Calif., for 180 days. SUPPORTING SHIPPER: ICI America, Inc., I. R. Hearn, Mg., Traffic Research, Wilmington, Del. 19899. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Rm. 240-Old Post Office Building, 215 NW, Third, Oklahoma City, Okla. 73102.

No. MC 113678 (Sub-No. 515 TA), filed October 9, 1973. Applicant: CURTIS, INC., Off. 4810 Pontiac Street, Commerce City, Colo. 80022, and Mail: P.O. Box 16004, Stockyard Station, Denver, Colo. 80216. Applicant's representative: David L. Metzler (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Aquariums, aquarium accessories, supplies and equipment, and household pet cages*, from Saginaw, Mich., to Denver, Colo.; Bridgeport, Conn.; Altamonte Springs and Hialeah, Fla.; Lithonia, Ga.; Chicago, River Forest, and Bensenville, Ill.; Sheldon, Cedar Rapids, Allison, and Redfield, Iowa; Topeka, Kans.; Lacombe, Baton Rouge, and Bossier City, La.; Portland, Maine; Springfield, Mass.; St. Paul, Minn.; Syracuse, Buffalo, Farmingdale, and West Babylon, N.Y.; Upper Saddle River, N.J.; Toledo, Cleveland, Belpre, and Bedford Heights, Ohio; Oklahoma City, Okla.; Silver Springs, Bradford, Pittsburgh, and Clearfield, Pa.; East Providence, R.I.; Memphis, Tenn.; Fort Worth, Dallas, San Antonio, Houston, and El Paso, Tex.; Alexandria, Va.; Brigham City, Utah; Milwaukee and Green Bay, Wis., for 180 days. SUPPORTING SHIPPER: O'Dell Manufacturing, Inc., 1930 South 23d Street, Saginaw, Mich. 48601. SEND PROTESTS TO: District Supervisor Herbert C. Ruoff, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 114632 (Sub-No. 62 TA), filed October 10, 1973. Applicant: APPLE LINES, INC., 225 S. Van Epps Ave., P.O. Box 507, Madison, S. Dak. 57042. Applicant's representative: Robert A. Appell (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Building material, cement pipe containing asbestos fiber*, from the plantsite of Johns-Mansville Corporation at or near Joliet and Waukegan, Ill., to points in Colorado, Iowa, Minnesota, Nebraska, North Dakota, South Dakota,

and Wyoming, for 180 days. SUPPORTING SHIPPER: Johns-Mansville Corporation, Greenwood Plaza, Denver, Colo. 80217. SEND PROTESTS TO: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 117765 (Sub-No. 168 TA), filed October 9, 1973. Applicant: HAHN TRUCK LINE, INC., 5315 NW, 5th Street, P.O. Box 75218, Oklahoma City, Okla. 75267. Applicant's representative: R. E. Hagan (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Beverages*, in containers and related advertising material, from Memphis, Tenn., to Atchison and Emporia, Kans., for 180 days. SUPPORTING SHIPPERS: Swafford Sales, Inc., Mr. Bob L. Swafford, President, 218 Constitution, Emporia, Kans. 66801, and Intfen Sales Company, Edwin J. Intfen, Owner, 201-205 Commercial, Atchison, Kans. 66002. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Rm. 240, Old P.O. Bldg., 215 NW, Third, Oklahoma City, Okla. 73102.

No. MC 117940 (Sub-No. 97 TA), filed October 10, 1973. Applicant: NATION-WIDE CARRIERS, INC., P.O. Box 104, Maple Plain, Minn. 55359. Applicant's representative: Donald L. Stern, Suite 530 Univac Bldg., 7100 W. Center Road, Omaha, Nebr. 68106. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Bananas* and (2) *agricultural commodities* exempt from economic regulation under Section 203(b)(6) of the Interstate Commerce Act, when transported in mixed loads with bananas, from Galveston, Tex., to ports of entry on the international boundary line between the United States and Canada located in Minnesota and North Dakota, for 180 days. SUPPORTING SHIPPER: Del Monte Banana Company, P.O. Box 1940, Miami, Fla. 33101. SEND PROTESTS TO: District Supervisor A. N. Spath, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 S. 4th Street, Minneapolis, Minn. 55401.

No. MC 118377 (Sub-No. 3 TA), filed October 10, 1973. Applicant: RICHARD R. JOHNCOX, Route No. 104, Williamson, N.Y. 14589. Applicant's representative: Morton E. Klei, Suite 6193, 5 World Trade Center, New York, N.Y. 14589. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the facilities of Empire Freezers of Syracuse, Inc., at or near Geddes, N.Y., to points in Connecticut, Massachusetts, and Rhode Island, for 180 days. SUPPORTING SHIPPER: Charles A. Cleveland, Director of Sales & Customer Service, Empire Freezers of Syracuse, Inc., Box 770 Farrell Rd., Syracuse, N.Y. 13201. SEND PROTESTS TO: District Supervisor Morris H. Gross, Interstate Commerce Commission, Bureau of Opera-



tions, Room 104 O'Donnell Bldg., 301 Erie Blvd. W., Syracuse, N.Y. 13202.

No. MC 120978 (Sub-No. 7 TA), filed October 9, 1973. Applicant: REINHART MAYER, doing business as MAYER TRUCK LINE, 1203 South Riverside Drive, Jamestown, N. Dak. 58401. Applicant's representative: Thomas J. Van Osdel, 502 First National Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients* (except in bulk, in tank or pneumatic vehicles), from Savage and Pine Bend, Minn., to points in Foster, Cass, Traill, Nelson, Cavalier, Ward, Richland, Barnes, Steele, Griggs, Ramsey, Walsh, Renville, McHenry, Eddy, Wells, Stutsman, Ransom, and Sargent Counties, N. Dak., for 180 days. SUPPORTING SHIPPER: Cargill, Incorporated, Cargill Building, Minneapolis, Minn. 55402. SEND PROTESTS TO: J. H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 123407 (Sub-No. 143 TA), filed October 10, 1973. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Robert Loser, 1009 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Joists, rafters, and roof trusses*, from the facilities of Trus Joist Corporation at or near Winchester, Va., to points in Delaware, Kentucky, Maryland, New York, New Jersey, Ohio, Pennsylvania, West Virginia, District of Columbia, and North Carolina, for 180 days. SUPPORTING SHIPPER: Trus Joist Corporation, Plant Manager, P.O. Box 769, Winchester, Va. 22601. SEND PROTESTS TO: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 204, 345 West Wayne Street, Fort Wayne, Ind. 46802.

No. MC 136228 (Sub-No. 9 TA), filed October 9, 1973. Applicant: LUISI TRUCK LINES, INC., New Walla Walla Highway 11, P.O. Box 606, Milton-Freewater, Ore. 97862. Applicant's representative: Eugene Luisi, P.O. Box 606, Milton-Freewater, Ore. 97862. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Pallets, tote bins, lug boxes crates, and boxes*, from points in Wasco and Hood River Counties, Ore., to points in Yakima County, Wash., for 180 days. SUPPORTING SHIPPER: Highland Fruit Growers, Inc., Route 4, Box 83, Yakima, Wash. SEND PROTESTS TO: W. J. Huetig, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Bldg., 319 SW. Pine, Portland, Ore. 97204.

No. MC 136927 (Sub-No. 3 TA), filed October 9, 1973. Applicant: PETERSEN NORTHWEST CORPORATION, Mfg: P.O. Box 3156 (Box zip 98301), Off: 21841 Pacific Highway S., Midway, Wash. 98188.

Applicant's representative: George Kargianis, 2120 Pacific Building, Seattle, Wash. 98104. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Modular or factory constructed buildings or substantial sections thereof*, in towaway or truckaway, from points in Pierce County, Wash., to points in Oregon and Idaho, for 180 days. SUPPORTING SHIPPER: St. Regis Paper Company, 733 E. 11th, Tacoma, Wash. 98401. SEND PROTESTS TO: L. D. Boone, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 6049 Federal Office Building, Seattle, Wash. 98104.

No. MC 138976 (Sub-No. 1 TA), filed September 21, 1973. Applicant: FRED E. FARRIS, Faucett, Mo. 64448. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Pulpboard, fiberboard and pulpboard and fiberboard products*, from the plant site of Hoerner-Waldorf Corporation at St. Joseph, Mo., to points in Nebraska, Kansas, and Iowa; and (2) *Materials and supplies* used in the manufacture and processing of pulpboard, fiberboard and pulpboard and fiberboard products, from points in Nebraska, Kansas, and Iowa, to the plant site of Hoerner-Waldorf Corporation at St. Joseph, Mo., for 180 days. RESTRICTION: Restricted to a transportation service to be performed under a continuing contract or contracts with Hoerner-Waldorf Corporation at St. Paul, Minn. SUPPORTING SHIPPER: Hoerner-Waldorf Corporation, St. Paul, Minn. SEND PROTESTS TO: Vernon V. Coble, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 139143 (Sub-No. 1 TA), filed October 4, 1973. Applicant: WILLIAM T. MURPHY AND JAMES W. RANE, doing business as GREAT SOUTHERN WOOD TRANSPORTATION, INC., P.O. Box 415, Abbeville, Ala. 36310. Applicant's representative: James W. Rane (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber that has been sawed, or planed, or processed chemically by a pressure treating plant*, from Abbeville, Henry County, Ala., to points in Florida, for 180 days. SUPPORTING SHIPPER: Great Southern Wood Preserving, Inc., P.O. Box 415, Abbeville, Ala. 36310. SEND PROTESTS TO: Clifford W. White, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 814, 2121 Building, Birmingham, Ala. 35203.

No. MC 139147 TA, filed October 9, 1973. Applicant: RICHARD L. KENNEDY AND LONNIE M. RICHARDS, doing business as K & R TRUCKING, 1306 College Street, Port Gibson, Miss. 39150. Applicant's representative: Donald B. Morrison, 717 Deposit Guaranty

Bank Bldg., P.O. Box 22628, Jackson, Miss. 39205. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Lumber*, from points in East Carroll, Madison, Richland, Ouachita, Caldwell, LaSalle, Rapides, Avoyelles, St. Landry, West Feliciana, and Pointe Coupee Parishes, La., to the plant site and/or warehouse facilities of Chattanooga Container Corporation located at Port Gibson, Miss., and (2) *Wood chips, sawdust, and wood shavings*, from the plant site and/or warehouse facilities of Chattanooga Container Corporation located at Port Gibson, Miss., to Monroe, La., for 180 days. SUPPORTING SHIPPER: Chattanooga Container Corporation, P.O. Box 160, Port Gibson, Miss. 39150. SEND PROTESTS TO: Alan C. Tarrant, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 212, 145 East Amite Building, Jackson, Miss. 39201.

No. MC 139153 TA, filed October 10, 1973. Applicant: R & S TRUCKING, INC., 3309 North 10th Avenue, Sioux Falls, S. Dak. 57104. Applicant's representative: Mead Bailey, Suite 805, National Bank of South Dakota Bldg., Sioux Falls, S. Dak. 57102. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Machinery, accessories, parts, and supplies* manufactured or distributed or utilized by Huron Manufacturing Corporation, Huron, S. Dak., between the plant site and facilities of Huron Manufacturing Corporation at or near Huron, S. Dak., and all points in the United States (except Alaska and Hawaii) including all points of entry on the United States-Canada boundary line, for 180 days. SUPPORTING SHIPPER: Huron Manufacturing Corporation, Box 1398, Huron, S. Dak. 57350. SEND PROTESTS TO: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Building, Pierre, S. Dak. 57501.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.73-22580 Filed 10-23-73; 8:45 am]

[Notice 143]

#### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 18, 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 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 cal-



endar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

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

#### MOTOR CARRIERS OF PROPERTY

No. MC 5227 (Sub-No. 11 TA), filed October 11, 1973. Applicant: ECONOMY MOVERS, INC., Box 201, Mead, Nebr. 68041. Applicant's representative: Gailyn L. Larsen, 521 South 14th Street, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from Chicago Heights, Ill., to points in Iowa and Nebraska, for 180 days. SUPPORTING SHIPPER: Arthur L. George, Calumet Steel, Division of Borg-Warner Corporation, 360 East Joe Orr Road, Chicago Heights, Ill. 60411. SEND PROTESTS TO: Max H. Johnston, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 320 Federal Bldg. and Courthouse, Lincoln, Nebr. 68508.

No. MC 82841 (Sub-No. 128 TA), filed October 12, 1973. Applicant: HUNT TRANSPORTATION, INC., 10770 I Street, Omaha, Nebr. 68127. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from East Chicago, Ind., to points in North Dakota and South Dakota, for 180 days. SUPPORTING SHIPPER: Youngstown Sheet and Tube Company, 3001 Dickey Road, East Chicago, Ind. 46312. SEND PROTESTS TO: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Suite 620, Union Pacific Plaza Building, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 107010 (Sub-No. 49 TA), filed October 9, 1973. Applicant: BULK CARRIERS, INC., P.O. Box 423, Auburn, Nebr. 68305. Applicant's representative: Patrick E. Quinn, Box 82028, 605 South 14th Street, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Liquid feed and liquid feed supplements*, in bulk, in tank vehicles, from Humboldt, Nebr., to points in Kansas, Missouri, South Dakota, Iowa, Oklahoma, Minnesota, and Colorado, and (2) *Ingredients used in the manufacturing and production of liquid feed and*

liquid feed supplements, from points in (1) above to Humboldt, Nebr., for 180 days. SUPPORTING SHIPPER: John C. Hunzeker, Plant Manager, The O. A. Cooper Co., Humboldt, Nebr. 68376. SEND PROTESTS TO: Max H. Johnston, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 320 Federal Building and Courthouse, Lincoln, Nebr. 68508.

No. MC 111729 (Sub-No. 402 TA), filed October 12, 1973. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, (NHP-PO) N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Business papers, records, audit and accounting media of all kinds, and advertising materials*, (a) between Chicago, Ill., on the one hand, and, on the other, points in Indiana, on or south of Route 40; (b) between Keyport, N.J., on the one hand, and, on the other, Tullytown, Pa., and Hicksville, N.Y.; (c) between Lanham, Md., and Baltimore, Md.; and (d) between points in Georgia. RESTRICTION: Items 1(c) and 1(d) above are restricted to traffic having an immediately prior or subsequent movement by air. (2) *Automotive parts and supplies*, restricted against the transportation of packages or articles weighing in the aggregate more than 100 pounds, from one consignor to one consignee on any one day, (a) between Cincinnati, Ohio, on the one hand, and, on the other, points in Indiana, Tennessee, and West Virginia; (b) between Lanham and Baltimore, Md.; (c) between points in Florida; (d) between points in Georgia; (e) between points in North Carolina; and (f) between points in South Carolina. RESTRICTION: Items 2(b), 2(c), 2(d), 2(e), and 2(f) above are restricted to traffic having an immediately prior or subsequent movement by air. (3) *Proofs, cuts, copy, manuscripts, artwork, negatives, positives, printed matter, small office machine parts*, restricted against the transportation of packages or articles weighing in the aggregate more than 100 pounds, from one consignor to one consignee on any one day, and *business papers, records, audit and accounting media and advertising materials*, between Warsaw, Ind., and Detroit, Mich., for 90 days. SUPPORTING SHIPPERS: (1) Hollywood Oil Service Division of Meehan Oil Company, Maple Place, Keyport, N.J. 07735; (2) J. C. Penney Co., Inc., 1301 Avenue of the Americas, New York, N.Y. 10019; (3) American Motors, 1125 Glendale Milford Road, Cincinnati, Ohio; (4) Volkswagen of America Inc., Southeastern Region, 9300 George Palmer Highway, Lanham, Md.; and (5) R. R. Donnelly and Sons Company, U.S. 30 West, Waraw, Indiana. SEND PROTESTS TO: Anthony D. Gialmo, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 114194 (Sub-No. 171 TA), filed October 12, 1973. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill. 62201. Applicant's representative: A. Bruce Fraser (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, from Ash Grove Cement Co., at or near Springfield, Mo., to Wood River, Ill., for 180 days. SUPPORTING SHIPPER: James J. Friedrich, Material Control Supervisor, Amoco Chemical Corporation, 400 S. Main, Wood River, Ill. 62095. SEND PROTESTS TO: Harold C. Joliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Leland Office Bldg., 527 East Capitol Avenue, Room 414, Springfield, Ill. 62701.

No. MC 126537 (Sub-No. 30 TA), filed October 12, 1973. Applicant: KENT I. TURNER, KENNETH E. TURNER, AND ERVIN L. TURNER, doing business as TURNER EXPEDITING SERVICE, P.O. Box 21333, Standiford Field, Louisville, Ky. 40221. Applicant's representative: George M. Catlett, 703-706 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, commodities in bulk, and those requiring special equipment) between Detroit, Mich., on the one hand, and, on the other, the plantsite of American Greetings Corporation at Cleveland, Ohio, for 180 days. SUPPORTING SHIPPER: James H. Edler, Corporate Director of Traffic, American Greetings Corporation, 10500 American Road, Cleveland, Ohio 44144. SEND PROTESTS TO: Wayne L. Merlatt, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 126537 (Sub-No. 31 TA), filed October 12, 1973. Applicant: KENT I. TURNER, KENNETH E. TURNER AND ERVIN L. TURNER, doing business as TURNER EXPEDITING SERVICE, P.O. Box 21333, Standiford Field, Louisville, Ky. 40221. Applicant's representative: George M. Catlett, 703-706 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), restricted to the transportation of traffic having an immediately prior or subsequent movement by aircraft, between the Greater Cincinnati Airport located near Erlanger, Ky., on the one hand, and, on the other, O'Hare Field, Chicago, Ill., for 180 days.

NOTE.—Applicant is presently authorized to perform above described service via Standiford Field at Louisville, Ky., and by this application seeks to eliminate such gateway.



**SUPPORTING SHIPPER:** Kent I. Turner, Partner, Turner Expediting Service, P.O. Box 21333, Standiford Field, Louisville, Ky. 40221. **SEND PROTESTS TO:** Wayne L. Merillatt, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 128383 (Sub-No. 39 TA), filed October 11, 1973. Applicant: PINTO TRUCKING SERVICE, INC., 1414 Calcon Hook Road, Sharon Hill, Pa. 19079. Applicant's representative: Gerald K. Gimmel, 303 N. Frederick Ave., Gaithersburg, Md. 20760. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, Class A and B explosives, and motor vehicles requiring the use of special equipment), between J. F. Kennedy International Airport, New York, N.Y., and Philadelphia International Airport, Philadelphia, Pa., on the one hand, and, on the other, Douglas Municipal Airport at Charlotte, N.C.; Columbia, S.C.; Westinghouse Nuclear Division at or near Columbia, S.C.; Greenville, S.C.; Spartanburg, S.C.; Hartsfield International Airport at Atlanta, Ga.; and Miami International Airport at Miami, Fla., for 180 days. **RESTRICTION:** Restricted to the transportation of traffic having a prior or subsequent movement by air or moving in a substitute for air service and further restricted against the transportation of traffic to Miami International Airport at Miami, Fla., which has a subsequent movement by air in foreign commerce. **SUPPORTING SHIPPER:** Air France, 1350 Avenue of the Americas, New York, N.Y. 10019; Five Star Air Freight, Inc., 3d and Governor Printz Blvd., Lester, Pa. 19113; and Emo-Trans, Inc., 177-25 Rockaway Blvd., Jamaica, N.Y. 11434. **SEND PROTESTS TO:** Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Federal Bldg., Room 3238, 600 Arch Street, Philadelphia, Pa. 19106.

No. MC 128988 (Sub-No. 33 TA), filed October 10, 1973. Applicant: JO/KEL, INC., P.O. Box 1249, 159 South 7th Avenue, City of Industry, Calif. 91749. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic products*, between the facilities of J. W. Carroll & Sons, Division of U.S. Industries, Inc., at or near Posen, Ill., and Fallsington, Pa., and (2) *commodities named in (1) above, and materials, equipment, and supplies used in the manufacture, sale, and distribution of plastic products*, from Florence, Ky., to the facilities of J. W. Carroll & Sons, Division of U.S. Industries, Inc., at or near Posen, Ill., and Fallsington, Pa., for 180 days. **RESTRICTION:** Restricted to traffic originating at or terminating at the facilities of J. W. Carroll & Sons, Division of U.S. Industries, Inc., at or near Posen, Ill., and Fallsington, Pa., and also

restricted against the transportation of commodities in bulk and restricted against the transportation of commodities which by reason of size or weight require the use of special equipment. Further restricted to a transportation service to be performed under a continuing contract or contracts with J. W. Carroll & Sons, Division of U.S. Industries, Inc. **SUPPORTING SHIPPER:** J. W. Carroll & Sons, Division of U.S. Industries, Inc., 22600 South Bonita Street, Wilmington, Calif. 90744. **SEND PROTESTS TO:** Walter W. Strakosch, District Supervisor, Bureau of Operations, Room 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 134404 (Sub-No. 12 TA), filed October 10, 1973. Applicant: AMERICAN TRANS-FREIGHT, INC., P.O. Box 499, South Bound Brook, N.J. 08880. Applicant's representative: James L. Delaney (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products* (except in bulk), from the plantsite of Union Camp Corporation at Franklin, Va., to points in Maryland, New Jersey, the District of Columbia, New York, Connecticut, Massachusetts, Rhode Island, New Hampshire, Vermont, Maine, and points in Pennsylvania on and east of U.S. Highway 219, for 180 days. **SUPPORTING SHIPPER:** Union Camp Corporation, 1600 Valley Road, Wayne, N.J. 07470. **SEND PROTESTS TO:** Robert S. H. Vance, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 9 Clinton Street, Newark, N.J. 07102.

No. MC 134806 (Sub-No. 16 TA), filed October 10, 1973. Applicant: B-D-R TRANSPORT, INC., P.O. Box 813, Brattleboro, Vt. 05301. Applicant's representative: Francis J. Ortman, 1100 Seventeenth Street NW., Suite 613, Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Skis and skiing equipment and accessories*, for the account of Olin Ski Company, Inc., from Middletown, Conn., to Chicago, Ill., and Reno, Nev., under contract with Olin Ski Company, Inc., for 180 days. **SUPPORTING SHIPPER:** Olin Ski Company, Inc., 475 Smith Street, Middletown, Conn. 06457. **SEND PROTESTS TO:** District Supervisor Paul D. Collins, Interstate Commerce Commission, Bureau of Operations, P.O. Box 548, Montpelier, Vt. 05602.

No. MC 134844 (Sub-No. 1 TA), filed October 10, 1973. Applicant: JON LARRYMORE SWANSON, doing business as SWANSON DELIVERY SERVICE, 1302 E. 4th Street, Mishawaka, Ind. 46544. Applicant's representative: Robert Loser, 1009 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cosmetics, toilet preparations, advertising, and promotional products*, from Mishawaka,

Ind., to points in De Kalb, Lagrange, Noble, Steuben, and Whitley Counties, Ind., with no transportation or compensation on return except as otherwise authorized, for 180 days. **RESTRICTION:** The operations authorized herein are limited to a transportation service to be performed, under a continuing contract, or contracts, with Avon Products, Inc., of Cincinnati, Ohio. **SUPPORTING SHIPPER:** Avon Products, Inc., Transportation Supervisor, 175 Progress Place, Springdale, Cincinnati, Ohio 45246. **SEND PROTESTS TO:** J. H. Gray, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 204, 345 West Wayne Street, Fort Wayne, Ind. 46802.

No. MC 136247 (Sub-No. 7 TA), filed October 11, 1973. Applicant: WRIGHT TRUCKING, INC., 409 17th Street SW., P.O. Box 346, Jamestown, N. Dak. 58401. Applicant's representative: Richard P. Anderson, 502 First National Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bottles, empty, non-returnable and/or non-refillable*, for recycling purposes only and cans, flattened, loose in bags or cartons, for recycling purposes only, from points in North Dakota, to Billings and Great Falls, Mont., for 180 days. **SUPPORTING SHIPPER:** Olympia Brewing Company, P.O. Box 947, Olympia, Wash. 98507. **SEND PROTESTS TO:** J. H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 136386 (Sub-No. 9 TA), filed October 9, 1973. Applicant: GO LINES, INC., 8023 E. Slauson Avenue, Suite 6, Montebello, Calif. 90640. Applicant's representative: Thomas F. Kilroy, P.O. Box 624, Springfield, Va. 22150. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (1) from the plantsites and/or warehouse facilities utilized by the supporting shipper in Yakima County, Wash., to points in Oregon, Idaho, Montana, Wyoming, Colorado, Utah, Nevada, Arizona, California, New Mexico, and Texas; and (2) from Longshot, Nev., to points in Oregon, Idaho, Montana, Wyoming, Colorado, Utah, Nevada, California, Arizona, New Mexico, Texas, and Washington, for 180 days.

**NOTE:**—Applicant intends to tack paragraphs (1) and (2) for purpose of providing storage intransit service at Longshot, Nev. \*Long-Shot, Nev. is located in Lyon County, Nev. on Nevada State Highway 1C. Nevada State Highway 1C is known as the Weeks cutoff. It is approximately 4 miles west of south of Silver Springs, and runs between U.S. Highway 50 and U.S. Highway 95 (alternate). Nevada State Highway 1C is in a remote location and is approximately 4 miles long. Long-Shot is in the approximate center thereof, or halfway between U.S. Highway 50 and 95 (alternate). The name Long Shot has been assigned this location by its developer in order to simply identify the afore described location as a point of reference. **SUPPORTING SHIPPER:** Independent Food Processors



Corporation, 1525 South 4th Street, Sunny-side, Wash. 98944. SEND PROTESTS TO: Walter W. Strakosch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 136386 (Sub-No. 10 TA), filed October 9, 1973. Applicant: GO LINES, INC., 8023 E. Slauson Avenue, Suite 6, Montebello, Calif. 90640. Applicant's representative: Thomas F. Kilroy, P.O. Box 624, Springfield, Va. 22150. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packing houses* as defined by the Commission (except those commodities in bulk and hides), from Maytown, Wash., to points in Nevada, California, Arizona, and the Port of Entry on the international boundary line between the United States and Canada at or near Blaine, Wash., for 180 days. SUPPORTING SHIPPER: Northwest Cattle Company, Inc., 142 S. W. 153d Street, Seattle, Wash. 98166. SEND PROTESTS TO: Walter W. Strakosch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 138430 (Sub-No. 1 TA), filed October 11, 1973. Applicant: DIXIE TRUCK LINE, INC., P.O. Box E, Laurel, Miss. 39440. Applicant's representative: John B. Ratliff (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Roofing and siding materials, and materials and supplies used in the installation thereof*, (except commodities in bulk) and *rejected or damaged shipments on return*, from Meridian, Miss., to points in Alabama, Arkansas, Florida, Georgia, Louisiana and Tennessee, for 180 days. SUPPORTING SHIPPER: Atlas Roofing Division, Masonite Corporation, P.O. Box 5777, Meridian, Miss. 39301. SEND PROTESTS TO: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 212, 145 East Amite Building, Jackson, Miss. 39201.

No. MC 139155 TA, filed October 10, 1973. Applicant: GEORGE AIGNER &

SONS, INC., 1931 West Roscoe Street, Chicago, Ill. 60657. Applicant's representative: Donald S. Mullins, 4704 W. Irving Park Road, Chicago, Ill. 60641. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Building materials* as described in Appendix VI to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, except plasterboard and commodities in bulk, transported in vehicles specially equipped with "F" rails, poles and slings, from the plantsite and warehouse facilities of Reserve Supply Corporation at Franklin Park, Ill., to points in Jasper, Lake, La Porte, Porter, and Strake Counties, Ind., for 180 days. SUPPORTING SHIPPER: Reserve Supply Corporation, 3700 N. Mannheim Road, Franklin Park, Ill. 60131, R. G. Hamrick, President. SEND PROTESTS TO: Richard O. Chandler, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 S. Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 139158 TA, filed October 11, 1973. Applicant: CHARLES B. JAR-

No. MC 139157 TA, filed October 11, 1973. Applicant: DELL-RAY TRUCKING, Route 1, Box 101, Conover, N.C. 28613. Applicant's representative: Raymond R. Moose, 7 East C Street, Newton, N.C. 28658. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Manufactured products* of Superior Continental Corporation, (electrical cables, etc.), from points in North Carolina, to points in Arizona, California, Nevada, Oregon, Washington; said points of origination to be the cities of Hickory, Catawba, Angier, and Rocky Mount, N.C., for 180 days. SUPPORTING SHIPPER: Superior Continental Corporation, P.O. Box 48, 9 Hickory, N.C. SEND PROTESTS TO: District Supervisor Terrell Price, Interstate Commerce Commission, Bureau of Operations, 800 Briar Creek Road, Room CC516, Charlotte, N.C. 28205.

RELL, 112 Ridgeview Road, Mt. Airy, N.C. 27030. Applicant's representative: Bart William Shuster, 112 N. Myers Street, Charlotte, N.C. 28202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cartoned upright wooden*

*furniture*, from Pulaski, Va., and its commercial zone, to points in California, for 180 days. SUPPORTING SHIPPER: Coleman Furniture Corporation, Pulaski, Va. 24301. SEND PROTESTS TO: District Supervisor Terrell Price, Bureau of Operations, Interstate Commerce Commission, 800 Briar Creek Road—Room CC516, Charlotte, N.C. 28205.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.73-22581 Filed 10-23-73;8:45 am]

## ENERGY POLICY OFFICE SECRETARY OF INTERIOR, ET AL. Delegation of Authority

Pursuant to the authority vested in me by Cost of Living Council Order 39 (38 FR 22909), it is hereby ordered as follows:

1. The authority with respect to petroleum products under section 203(a)(3) of the Economic Stabilization Act of 1970, as added by section 2(b) of the Economic Stabilization Act Amendments of 1973, delegated to me by Cost of Living Council Order 39, is hereby redelegated to the Secretary of the Interior, including, subject to my supervision, the power and duty to make the determinations and take the actions required or permitted by the Act and the power to redelegate any authority thereunder.

2. Nothing herein shall be deemed to delegate any authority with respect to the stabilization of prices under section 203(a)(1) of the Act.

3. All actions heretofore taken and things heretofore done by or in behalf of the Secretary of the Interior or his agents in connection with authority conferred with respect to petroleum products by section 203(a)(3) of the Economic Stabilization Act of 1970, as added by section 2(b) of the Economic Stabilization Act Amendments of 1973, are hereby ratified and confirmed.

JOHN A. LOVE,  
Director,  
Energy Policy Office.

OCTOBER 19, 1973.

[FR Doc.73-22785 Filed 10-23-73;2:30 pm]



## CUMULATIVE LISTS OF PARTS AFFECTED—OCTOBER

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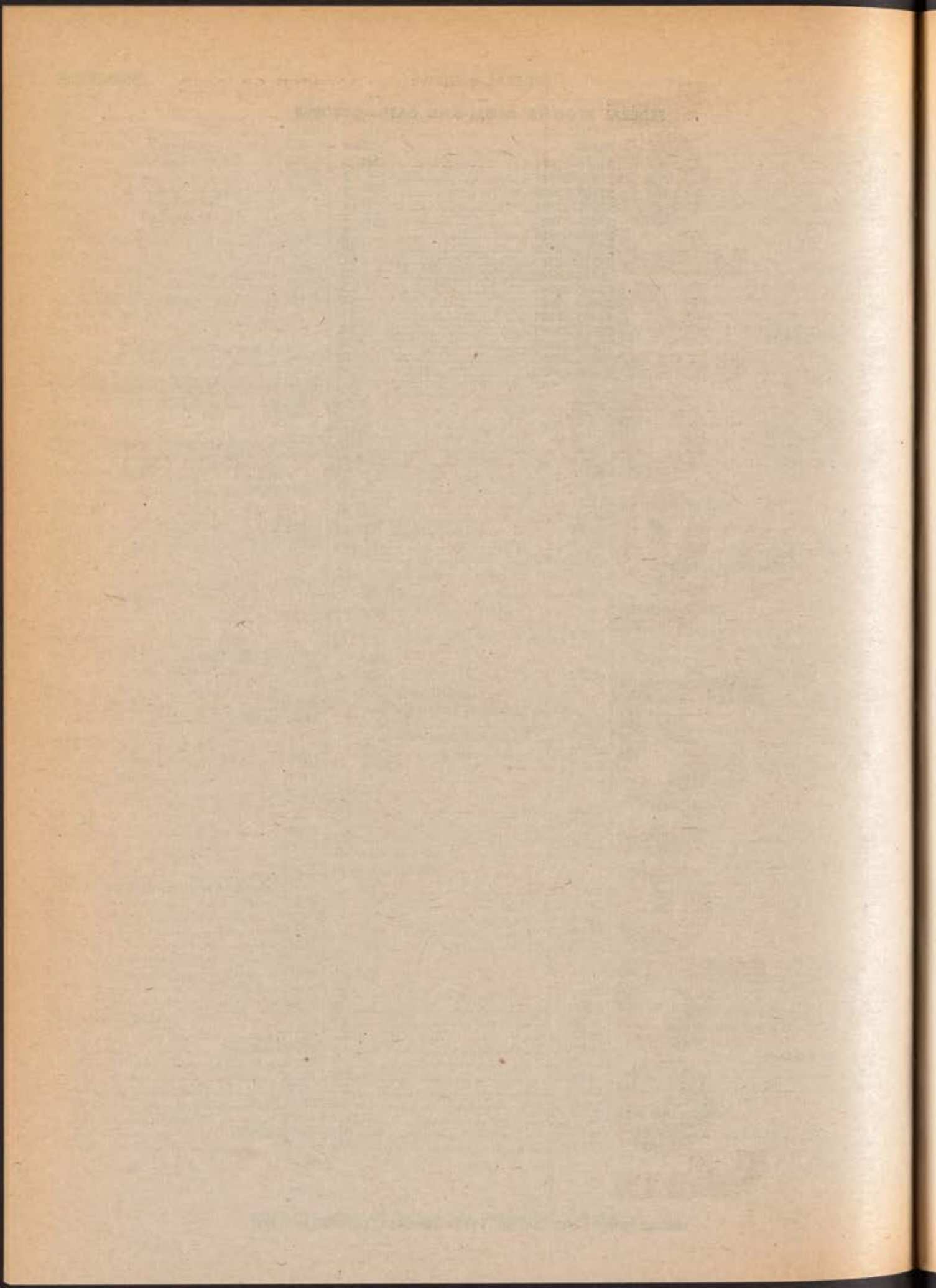
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51	27286	67	28291	PROPOSED RULES:	
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136	28757	903	28039	571	27227,
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221	28614	121	28229	1064	28843
222	28615	123	27223	1307	27228
223	28616	235	27530		
224	28617	249	27843	50 CFR	
225	28617	46 CFR		10	27387
226	28617	10	29318	20	27613, 28681
227	28618	30	29320	28	29085
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50	28438	90	29320		28055, 28293, 28571, 28681, 28943,
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53	28438	166	29318	33	27528, 27933, 28294
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# **federal register**

WEDNESDAY, OCTOBER 24, 1973

WASHINGTON, D.C.

Volume 38 ■ Number 204

PART II



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## **OFFICE OF MANAGEMENT AND BUDGET**

■

### **REPORT UNDER FEDERAL IMPROVEMENT AND INFORMATION ACT**



**OFFICE OF MANAGEMENT AND  
BUDGET**  
**REPORT UNDER FEDERAL IMPOUNDMENT  
AND INFORMATION ACT**

HON. JAMES O. EASTLAND,  
President pro tempore  
United States Senate,  
Washington, D.C. 20510.

OCTOBER 15, 1973.

DEAR SENATOR EASTLAND: The enclosed report is submitted pursuant to the Federal Impoundment and Information Act, as amended. In accordance with that Act, the report is being transmitted to the Congress and to the Comptroller General of the United States, and will be published in the FEDERAL REGISTER.

Sincerely,

ROY L. ASH,  
Director.

BUDGETARY RESERVE AS OF  
SEPTEMBER 30, 1973

**Introduction.**—The Director of the Office of Management and Budget, under authority delegated by the President, is required to apportion funds provided by the Congress. The apportionments are required under the Antideficiency Act (31 U.S.C. 665) and generally are for the current fiscal year. Under the law, such apportionments limit the amounts which may be obligated during specific periods.

The Antideficiency Act authorizes the withholding of funds from apportionment to provide for contingencies; or to effect savings made possible by or through changes in requirements, greater efficiency of operations, or other developments subsequent to the date on which the funds were made available. In cases where the law specifies by year the amount of contract authority available a year in advance, a distinction is made in the report between the 1974 and 1975 programs. There are other specific provisions of law which provide that funds should be available over a period longer than one year; in such cases, the funds generally are not fully apportioned in the current year, and the unapportioned part is withheld, to be released later for use in the next year or years. Thus, some amounts are withheld from apportionment, either temporarily or for longer periods. In these cases, the funds not apportioned are said to be held or placed "in reserve." This practice is one of long standing and has been exercised by all recent administrations as a customary part of financial management.

On occasion the Congress has explicitly required that an amount be placed in reserve pending an administrative determination of need (e.g., the 1973 Agriculture-Environmental and Consumer Protection Appropriation Act—Public Law 92-399). Most reserves, however, are established upon the initiative of the Executive Branch based on an operational knowledge of the status of the specific projects or activities. For example, when the required amount of work can be accomplished at less cost than had been anticipated when the appropriation was made, a reserve assures that savings can

be realized and, if appropriate, returned to the Treasury. In other cases, specific apportionments sometimes await (1) development by the affected agencies of approved plans and specifications, (2) completion of studies for the effective use of the funds, including necessary coordination with the other Federal and non-Federal parties that might be involved, (3) establishment of a necessary organization and designation of accountable officers to manage the programs, or (4) the arrival of certain contingencies under which the funds must by statute be made available (e.g., certain direct Federal credit aids when private sector loans are not available).

From time to time additional reserves are established for such reasons as the necessity to conform to the requirements of other laws. An example is the executive's responsibility to stay within the statutory limitation on the outstanding public debt.

The total of reserves for the 1974 program as of September 30, 1974, is 2.8 percent of the total estimated budget outlays for the year. Since the report as of June 30, 1973, the total of reserves has been reduced by nearly \$300 million. As shown in the report, reserves of nearly \$1.5 billion established in FY 1973 which were being held for FY 1974 programs have been released to provide or to supplement available budgetary resources for 1974 programs. Reserve actions have been initiated in some programs and amounts in reserve increased in others to await the development of 1974 program and project plans, to meet contingencies during the 1974 program year, and, in the case of programs which have been provided obligatory authority beyond the current fiscal year, to ensure that funds will be available beyond FY 1974.

**Report required by law.**—This report is submitted in fulfillment of the requirements of the "Federal Impoundment and Information Act," as amended, which provides for a report of "impoundments," and certain other information pertaining thereto. This report lists the budgetary reserves which were in effect as of September 30, 1973.

The Antideficiency Act requires that all apportionments be reviewed at least quarterly, and that reapportionments be made or reserves be established, modified, or released as may be necessary to further the effective use of the funds concerned. Thus, in answer to item Number 5 of the Federal Impoundment and Information Act, the period of time during which funds are to be in reserve is dependent in all cases upon the results of such later review.

The remainder of this report lists, by agency, all accounts for which some funds are reserved. An asterisk (\*) identifies those accounts added to the listing since the last report (i.e., such accounts contained no reserves on June 30, 1973). The listing:

Presents the amount currently apportioned for the fiscal year 1974;

Presents the amount in reserve as of September 30, 1973;

States whether the amount reserved will be legally available for obligation in fiscal year 1975;

Indicates the date of the reserve action and the effective date of the current reserve;

Presents a code which relates to the reason for the current reserve action, without necessarily exhausting all possible reasons.

Presents a code which indicates the estimated fiscal, economic, and budgetary impact of the current reserve.

Codes used in the remainder of this report relating to the reasons for and estimated fiscal, economic, and budgetary impact of the reserve actions are described on the following pages. In some cases, the standard explanations given have been modified slightly from those used in previous reports. Such modifications have been made for the sake of clarity. The codes and footnotes listed for each entry relate to conditions which were in effect as of the date of the reserve action.

**REASON FOR CURRENT RESERVE**  
**Code:**

- 1.----- "To provide for contingencies" (31 U.S.C. 665(c) (2)).
- 2.----- "To effect savings whenever savings are made possible by or through changes in requirements, greater efficiency of operations, or other developments subsequent to the date on which such (funds were) made available" (31 U.S.C. 665(c) (2)).
- 3.----- To reduce the amount of or to avoid requesting a deficiency or supplemental appropriation in cases of appropriations available for obligation for only the current year (31 U.S.C. 665(c) (1)). This explanation includes amounts anticipated to be used to absorb or partially absorb the costs of recent pay raises grant pursuant to law.
- 4.----- "To achieve the most effective and economical use" of funds available for periods beyond the current fiscal year (31 U.S.C. 665(c) (1)). This explanation includes reserves established to carry out the Congressional intent that funds provided for periods greater than one year should be so apportioned that they will be available for the future periods.
- 5.----- Temporary deferral pending the establishment of administrative machinery (not yet in place) or the obtaining of sufficient information (not



REASON FOR CURRENT  
RESERVE—Continued

- Code: yet available) to apportion the funds properly and to insure that the funds will be used in "the most effective and economical" manner (31 U.S.C. 665(c)(1)). This explanation includes reserves for which apportionment awaits the development by the agency of approved plans, designs, specifications.
6. The President's constitutional duty to "take care that the laws be faithfully executed" (U.S. Constitution, Article II, Section 3):
- 6a. Obligation at this time of the amount in reserve is likely to contravene law regarding the environment; or the amount in reserve is being held pending further study to evaluate the environmental impact of the affected projects (activities) as required by law.
- 6b. Existing tax laws and the statutory limitation on the national debt are not expected to provide sufficient funds in the current and ensuing fiscal years to cover the total of all outlays in these years contemplated by the individual acts of Congress.
- 6c. Action taken consistent with the President's responsibility to help maintain economic stability without undue price and cost increases.
- 6d. Amount apportioned reflects the level of obligations implicitly approved by the Congress in its review of and action on the appropriation required to liquidate obligations under existing contract authority.
- 6e. Other. See footnote for each item so coded.
7. The President's constitutional authority and responsibility as Commander in Chief (U.S. Constitution, Article II, Section 2).
8. The President's constitutional authority and responsibility for the conduct of foreign affairs (U.S. Constitution, Article II, Section 2).
9. Other. See footnote for each item so coded.
10. Not applicable or no reason required. (In most cases where a previous reserve has been apportioned in its entirety.)

ESTIMATED FISCAL, ECONOMIC, AND  
BUDGETARY EFFECT

- Code:
- I. Same effect as set forth in the most recently submitted budget document, of which this item is an integral part.
- II. The reserve action will bring the budgetary impact of this program to a level nearer or equal to that contemplated in the most recently submitted budget document and contribute to the reduction of inflationary pressures.
- III. The change from the previous reserve is expected to contract the budgetary impact of this program.

ESTIMATED FISCAL, ECONOMIC, AND  
BUDGETARY EFFECT—Continued

- Code:
- IV. The release or reduction of the previous reserve will facilitate use and expenditure of the available funds consistent with current program needs and economic conditions in the area affected.
- V. Other. See footnote for each item so coded.
- VI. Not applicable or no explanation required. (In most cases where a previous reserve has been apportioned in its entirety.)

SUMMARY OF BUDGETARY RESERVES  
[Dollars in Millions]

Agency	Amount as of June 30, 1973	Amount as of Sept. 30, 1973
<b>1974 PROGRAM</b>		
Executive Office of the President	2	96
Funds Appropriated to the President	129	1,173
Department of Agriculture	1,316	63
Department of Commerce	140	1,143
Department of Defense—Military	1,618	1
Department of Defense—Civil	33	23
Department of Health, Education, and Welfare	21	456
Department of Housing and Urban Development	450	162
Department of the Interior	478	14
Department of Justice	36	6
Department of State	6	2,885
Department of Transportation	2,885	3,838
Department of Treasury	22	22
Atomic Energy Commission	118	27
General Services Administration	262	258
National Aeronautics and Space Administration	2	2
Veterans Administration	44	43
Other Independent Agencies:		
National Science Foundation	62	4
Small Business Administration	50	31
All other	51	90
<b>Total</b>	<b>7,732</b>	<b>7,446</b>

† Details may not add due to rounding.

## 1975 PROGRAM

Department of the Interior	75
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## BUDGETARY RESERVES, AS OF SEPTEMBER 30, 1973

[Dollars in thousands]

## GENERAL NOTES

[Amounts in parentheses ( ) indicate actions superseded by later apportionment actions. An asterisk \* indicates an account added to the list since the last report. An account without an entry in the amount apportioned column indicates no apportionment has been made for fiscal year 1974.]

Amount apportioned	Amount in reserve	Available beyond fiscal year 1974†	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, and budgetary effect (see code)
<b>FUNDS APPROPRIATED TO THE PRESIDENT</b>						
Appalachian Regional Commission: Appalachian regional development programs						
(209,000)	(225,000)	Yes	June 29, 1973	July 1, 1973	5, 6c	I
320,395	40,000	Yes	Sept. 12, 1973	Sept. 12, 1973	5, 6c	I
Agency for International Development: Prototype desalting plant						
(†)	20,000	Yes	Apr. 7, 1972	July 1, 1973	5	I



## BUDGETARY RESERVES, SEPTEMBER 30, 1973—Continued

Amount appropriated	Amount in reserve	Available beyond fiscal year 1974	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, and budgetary effect (see code)
1,418	88	Yes	June 11, 1973	July 1, 1973	4	I
Perishable Agricultural Commodities Act fund						
Forest Service:						
Forest roads and trails and roads and trails for States						
117,164	(275,286)	Yes	Mar. 29, 1973	July 1, 1973	4, 4b	I
	208,084	Yes	July 16, 1973	July 16, 1973	4, 4b	I
Brush disposal						
15,657	26,001	Yes	June 8, 1973	July 1, 1973	5	I
Forest fire prevention						
275	190	Yes	June 8, 1973	July 1, 1973	4	I
DEPARTMENT OF COMMERCE						
Social and Economic Statistics Administration: 1974 Census of Agriculture						
	(1,260)	Yes	Nov. 24, 1973	July 1, 1973	2, 4	I
		N.A.	Sept. 13, 1973	Sept. 13, 1973	1b	VI
Domestic and International Business: International activities, Inter-American Cultural and Trade Center						
292	5,067	Yes	June 26, 1973	July 1, 1973	4, 5	I
Office of Minority Business: Minority business development, no-year						
	(14,766)	Yes	Jan. 24, 1973	July 1, 1973	4, 4b	I
	14,330	Yes	July 24, 1973	July 24, 1973	5	I
National Oceanic and Atmospheric Administration						
Research, development, and facilities						
	(31,006)	Yes	June 28, 1973	July 1, 1973	2, 4, 4b	I
	(24,866)	Yes	July 19, 1973	July 19, 1973	2, 4, 4b	I
	24,178	Yes	Sept. 26, 1973	Sept. 26, 1973	2, 4	I
Satellite operations						
	727	Yes	June 28, 1973	July 1, 1973	5	I
Promote and develop fishery products and research pertaining to American fisheries						
(7,191)	(2,159)	Yes	Mar. 29, 1973	July 1, 1973	4, 5, 6a	I
7,306	3,111	Yes	July 26, 1973	July 26, 1973	4, 5, 6a	I

## BUDGETARY RESERVES, SEPTEMBER 30, 1973—Continued

Amount appropriated	Amount in reserve	Available beyond fiscal year 1974	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, and budgetary effect (see code)
4,000	35,463	Yes	June 12, 1973	July 1, 1973	4	V
The Inter-American Foundation						
DEPARTMENT OF AGRICULTURE						
Agriculture Research Service: Construction						
	1,330	Yes	June 29, 1973	July 1, 1973	4, 4b	I
Foreign Agricultural Service						
Salaries and expenses, special foreign currency program						
1,000	1,240	Yes	May 23, 1973	July 1, 1973	4	I
Agricultural Stabilization and Conservation Service						
Rural environmental assistance						
	210,500	Yes	Jan. 26, 1973	July 1, 1973	4b	I
Water bank and program						
	11,801	Yes	Jan. 26, 1973	July 1, 1973	4b	I
Rural Electrification Administration: Loans						
	450,103	Yes	Jan. 26, 1973	July 1, 1973	2, 4b, 4c	I
Farmers Home Administration						
Rural water and waste disposal grants						
	120,000	Yes	Jan. 26, 1973	July 1, 1973	4b, 4c	I
Rural housing for domestic farm labor grants						
	(1,431)	Yes	Jan. 31, 1973	July 1, 1973	4, 4b	I
	1,581	Yes	Sept. 10, 1973	Sept. 10, 1973	4, 4b	V
Mutual and self-help housing grants						
	832	Yes	Sept. 25, 1973	July 1, 1973	4	I
Rural housing insurance fund						
	133,000	Yes	Jan. 26, 1973	July 1, 1973	4	I
Agricultural Marketing Service:						
Marketing services, no-year						
(1,422)	(819)	Yes	June 11, 1973	July 1, 1973	4	I
1,813	518	Yes	Sept. 26, 1973	Sept. 26, 1973	4	I



## NOTICES

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BUDGETARY RESERVES, SEPTEMBER 30, 1973—Continued

Amount appropriated	Amount in reserve	Available beyond fiscal year 1974	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, and budgetary effect (see code)
1,070,916	160,556	Yes	Sept. 7, 1973	Sept. 7, 1973	5	I
Aircraft procurement, Air Force, 1973-75*						
892,665	(145,672)	Yes	Nov. 24, 1972	July 1, 1973	4	I
	NA	NA	Sept. 11, 1973	Sept. 11, 1973	10	VI
Shipbuilding and conversion, Navy, 1971-75						
785,000	(427,212)	Yes	Nov. 24, 1972	July 1, 1973	4	I
	145,081	Yes	Sept. 11, 1973	Sept. 11, 1973	4	I
Shipbuilding and conversion, Navy, 1973-76						
992,000	(703,309)	Yes	June 29, 1973	July 1, 1973	4	I
	408,512	Yes	Sept. 11, 1973	Sept. 11, 1973	4	I
Military Construction						
Military construction, Army						
645,440	(70,304)	Yes	June 27, 1973	July 1, 1973	5	I
	94,664	Yes	Aug. 14, 1973	Aug. 14, 1973	5	I
Military construction, Navy						
385,865	(95,130)	Yes	June 27, 1973	July 1, 1973	5	I
	61,838	Yes	Aug. 14, 1973	Aug. 14, 1973	5	I
Military construction, Air Force						
(130,860)	(31,607)	Yes	June 27, 1973	July 1, 1973	5	I
141,294	(40,773)	Yes	July 20, 1973	July 20, 1973	5	I
	39,409	Yes	Aug. 14, 1973	Aug. 14, 1973	5	I
Military construction, defense agencies						
5,000	(28,415)	Yes	Feb. 15, 1973	July 1, 1973	5	I
	58,215	Yes	Aug. 23, 1973	Aug. 23, 1973	5	I
Military construction, Army National Guard						
3,081	(102)	Yes	June 14, 1973	July 1, 1973	5	I
	NA	NA	Aug. 16, 1973	Aug. 16, 1973	10	VI
Military construction, Air National Guard						
5,265	(17)	Yes	May 29, 1973	July 1, 1973	5	I
	17	Yes	Sept. 6, 1973	Sept. 6, 1973	5	I

BUDGETARY RESERVES, SEPTEMBER 30, 1973—Continued

Amount appropriated	Amount in reserve	Available beyond fiscal year 1974	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, and budgetary effect (see code)
National Bureau of Standards						
Plant and facilities						
1,530	Yes	Yes	Nov. 24, 1972	July 1, 1973	2, 4, 6b	I
Research and technical services, no-year						
3,312	Yes	Yes	May 7, 1973	July 1, 1973	5, 6b	I
Construction of facilities						
740	Yes	Yes	Jan. 26, 1973	July 1, 1973	4, 6b	I
Maritime Administration						
Ship construction						
9,137	(24,000)	Yes	June 29, 1973	July 1, 1973	4	III
	24,993	Yes	July 27, 1973	July 27, 1973	4	IV
Research and development						
5,000	Yes	Yes	Jan. 18, 1973	July 1, 1973	4, 6b	I
State machine schools						
127	Yes	Yes	Nov. 24, 1972	July 1, 1973	4	I
Federal ship financing fund*						
2,562	1,466	Yes	June 27, 1973	July 1, 1973	5	I
DEPARTMENT OF DEFENSE—MILITARY						
Salaries and Expenses: Ceremonial expenses, Army*						
14,445	2,053	Yes	Sept. 14, 1973	Sept. 14, 1973	5	I
Procurement						
Missile procurement, Army, 1973-1975						
188,352	(2,500)	Yes	Feb. 5, 1973	July 1, 1973	4	I
	NA	NA	Sept. 11, 1973	Sept. 11, 1973	10	VI
Procurement of aircraft and missiles, Navy, 1973-75						
13,281	(13,281)	Yes	June 29, 1973	July 1, 1973	5	I
946,747	13,281	Yes	Sept. 6, 1973	Sept. 6, 1973	5	I
Aircraft procurement, Air Force, 1973-74*						
415,531	143,492	No	Sept. 7, 1973	Sept. 7, 1973	5	I



## BUDGETARY RESERVES, SEPTEMBER 30, 1973—Continued

Amount appropriated	Amount in reserve	Available beyond fiscal year 1974	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, and budgetary effect (see code)
Wildlife Conservation, Army						
808	157	Yes	June 14, 1973	July 1, 1973	I	I
Wildlife conservation, Navy						
60	8	Yes	June 14, 1973	July 1, 1973	I	I
Wildlife conservation, Air Force						
124	40	Yes	June 14, 1973	July 1, 1973	I	I
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE						
Health Services and Mental Health Administration: Indian health facilities						
3,483	848	Yes	June 27, 1973	July 1, 1973	I	I
Office of Education						
Higher education, no-year						
1,380	Yes	Nov. 30, 1973	July 1, 1973	I	I	I
Educational activities overseas, special foreign currency program						
16	Yes	Apr. 6, 1973	July 1, 1973	I	I	I
Social Security Administration: Limitation on construction (trust funds)						
12,679	(12,688)	Yes	Apr. 27, 1973	July 1, 1973	I	I
	10,973	Yes	Aug. 21, 1973	Aug. 21, 1973	I	I
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT						
Housing Production and Mortgage Credit: Noncredit sponsor assistance						
6,830	Yes	Apr. 15, 1973	July 1, 1973	I	I	I
Community Development						
Open space land program						
27,130	Yes	Mar. 8, 1973	July 1, 1973	I	I	I
Grants for basic water and sewer facilities						
400,175	Yes	Jan. 26, 1973	July 1, 1973	I	I	I
Public facility loans						
20,000	Yes	Jan. 26, 1973	July 1, 1973	I	I	I

## BUDGETARY RESERVES, SEPTEMBER 30, 1973—Continued

Amount appropriated	Amount in reserve	Available beyond fiscal year 1974	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, and budgetary effect (see code)
Military construction, Army Reserve						
25,425	(7,109)	Yes	Mar. 8, 1973	July 1, 1973	I	I
	7,109	Yes	Sept. 10, 1973	Sept. 10, 1973	I	I
Military construction, Naval Reserve						
17,640	(3,943)	Yes	May 3, 1973	July 1, 1973	I	I
	1,842	Yes	Aug. 8, 1973	Aug. 8, 1973	I	I
Military construction, Air Force Reserve						
2,415	(850)	Yes	June 20, 1973	July 1, 1973	I	I
	850	Yes	Sept. 6, 1973	Sept. 6, 1973	I	I
Special Foreign Currency Program						
Special foreign currency program, Defense, 1972-74						
3,169	(2,477)	Yes	Dec. 15, 1973	July 1, 1973	I	I
	2,461	No	Aug. 31, 1973	Sept. 30, 1973	I	I
Special foreign currency program, Defense, 1973-75						
3,998	(400)	Yes	Dec. 4, 1973	July 1, 1973	I	I
	400	Yes	Sept. 6, 1973	Aug. 6, 1973	I	I
DEPARTMENT OF DEFENSE—CIVIL CORPS OF ENGINEERS						
General investigations						
65,664	(150)	Yes	June 29, 1973	July 1, 1973	I	I
	150	Yes	Sept. 15, 1973	Sept. 15, 1973	I	I
Construction						
1,114,820	(753)	Yes	June 29, 1973	July 1, 1973	I	I
	(9,160)	Yes	July 27, 1973	July 27, 1973	I	I
	(9,175)	Yes	July 30, 1973	July 30, 1973	I	I
	258	Yes	Sept. 15, 1973	Sept. 15, 1973	I	I
Flood control, Mississippi River and Tributaries						
151,819	(750)	Yes	June 29, 1973	July 1, 1973	I	I
	750	Yes	Sept. 15, 1973	Sept. 15, 1973	I	I
Panama Canal: Canal Zone Government, capital outlay						
7,656	(700)	Yes	Sept. 8, 1973	July 1, 1973	I	I
	85	Yes	Sept. 14, 1973	Sept. 14, 1973	I	I



## NOTICES

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BUDGETARY RESERVES, SEPTEMBER 30, 1973—Continued

Amount appropriated	Amount in reserves	Period fiscal year 1974	Reserve action	Date of reserve	Current reserve (see code)	Estimated fiscal economic and budgetary effect (see code)
National wildlife refuge fund						
4,420	4,003	Yes	June 8, 1973	July 1, 1973	4, 5	I
Proceeds from sales, water resources development projects						
15	4	Yes	June 8, 1973	July 1, 1973	4, 5	I
National Park Service Parkway and road construction						
14,838	34,610	Yes	June 8, 1973	July 1, 1973	6d	I
Construction						
28,100	14,300	Yes	July 30, 1973	July 30, 1973	4	I
Operation, management, maintenance, and demolition of federally acquired property*						
17	65	Yes	June 8, 1973	July 1, 1973	4, 5	I
Bureau of Reclamation Construction and rehabilitation						
(14,970) 24,857	(1,065) 1,065	Yes Yes	June 8, 1973 Sept. 15, 1973	July 1, 1973 Sept. 15, 1973	5, 6b 5, 6b	I I
Operation, maintenance, and replacement of project works, North Platte project						
( <sup>c</sup> )	100	Yes	June 8, 1973	July 1, 1973	6e	I
Upper Colorado River Basin fund						
(9,872) 64,911	(1,360) 1,154	Yes Yes	June 8, 1973 Sept. 15, 1973	July 1, 1973 Sept. 15, 1973	5 5	I I
DEPARTMENT OF JUSTICE						
Bureau of Prisons: Buildings and facilities						
45,628	(26,441) 13,594	Yes Yes	Jan. 26, 1973 Sept. 13, 1973	July 1, 1973 Sept. 13, 1973	5, 6b 5, 6b	I I
DEPARTMENT OF TRANSPORTATION						
Office of the Secretary: Transportation, planning, and research and development						
34,853	(5,300) NA	Yes NA	June 30, 1973 Sept. 14, 1973	July 1, 1973 Sept. 14, 1973	4, 6b 10	I VI
U.S. Coast Guard: Acquisition, construction, and improvements						
(20,940) 106,168	(10,606) 12,069	Yes Yes	July 12, 1973 Sept. 14, 1973	July 12, 1973 Sept. 14, 1973	4, 6b 4, 6b	I II

FEDERAL REGISTER, VOL. 38, NO. 204—WEDNESDAY, OCTOBER 24, 1973

BUDGETARY RESERVES, SEPTEMBER 30, 1973—Continued

Amount appropriated	Amount in reserves	Period fiscal year 1974	Date of reserve action	Effective date of reserve	Current reserve (see code)	Estimated fiscal economic and budgetary effect (see code)
Office of Interstate Land Sales Registration: Interstate land sales						
1,460	1,381	Yes	June 20, 1973	July 1, 1973	4	I
DEPARTMENT OF THE INTERIOR						
Bureau of Land Management: Public lands development roads and trails						
4,400	8,921	Yes	June 8, 1973	July 1, 1973	6d	I
Oregon and California Grant Lands						
1,150	1,150	Yes	June 8, 1973	July 1, 1973	4, 5	I
Bureau of Indian Affairs Road construction/1974 program						
57,060	20,000	Yes	Sept. 12, 1973	Sept. 12, 1973	6d	II
Road construction/1975 program						
75,000	Yes	Sept. 12, 1973	Sept. 12, 1973	6d	II	
Bureau of Outdoor Recreation: Land water conservation						
208,156	41,422	Yes	June 8, 1973	July 1, 1973	6b	I
Geological Survey: Payments from proceeds, sale of water, mineral leasing act of 1920						
( <sup>c</sup> )	27	Yes	June 6, 1973	July 1, 1973	4, 5	I
Bureau of Mines: Drainage of anthracite mines						
200	3,575	Yes	June 8, 1973	July 1, 1973	4, 5	I
Bureau of Sport Fisheries and Wildlife Migratory bird conservation account (receipt limitation)						
(9,000) 12,000	(981) 981	Yes Yes	June 8, 1973 Aug. 23, 1973	July 1, 1973 Aug. 23, 1973	4 4	I I
Federal aid in wildlife restoration						
45,330	7,953	Yes	June 8, 1973	July 1, 1973	4, 5	I
Federal aid in fish restoration and management						
14,965	2,339	Yes	June 8, 1973	July 1, 1973	4, 5	I



## BUDGETARY RESERVES, SEPTEMBER 30, 1973—Continued

Amount appropriated	Amount in reserve	Available beyond fiscal year 1974*	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, and budgetary effect (see code)
Rail-crossings-demonstration projects*						
21,322	3,003	Yes	Sept. 15, 1973	Sept. 15, 1973	5	I
Territorial highways*						
4,000	1,600	Yes	June 29, 1973	July 1, 1973	4, 6c	I
Trust fund share of other highway programs*						
(5,923) 28,120	(15,790) NA	Yes NA	June 29, 1973 Sept. 15, 1973	July 1, 1973 Sept. 15, 1973	4, 5 10	I VI
Forest highways trust fund*						
24,000 26,000	(47,694) NA	Yes NA	June 29, 1973 Sept. 14, 1973	July 1, 1973 Sept. 14, 1973	2, 4, 6c 10	I VI
Public lands highways*						
(5,000) 5,000	(27,000) 5,000	Yes Yes	June 29, 1973 Sept. 14, 1973	July 1, 1973 Sept. 14, 1973	2, 4, 6c 4, 6c, 6d	I I
Right-of-way revolving fund						
48,000	74,782	Yes	June 29, 1973	July 1, 1973	4, 5	I
National Highway Traffic Safety Administration						
State and community highway safety*						
(24,948) 66,771	(1,280) NA	Yes NA	July 2, 1973 Sept. 13, 1973	July 2, 1973 Sept. 13, 1973	1 10	I VI
Traffic and highway safety						
58,068	2,000	No	Sept. 14, 1973	Sept. 14, 1973	5	I
Construction of compliance facilities						
(0) (0)	(0,048) 18	Yes Yes	Jan. 18, 1973 Sept. 14, 1973	July 1, 1973 Sept. 14, 1973	4, 5 5	I V
Trust fund share of highway traffic safety programs						
(16,849) 96,187	(2,580) NA	Yes NA	July 2, 1973 Sept. 13, 1973	July 2, 1973 Sept. 13, 1973	1, 5 10	I VI
Federal Railroad Administration						
Emergency rail facilities restoration*						
21,100	7,648	Yes	July 27, 1973	July 27, 1973	2	I

## BUDGETARY RESERVES, SEPTEMBER 30, 1973—Continued

Amount appropriated	Amount in reserve	Available beyond fiscal year 1974*	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, and budgetary effect (see code)
Federal Aviation Administration						
Civil supersonic aircraft development termination						
2,800	(3,515) 3,003	Yes Yes	Jan. 25, 1973 Sept. 10, 1973	July 1, 1973 Sept. 10, 1973	4, 6c 4	I I
Civil supersonic aircraft development						
800	(2,130) 2,130	Yes Yes	Jan. 18, 1973 Sept. 10, 1973	July 1, 1973 Sept. 10, 1973	4, 6c 4	I I
Grants-in-aid for airports (airport and airway trust fund)*						
13,000	2,000	Yes	Sept. 14, 1973	Sept. 14, 1973	5	I
Facilities and equipment (airport and airway trust fund)						
283,675	(307,631) 301,919	Yes Yes	Jan. 18, 1973 Sept. 12, 1973	July 1, 1973 Sept. 12, 1973	4, 6b 4	I I
Research, engineering, and development (airport and airway trust fund)						
NA	(14,000) NA	Yes NA	Jan. 18, 1973 Sept. 14, 1973	July 1, 1973 Sept. 14, 1973	4, 6b 10	I VI
Federal Highway Administration						
Highway beautification						
(41,877) 30,000	(11,521) NA	Yes NA	June 29, 1973 Sept. 15, 1973	July 1, 1973 Sept. 15, 1973	4, 5 10	I VI
Darken Gap Highway						
17,661	(645) NA	Yes NA	Jan. 18, 1973 Sept. 14, 1973	July 1, 1973 Sept. 14, 1973	4, 5 10	I VI
Highway-related safety grants*						
(10,689) 13,229	(7,867) NA	Yes NA	June 29, 1973 Sept. 15, 1973	July 1, 1973 Sept. 15, 1973	4, 5 10	I VI
Federal-aid highways 1974 program						
(1,417,000) 6,742,697	(2,791,841) 3,416,149	Yes Yes	June 29, 1973 Sept. 14, 1973	July 2, 1973 Sept. 14, 1973	4, 5, 6c, 6d 6a, 6c	I I
Federal-aid highways 1975 program						
NA	NA	NA	NA	NA	NA	NA



## NOTICES

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BUDGETARY RESERVES, SEPTEMBER 30, 1973—Continued

Amount appropriated	Amount in reserve	Available beyond fiscal year 1973	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, and budgetary effect (see code)
High speed ground transportation research and development						
.....	(15,000)	Yes	Jan. 19, 1973	July 1, 1973	4, 6b	I VI
.....	.....	NA	Sept. 14, 1973	Sept. 14, 1973	10	.....
Grants to the National Railroad Passenger Corporation						
.....	(44,000)	Yes	Jan. 19, 1973	July 1, 1973	4, 6b	I VI
.....	45,190	Yes	Sept. 14, 1973	Sept. 14, 1973	10	V 14
Urban Mass Transportation Administration: Urban mass transportation fund						
.....	(641,300)	Yes	July 6, 1973	July 6, 1973	4, 6b	I VI
.....	885,550	NA	Sept. 14, 1973	Sept. 14, 1973	10	.....
DEPARTMENT OF THE TREASURY						
Office of the Secretary: Construction, Federal Law Enforcement Training Center						
283	21,517	Yes	June 6, 1973	July 1, 1973	5	I
ATOMIC ENERGY COMMISSION						
Operating Expenses						
8,164,739	14,900	Yes	Sept. 15, 1973	Sept. 15, 1973	5	I
Plant and Capital Equipment						
(48,479)	01,830	Yes	June 8, 1973	July 1, 1973	5	I
627,517	5,150	Yes	Sept. 15, 1973	Sept. 15, 1973	5	I
GENERAL SERVICES ADMINISTRATION						
Real Property Activities						
.....	22,396	Yes	Jan. 26, 1973	July 1, 1973	4	I
Construction, public building projects						
.....	234,309	Yes	Jan. 26, 1973	July 1, 1973	2, 4	I
Property Management and Disposal: Operating expenses, sale of rare silver dollars						
.....	(4,000)	Yes	Nov. 30, 1972	July 1, 1973	4	I
.....	1,286	Yes	Sept. 5, 1973	Sept. 5, 1973	4	I
Operating Expenses, Special Fund						
.....	(850)	Yes	June 28, 1973	July 1, 1973	4, 5	I
.....	.....	N/A	Aug. 16, 1973	Aug. 16, 1973	10	VI

BUDGETARY RESERVES, SEPTEMBER 30, 1973—Continued

Amount appropriated	Amount in reserve	Available beyond fiscal year 1973	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, and budgetary effect (see code)
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION						
Research and Development						
.....	2,200	Yes	June 8, 1973	July 1, 1973	5	I
VETERANS ADMINISTRATION						
Medical Prosthetic Research						
.....	3,465	Yes	Feb. 15, 1973	July 1, 1973	5	I
Construction, Major Projects						
.....	34,710	Yes	June 13, 1973	July 1, 1973	5	I
Construction, Minor Projects						
.....	5,000	Yes	Dec. 30, 1972	July 1, 1973	5	I
OTHER INDEPENDENT AGENCIES						
District of Columbia						
Loans for capital outlay, metropolitan area sanitary sewage work funds						
.....	(300)	Yes	Aug. 7, 1973	July 1, 1973	4	I
.....	5,300	Yes	Sept. 5, 1973	Sept. 5, 1973	4	I
Loans for capital outlay, sanitary sewage						
.....	(4,285)	Yes	Aug. 7, 1973	July 1, 1973	4	I
.....	24,005	Yes	Sept. 5, 1973	Sept. 5, 1973	4	I
Loans for capital outlay, water fund						
.....	(3,200)	Yes	Aug. 7, 1973	July 1, 1973	4	I
.....	7,400	Yes	Sept. 5, 1973	Sept. 5, 1973	4	I
Loans for capital outlay, highway fund*						
.....	11,900	Yes	Sept. 5, 1973	Sept. 5, 1973	4	I
Loans for capital outlay, general fund						
.....	(6,750)	Yes	Jan. 26, 1973	July 1, 1973	4	I
.....	25,506	Yes	Sept. 5, 1973	Sept. 5, 1973	4	I
Foreign Claims Settlement Commission						
Payment of Vietnam and U.S.S. Pacific prisoner of war claims						
.....	9,125	Yes	July 12, 1973	July 12, 1973	5	I



## NOTICES

## BUDGETARY RESERVES, SEPTEMBER 30, 1973—Continued

Amount apportioned	Amount in reserve	Available beyond fiscal year 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, and budgetary effect (see code)
American Revolution Bicentennial Commission: Commemorative activities fund						
	5,000	Yes.....	Nov. 28, 1972	July 1, 1973	5	1
National Science Foundation: Salaries and expenses						
50,900	3,500	Yes.....	June 8, 1973	July 1, 1973	2	1
Railroad Retirement Board: Limitation on railroad unemployment administration fund						
8,578	4,822	Yes.....	July 1, 1973	July 1, 1973	4	1
Small Business Administration: Business loan and investment fund						
(173,100)	(41,316)	Yes.....	June 29, 1973	July 1, 1973	2, 4, 6b	1
(178,100)	(48,394)	Yes.....	Aug. 31, 1973	Aug. 31, 1973	2, 4	1
348,700	31,694	Yes.....	Sept. 27, 1973	Sept. 27, 1973	2, 4	1
Water Resources Council: Water resources planning						
8,611	27	Yes.....	Aug. 24, 1973	Aug. 24, 1973	2	1

<sup>1</sup> Funds have not been apportioned while awaiting the completion of negotiations with the Government of Israel.

<sup>2</sup> The amount apportioned is consistent with the limitation on the Foundation's activities according to Public Law 93-52 as amended.

<sup>3</sup> The amount apportioned in this account is required to finance a loan approved at the end of fiscal year 1973.

<sup>4</sup> Reserved by request of the Canal Zone Government as a contingency for possible future inspection services.

<sup>5</sup> The Department of the Interior has no present plans for the use of these funds which are available only for the development of water wells on public lands.

<sup>6</sup> No improvements are currently necessary. (See footnote 7.)

<sup>7</sup> 66 Stat. 354 requires that certain miscellaneous revenues be deposited in a special fund to provide for the replacement of the project works and to defray annual operating and maintenance expenses when necessary.

<sup>8</sup> This amount is potentially available for use under 1975 contract authority; the amount to be made available to each State for obligation in 1975 is anticipated to be announced by the Department of Transportation on July 1, 1974.

<sup>9</sup> \$9,000,000 was rescinded in the 1974 Department of Transportation Appropriation Act. It is now included in the Traffic and Highway Safety account.

<sup>10</sup> The amount apportioned is the full amount legally available until action is taken on the amendment to the Rail Passenger Service Act of 1970.

[FR Doc.73-22459 Filed 10-23-73;8:45 am]



WEDNESDAY, OCTOBER 24, 1973  
WASHINGTON, D.C.

Volume 38 ■ Number 204

PART III



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## **CONSUMER PRODUCT SAFETY COMMISSION**

■

**BANNED TOYS AND OTHER  
ARTICLES INTENDED FOR  
USE BY CHILDREN**

**List**



# CONSUMER PRODUCT SAFETY COMMISSION

## BANNED TOYS AND OTHER ARTICLES INTENDED FOR USE BY CHILDREN

### List

On May 14, 1973, responsibility for enforcing the Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.) was transferred to the Consumer Product Safety Commission by section 30(a) of the Consumer Product Safety Act (86 Stat. 1231; 15 U.S.C. 2079(a)).

Section 2(q)(1)(A) of the Federal Hazardous Substances Act (74 Stat. 374, as amended 80 Stat. 1304, 83 Stat. 188; 15 U.S.C. 1261(q)(1)(A)) provides for the banning of any toy or other article intended for use by children that is a hazardous substance or that bears or contains a hazardous substance within the meaning of section 2(f)(1) of the act or as determined by regulation under section 2(f)(1)(D) of the act (15 U.S.C. 1261(f)(1)).

Under authority of the above-named acts, the Consumer Product Safety Commission hereby issues the following list of banned toys and other articles intended for use by children.

This list is intended to put retailers on notice of banned toys and other articles intended for use by children so that such toys and articles may be removed expeditiously from the marketplace. The Commission emphasizes that retailers have major responsibility for insuring that such articles do not come into the hands of the consuming public.

For each banned toy and article intended for use by children, the Commission lists:

1. The name and principal place of business of the responsible firm (if the article is of domestic origin, the manu-

facturer's name appears; if the article is of foreign origin, the importer's name appears).

2. The name of the article and any available identifying data, including the country of origin if the article is imported.

3. The date the responsible firm was notified that the article is a banned hazardous substance.

4. A summation of the hazard presented by the article.

Articles appearing on this list have been confirmed as banned by the Consumer Product Safety Commission. Similar, or even apparently identical, toys or other articles intended for use by children are to be considered different articles and have not been confirmed as banned. A manufacturer will frequently revise a banned article to bring it within safety requirements and distinguish the revised item with a slight change in its identification. The modified identification may be in the form of a number, letter, asterisk, or other symbol added to the original identification.

Banned toys and other articles intended for use by children which are found in interstate commerce are subject to seizure proceedings by the Commission pursuant to section 6 of the Federal Hazardous Substances Act (15 U.S.C. 1265). Any person who offers for sale such an article is subject to a fine and/or imprisonment under section 5(a) of the act (15 U.S.C. 1264(a)).

Retailers, distributors, manufacturers, and importers should also familiarize themselves with the regulations promulgated pursuant to the Federal Hazardous Substances Act (16 CFR Parts 1500, 1505; 38 FR 27012). Toys and other articles intended for use by children which are defined as banned hazardous substances by these regulations are to be considered

as banned even though they have not yet been reviewed, confirmed as banned, and added to a list of banned articles published by the Commission.

The list of banned toys and other articles intended for use by children is set forth below.

Dated October 17, 1973.

SADYE E. DUNN,  
Secretary, Consumer Product  
Safety Commission.

Code	Category
0513	Art supplies and equipment.
1235	Archery equipment.
1248	Darts and dart games.
1300	Toys (not otherwise specified).
1302	Nonmechanical dolls and toy animals.
1303	Mechanical dolls and toy animals including keywind and battery operated.
1304	Windup and battery-operated toys, not dolls or animals.
1305	Toy cars and trucks, nonflying airplanes, boats (not including models).
1311	Toy guns and weapons without projectiles, excluding cap toys.
1321	Nonheating toy home equipment including stoves, sinks, sewing machines, irons, etc.
1322	Children's play tents, play tunnels, and other enclosures.
1326	Blocks, pull toys, and similar items.
1327	Rocking horse, hobby horse, and similar riding toys (nonwheeled).
1330	Other powered toys carrying the child, not bicycles.
1344	Toy musical instruments.
1346	Clacker balls.
1348	Caps and cap toys.
1350	Squeeze/squeaker toys.
1363	Whistles.
1367	Toy banks.
1508	Baby walkers.
1516	Other nursery furniture and equipment.
1517	Baby rattles.
1520	Baby exercisers.
1525	Pacifiers, teething rings.



# NOTICES

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CONSUMER PRODUCT SAFETY COMMISSION  
BANNED PRODUCTS THRU AUGUST 1973

## 0513 ART SUPPLIES AND EQUIPMENT.

### CHILD GUIDANCE PRODUCTS

BRONX, NY  
"PLATT AND MUNK" ORIGAMI PAPER (JAPAN)  
02/13/73  
CONTAINS HAZARDOUS DYE (BRIGHT YELLOW COLOR ONLY)

EAST  
PITTSBURGH, PA  
ORIGAMI PAPER (JAPAN)  
02/26/73  
CONTAINS HAZARDOUS DYE (YELLOW & GREEN COLORS ONLY)

OTOGIRI MERCANTILE CO  
SAN FRANCISCO, CA  
ORIGAMI PAPER (JAPAN)  
02/19/73  
CONTAINS HAZARDOUS DYE (YELLOW & GREEN COLORS ONLY)

YASUTOMO & CO  
SAN FRANCISCO, CA  
ORIGAMI PAPER (JAPAN)  
02/14/73  
CONTAINS HAZARDOUS DYE (YELLOW & 2 SHADES OF GREEN ONLY)

## 1235 ARCHERY EQUIPMENT.

BEAR ARCHERY CO  
GRAYLING, MI  
BLUE FOX MODEL YOUNGSTER ARCHERY SET  
12/21/70  
INADEQUATE LABELING

FLEETWOOD ARCHERY  
SUPERIOR, MICHIGAN  
FLEETWOOD ARCHERY CUB ARCHERY SET  
12/23/70  
INADEQUATE LABELING

F. A. O. SCHWARZ  
NEW YORK, NY  
GREY ARROWS WITH ORANGE BANDS AND ORANGE AND WHITE FEATHERS  
MADE IN WEST GERMANY  
03/24/72  
INADEQUATE LABELING

THE ROLLIN WILSON COMPANY  
MEMPHIS, TE  
THUNDERBIRD BOW AND ARROW SET #202  
01/31/72  
INADEQUATE LABELING



## 1248 DARTS AND DART GAMES.

BLOW GUNS OF CALIFORNIA  
SAN GABRIEL, CA  
BLOWGUN W/ METAL DARTS  
11/17/72  
LACK REQUIRED LABELING

CHANGE ATHLETIC  
PHILADELPHIA, PA  
KING MODEL 1700 LAWN DART  
12/21/70  
INADEQUATE LABELING

HAECER INDUSTRIES  
PHILADELPHIA, PA  
CHAMPION RING DARTS  
12/21/70  
INADEQUATE LABELING

HASBRO INDUSTRIES, INC  
PAWTUCKET, RI  
JAVELIN DARTS  
12/21/70  
INADEQUATE LABELING

R. B. JARTS INC  
GLEN FALLS, NY  
JARTS  
12/21/70  
INADEQUATE LABELING

MASH SALES CORP  
PORTLAND, ORE  
LAWN DARTS (LABELED "FAMILY FUN" ADULT GAME) JAPAN  
12/14/72  
INADEQUATE LABELING & INSTRUCTIONS

REGENT SPORTS CO  
HAUPPAUGE, NY  
LAWN DARTS  
12/21/70  
INADEQUATE LABELING

## 1300 TOYS

ACTION LOBECO  
NESWICK, PA  
"POP BALLS" #7359 (MADE-HONG KONG)  
06/08/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
BABY TOYS #6257 AND 6258  
06/14/71  
SHARP WIRE

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
MELODY BALL #6120  
03/10/72  
SMALL OBJECTS & SHARP PRONGS

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
MERRY BELLS HANG TOY #5720  
06/29/72  
SMALL OBJECTS REMOVE

BABY WORLD CO  
GRAFTON, W VA  
MELODY BALL, BULK CARTONS LABELED IN PART  
"6220"  
06/26/73  
SMALL OBJECTS AND SHARP EDGES

BINKY BABY PRODUCTS CO INC  
WALLINGTON, NJ  
MUSICAL BELLS #105  
06/22/71  
SMALL OBJECTS

BINKY BABY PRODUCTS CO INC  
WALLINGTON, NJ  
"ROLLING FUN" BALL #377  
07/13/71  
SMALL OBJECTS

TOWNE AND COUNTRY GAMES, LTD  
YONKERS, NY  
ROCKET LAWN DARTS  
12/21/70  
INADEQUATE LABELING

BLOCK HOUSE INC  
NEW YORK, NY  
SPIN TOP "LBZ" 42 DBGM 7763 IPC (MADE IN WEST GERMANY)  
03/22/72  
SMALL PIECES, SHARP EDGES, RIGID METAL SHAFT

BOMAR CO (DIV OF KIDDIE PRODUCTS INC)  
SQUANTUM, MASS  
HOLY POLY PAL #910 (HONG KONG)  
11/10/72  
SHARP EDGES & SMALL OBJECTS

DAN BRECHNER & CO  
NEW YORK, NY  
CHRISTMAS STOCKING W/ CANDY & METAL CRICKET TOY (JAPAN)  
LABELED "YICK LUNG CO"  
02/21/73  
SHARP EDGES (CRICKET TOY)

DAN BRECHNER & CO  
NEW YORK, NY  
REDESIGNED MULTI-COLORED METAL  
ANIMAL CLICKER (JAPAN)  
04/02/73  
SHARP METAL EDGES

BURCO INC  
SCHILLER PARK, ILL  
MUSICAL GROWING GARDEN #20022 (JAPAN)  
11/13/72  
SMALL OBJECTS

CARROUSEL PARTY FAVORS INC  
N HOLLYWOOD, CA  
METAL CLICKERS #107  
12/21/72  
SHARP EDGES

CASH WHOLESALE CO (SUBSIDIARY OF STERLING STORES CO)  
LITTLE ROCK, ARK  
MUSICAL TOY TOP "LBZ" (MADE IN GERMANY)  
03/07/72  
RIGID METAL SHAFT



## 1300 TOYS

CENTER IMPORTING CO  
BALTIMORE, MD  
FLUTTER BIRDIE BALL (HONG KONG)  
04/16/73  
SHARP EDGES AND SMALL OBJECTS

J. CHEIN & CO  
BURLINGTON, NJ  
POP CORN TOP #182  
01/31/72  
SMALL OBJECTS & RIGID METAL SHAFT

J. CHEIN & CO  
BURLINGTON, NJ  
COLORTONE TOP #99  
01/31/72  
SMALL OBJECTS & RIGID METAL SHAFT

J. CHEIN & CO  
BURLINGTON, NJ  
"TINY FARM" TOP #333  
01/31/72  
SMALL OBJECTS, SHARP EDGES AND RIGID METAL SHAFT IN BASE

J. CHEIN & CO  
BURLINGTON, NJ  
MELODY TOP #170  
01/31/72  
RIGID METAL SHAFT IN BASE

J. CHEIN & CO  
BURLINGTON, NJ  
"TINY TRAIN" TOP #206  
02/17/72  
SHARP EDGES AND RIGID METAL SHAFT

J. CHEIN & CO  
BURLINGTON, NJ  
CHORAL TOP #298  
06/29/72  
SHARP METAL SHAFT

## 1300 TOYS

FORMULETTE CO INC  
LONG ISLAND CITY, NY  
"JUMBO FUN" BALL #440  
08/18/71  
SMALL OBJECTS

FRANKONIA PRODUCTS  
NEW YORK, NY  
TOY TOP (MADE IN GERMANY)  
10/19/71  
SMALL OBJECTS AND SHARP EDGES AND ROD

FUN WORLD, INC  
NEW YORK, NY  
TOY BASKET  
12/21/70  
PLASTIC SPIKE

LEWIS GALOUB CO  
SAN FRANCISCO, CA  
"BABY'S MUSICAL NURSERY CAROUSEL" #2603 (MADE-JAPAN, ALPS TOY)  
03/06/72  
SMALL OBJECTS AND RIGID METAL ROD

GAMBLE'S IMPORT CORP  
BURBANK, CA  
SPINNING TOP (RED AND BLUE COLOR)  
10/19/71  
SHARP SPIKE

GAMBLE'S IMPORT CO  
BURBANK, CA  
SPINNING TRAIN TOP #LBZ 73 (W GERMANY)  
03/21/73  
SHARP EDGES

W. T. GRANT CO  
NEW YORK, NY  
TOY CLOWN #265345  
07/13/71  
SMALL OBJECTS

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
MR NOSEY PLAY BALL  
06/29/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
TIPPY TUNES MUSICAL LIGHTHOUSE #2195  
01/08/73  
SHARP EDGES

DAVIS-GRABOWSKI INC  
MIAMI, FLA  
METAL TOP "LBZ"  
11/17/72  
RIGID METAL SHAFT CAN BE EXPOSED

DURHAM INDUSTRIES INC  
NEW YORK, NY  
"PRAGGEDY ANN" TOY UMBRELLA (MADE-HONG KONG)  
10/24/72  
FLAMMABLE

EAGLE FAMILY DISCOUNT STORES INC  
OPALOKA, FLA  
PUNCH-O MATCHING GAME #111 (HONG KONG)  
11/17/72  
SMALL OBJECTS

MARSHALL FIELD AND CO  
CHICAGO, ILLINOIS  
MUSICAL "HOLY POLY" TOYS #5 P7208 AND #7113-5  
12/01/71  
FLAMMABLE

E FOMIL & SONS  
SAN FRANCISCO, CAL  
METAL ANIMAL CLICKER (JAPAN)  
06/12/73  
SHARP METAL EDGES

HASBRO INDUSTRIES INC  
PANTUCKET, RI  
HICKORY DICKORY CLOCK POUNDING TOY #6  
08/02/73  
SHARP SPRING

JOLLY BLINKER CORP  
BROOKLYN, NY  
MUSICAL BALL #701  
03/07/72  
SHARP PRONGS

KENNER PRODUCTS CORP  
NEW YORK, NY  
GADGET GEAR BOX #165-9  
03/07/72  
SMALL OBJECTS AND SHARP EDGES

KOHNER BROS INC  
EAST PATERSON, NJ  
BUSY SURPRISE BOX #6/609 (LABELED FOR AGES 1-4)  
08/21/72  
CAN BE BROKEN EXPOSING SMALL PIECES

KORVETTE'S INC  
NEW YORK, NY  
"BABY'S MUSICAL NURSERY CAROUSEL" #2601  
12/23/71  
SHARP METAL ROD AND SMALL OBJECTS

S.S. KRESGE CO  
DETROIT, MICHIGAN  
MERRY-GO-ROUND MUSICAL BALL  
01/12/72  
SHARP EDGES AND SMALL OBJECTS EXPOSED

LACHMAN-ROSE COMPANY  
SAN ANTONIO, TEXAS  
MERRY-GO-ROUND MUSICAL BALL MADE IN HONG KONG  
02/18/72  
SMALL OBJECTS AND SHARP POINTS



## 1300 TOYS

LEARNING CHILD (DIV OF CAREER INST)  
MUNDELEIN, ILL  
JACK-IN-THE-BOX (TLC KIT FOR 9-10 MTH OLD) ENGLAND  
12/14/72  
SHARP POINTS & SMALL PARTS

LEDA ASSOCIATES, INC  
NEW YORK, NY  
MUSICAL MERRY-GO-ROUND  
01/12/72  
SHARP METAL ROD AND SMALL OBJECTS

LEDERER INDUSTRIES  
NEW YORK, NY  
TAKE-A-PART ENGINE AND GOOD CART  
06/12/73  
RIGID METAL AXLE CAN BE EXPOSED

MARLIN TOY PRODUCTS INC  
HORICON, WIS  
FLUTTER BALL #FB-108  
11/01/72  
SMALL OBJECTS

MARLIN TOY PRODUCTS INC  
HORICON, WIS  
"BIRDIE BALL" (WITHOUT PLASTIC PELLETS)  
12/04/72  
SHARP OBJECTS

MARLIN TOY PRODUCTS INC  
HORICON, WIS  
MUSICAL FERRIS WHEEL #FW-216 (WITH WHITE BASE)  
03/26/73  
SMALL OBJECTS AND SHARP EDGES

MARLIN TOY PRODUCTS INC  
HORICON, WIS  
MUSICAL "PONY-GO-ROUND" #PGR-214  
(WITH YELLOW BASE)  
03/26/73  
SMALL OBJECTS AND SHARP EDGES

MEGO CORP  
NEW YORK, NY  
MUSICAL BALL (PINK AND WHITE)  
09/22/71  
SHARP PRONGS

METASCO INC  
NEW YORK, NY  
SING & SWING PLASTIC TOP "FUCHS"  
11/15/72  
SHARP POINTS

MIYA COMPANY INC  
NEW YORK, NY  
PENCIL WITH DOLL HEAD AND BELL  
CATALOG #P-35 (JAPAN)  
07/31/73  
SMALL OBJECTS

NADEL AND SONS TOY CORP  
NEW YORK, NY  
GREEN FROG CLICKER NOISEMAKER #6630 (MADE-JAPAN)  
06/29/72  
SHARP EDGES

OHIO ART CO  
BRYAN, OHIO  
CHOHAL MUSICAL TOP #322  
01/31/72  
RIGID METAL SHAFT IN BASE

OHIO ART CO  
BRYAN, OHIO  
WHIRLING SPACE CAPSULE TOP #320  
03/07/72  
SMALL OBJECTS AND RIGID METAL SHAFT

PALACE IMPORTS  
BROOKLYN, NY  
ANIMAL POLE TOY (JAPAN)  
05/02/73  
SHARP WIRES, SMALL OBJECTS

## 1300 TOYS

PAYLESS WIGWAM STORES  
KAILUA, HAWAII  
MAGIC BALL TOP (HONG KONG)  
02/09/73  
SMALL PART

PENSICK & GORDON CO  
LOS ANGELES, CA  
WIND-UP MUSICAL NURSERY MERRY-GO-ROUND #131 (MADE IN JAPAN)  
03/07/72  
SMALL OBJECTS

PLASTIC TOY & NOVELTY CORP  
BROOKLYN, NY  
MUSICAL CAROUSEL #320  
05/04/71  
SHARP PRONGS

PLAYHOUSE CO  
MINNEAPOLIS, MINN  
MUSICAL BALL  
09/08/71  
SHARP PRONGS

PLYMOUTH WHOLESALE CORP  
NEW YORK, NY  
"POP-POP" IRON #F-102  
10/19/71  
SMALL OBJECTS

REEVES INTERNATIONAL  
NEW YORK, NY  
PUZZLE BALL #E-187 (HOLLAND)  
11/10/72  
SMALL OBJECTS & SHARP EDGES

REEVES INTERNATIONAL  
NEW YORK, NY  
DUMPY JUMPY #E-30 (HOLLAND)  
11/10/72  
SMALL OBJECTS & SHARP EDGES

REGENT BABY PRODUCTS  
WOODSIDE, NY  
MECHANICAL MERRY-GO-ROUND ON PLATFORM #BK-9 (MADE IN JAPAN)  
03/06/72  
SMALL OBJECTS AND RIGID METAL ROD

S & M CO  
MINNEAPOLIS, MINN  
MERRY-GO-ROUND MUSICAL BALL  
10/19/71  
SHARP EDGES AND PRONGS

SANITOEY INC  
PALISADES PARK, NJ  
"PLAYFUL POLLY" PLAYBALL #736 (MADE IN USA)  
03/09/72  
SMALL OBJECTS AND SHARP EDGES

F. A. O. SCHWARZ  
NEW YORK, NY  
CHIMED HOLY POLY BEAR (MADE-JAPAN)  
06/30/72  
FLAMMABLE

SEARS, ROEBUCK & CO  
CHICAGO, ILL  
WINNIE THE POOH PUSH BUTTON HUNNY TREE  
#49 44766  
05/08/73  
SMALL OBJECTS

PAUL E. SERNAU INC  
NEW YORK, NY  
TRICK WONDER CAMERA (JAPAN)  
05/24/73  
SHARP POINTS

SPENCER GIFTS  
ATLANTIC CITY, NJ  
"ACTION TOT" TOY TRAY  
01/24/72  
SMALL OBJECTS AND A PINCHING HAZARD



## 1300 TOYS

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
TUMBLER BALL TOY  
12/21/70  
SMALL PIECES

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
MUSICAL NURSERY BELLS #640  
07/13/71  
SMALL OBJECTS

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
"CHICKEN" PLAY BALL #926  
01/12/72  
SHARP EDGES & SMALL OBJECTS EXPOSED

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
TUMBLE BIRDS PLAY BALL #603 (MADE-HONG KONG)  
06/29/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

STAR MFG CO  
LEOMINSTER, MASS  
"TODDLY TOY" #3/186  
06/14/71  
SMALL OBJECTS

STAR MFG CO  
LEOMINSTER, MASS  
JUMBO FUN BALL #8-551 (HONG KONG)  
11/17/72  
SHARP POINT & SMALL OBJECTS

STAR MFG CO  
LEOMINSTER, MASS  
TODDLY TOY EGG MAN #3-1501  
11/17/72  
SHARP POINTS & SMALL OBJECTS

STAR MFG CO  
LEOMINSTER, MASS  
PONY CHIME BALL #6-280  
03/13/73  
SHARP EDGES

STAR MFG CO  
LEOMINSTER, MASS  
TEDDY CHIME BALL #6-720  
03/13/73  
SHARP EDGES

STAR MERCHANDISE CO  
N HOLLYWOOD, CA  
METAL ANIMAL CLICKERS #2-216 (JAPAN)  
LION, DOG, OR CHIMP STYLES  
12/20/72  
SHARP EDGES

STAR MERCHANDISE CO INC  
NO HOLLYWOOD CAL  
WONDER TRICK CAMERA (JAPAN)  
08/01/73  
SHARP EDGES

F. J. STRAUSS CO  
NEW YORK, NY  
"MOON" SPIN TOP, PLASTIC & METAL "LBZ" AUTOMATIC CHORAL TOP  
STYLE #752/30 STRACO, MADE IN WEST GERMANY  
03/22/72  
SMALL OBJECTS AND RIGID METAL RODS

SUAREZ TOY HOUSE  
RIO PIDRAS, PUERTO RICO  
SEE-THRU WHEEL CART #332 (HONG KONG)  
04/02/73  
SMALL OBJECTS

SIDNEY A. TARRSON CO  
CHICAGO, ILL  
SWISS MUSICAL MERRY-GO-ROUND #15A  
06/08/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

## 1300 TOYS

THOR IMPORT CO  
DALLAS, TEXAS  
BALL POPPER TOY #942/111 (MADE-HONG KONG)  
06/28/72  
CAN BE BROKEN EXPOSING SMALL PARTS & SHARP EDGES

THOR IMPORT CO  
DALLAS, TEXAS  
PUNCH-O-MATCHING TOY #111 (MADE-HONG KONG)  
06/28/72  
CAN BE BROKEN EXPOSING SMALL PARTS & SHARP EDGES

THOR IMPORT CO  
DALLAS, TEXAS  
MUSICAL MECHANICAL MERRY-GO-ROUND #943/52880  
06/28/72  
CAN BE BROKEN EXPOSING SMALL PARTS

TICO TOYS INC  
PAWTUCKET, RI  
MUSICAL HOUR GLASS  
04/06/71  
SQUEAKER REMOVES

U. S. METAL TOY MFG CO  
BROOKLYN, NY  
CRICKET CLICKER NOISEMAKERS  
#34-D (YELLOW) AND #34-H (ORANGE)  
03/22/72  
SHARP EDGES

WESTERN PUBLISHING CO  
RACINE, WIS  
"SMART CART" (SEARS ROEBUCK & CO - DISTRIBUTOR)  
04/25/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS AND SHARP EDGES

VILLIS IMPORT INC  
FARMINGDALE, NY  
POP POP IRON #F102 (HONG KONG)  
01/09/73  
SHARP EDGES & SMALL PARTS

I. B. WOLFSET AND CO INC  
NEW YORK, NY  
MECHANICAL MERRY-GO-ROUND  
10/19/71  
SHARP METAL ROD AND SMALL OBJECTS

F. W. WOOLWORTH CO  
NEW YORK, NY  
CHIME "ROLY TOY" #8200  
09/22/71  
SHARP PHONGS

F. W. WOOLWORTH CO  
NEW YORK, NY  
MUSICAL MERRY-GO-ROUND CARILLON  
12/21/70  
SHARP SPIKE

YULETIDE ENTERPRISES INC  
HICKSVILLE, NY  
"FRICTION ROCK'N ROLL ACTION TOY" #6160 (SANTA IN SLED) JAPAN  
02/07/72  
SMALL PART (BELL)



## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

A & E BEHRENDT  
SAN FRANCISCO, CA  
PLASTIC EASTER FIGURES (#60/4-BEAR, #65/6-RABBIT  
#65/4-DUCK, #70/3-CHICK, #80/1-PIG) MADE W. GERMANY  
06/07/72  
SHARP SPRINGS

A&H DOLL MANUFACTURING CO  
WOODSIDE, N Y  
"DOLLS OF THE WORLD" SET CONTAINING  
TWELVE DOLLS  
04/23/73  
SHARP STAPLES CAN BE EXPOSED

ADMIRATION TOY CO INC  
NEW YORK, NY  
"DOLLS OF THE WORLD" ENGLISH & FRENCH  
12/26/72  
SHARP WIRES IN FLOWER

ALADDIN GIFTWARE  
LOS ANGELES, CA  
DOLL #7457 (JAPANESE)  
11/22/72  
SHARP WIRE & PINS

ALEXANDER DOLL CO  
NEW YORK, NY  
DUTCH BOY DOLL  
03/23/72  
STRAIGHT PIN

ALEXANDER DOLL CO  
NEW YORK, NY  
"RENOIR" DOLL  
03/23/72  
STRAIGHT PIN

ALEXANDER DOLL CO  
NEW YORK, NY  
POLISH DOLL #780  
01/31/72  
PINS

ALEXANDER DOLL CO  
NEW YORK, NY  
"JENNIE LIND" DOLL #1470  
01/31/72  
PINS

ALEXANDER DOLL CO  
NEW YORK, NY  
"ELISE" DOLL #1765  
01/31/72  
PINS

ALEXANDER DOLL CO  
NEW YORK, NY  
"CINDERELLA" DOLL #1445  
01/31/72  
PINS

ALEXANDER DOLL CO  
NEW YORK, NY  
"FRIENDS FROM FOREIGN LANDS" DOLLS  
(#772-KOREAN & #785-PORTUGUESE)  
05/01/72  
STRAIGHT PINS

ALEXANDER DOLL CO  
NEW YORK, NY  
"BRAZIL DOLL" #773  
06/29/72  
STRAIGHT PINS & SHARP EDGES

ALEXANDER DOLL CO  
NEW YORK, NY  
"JO" DOLL #781J  
06/29/72  
STRAIGHT PINS

ALEXANDER DOLL CO  
NEW YORK, NY  
BO PEEP DOLL #783  
11/17/72  
SHARP WIRES

## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

ALEXANDER DOLL CO  
NEW YORK, NY  
MADAME DOLL #1460  
01/12/73  
PINS IN HAIR

ALEXANDER DOLL CO  
NEW YORK, NY  
BLACK "LESLIE" DOLL #1625  
01/05/73  
SHARP METAL POINTS (EARRINGS)

ALEXANDER DOLL CO  
NEW YORK, NY  
"INDONESIA" DOLL #779  
02/13/73  
STRAIGHT PINS SECURING MAT & SASH

ALEXANDER DOLL CO  
NEW YORK, NY  
"SCOTTISH" DOLL #796  
02/13/73  
STRAIGHT PIN SECURING SCARF

ALEXANDER DOLL CO  
NEW YORK, NY  
"SLEEPING BEAUTY" DOLL #1495  
02/13/73  
STRAIGHT PINS IN HAIR

ALEXANDER DOLL CO  
NEW YORK, NY  
"MARIE" DOLL  
02/13/73  
STRAIGHT PIN SECURING HAT

ALEXANDER DOLL CO  
NEW YORK, NY  
"PORTRAIT" DOLL  
02/13/73  
SHARP POINTS (EARRINGS)

ALEXANDER DOLL CO  
NEW YORK, NY  
MEXICAN DOLL  
03/13/73  
SHARP POINTS (EARRINGS)

ALLEN-LEWIS MFG CO  
DENVER, COLO  
STUFFED TOY BEARS (MADE-JAPAN)  
04/08/72  
SHARP POINTS & EDGES

ALLEN-LEWIS MFG CO  
DENVER, COLO  
STUFFED OWLS #2615 (HONG KONG)  
12/01/72  
SHARP WIRES

ALLIED DOLL & TOY CORP  
BROOKLYN, NY  
"BABY BETH" DOLL  
12/21/70  
STRAIGHT PIN

ALLIED DOLL & TOY CORP  
BROOKLYN, NY  
DOLLS #PF21 AND PF22  
12/01/71  
STRAIGHT PINS

ALLIED DOLL & TOY CORP  
BROOKLYN, NY  
BONNIE DEAR DOLL #25422 (HONG KONG)  
11/07/72  
"TH" PIN

ALLIED DOLL & TOY CO  
BROOKLYN, NY  
BETH DOLL #PF122  
12/29/72  
"TH" PINS



## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

ALLIED DOLL & TOY CO  
BROOKLYN, NY  
LIL' DAISY DOLL #5F77  
12/29/72  
11" PINS

AMANCIO RODRIGUES  
SAN JUAN BAUTISTA, CAL  
7" DOLL STYLE # 3016 (SPAIN)  
04/16/73  
SHARP WIRES IN STAND

AMANCIO RODRIGUES  
SAN JUAN BAUTISTA, CAL  
9" DOLLS STYLES # 3021 + 3022 (SPAIN)  
04/16/73  
SHARP WIRES IN STANDS

AMANCIO RODRIGUES  
SAN JUAN BAUTISTA, CAL  
12" DOLLS STYLE # 3026 + 3031 (SPAIN)  
04/16/73  
SHARP WIRES IN STANDS

ANDRE STENNOU  
FREDERICKSBURG, VA  
8" "LA HAYE DU FUTIS" DOLL (FRANCE)  
05/02/73  
SHARP PINS

ARROW FUR CO INC  
NEW YORK, NY  
STUFFED SWAN WITH FLOWERS  
10/19/71  
SHARP WIRE

ASSOCIATED DRY GOODS CORP  
NEW YORK, NY  
STUFFED ANIMAL (MONKEY WITH COLLAR, BUCKLE) MADE IN KOREA  
03/06/72  
COLLAR BUCKLE SHARP

ASSOCIATED DRY GOODS CORP  
NEW YORK, NY  
STUFFED TOYS (DOG-NECKLACE, FUR DOG, RABBIT) MADE IN KOREA  
03/06/72  
SHARP WIRES

ASSOCIATED DRY GOODS CORP  
NEW YORK, NY  
TOY STUFFED CAT #2780/10 (W GERMANY)  
02/09/73  
SMALL OBJECT (BELL)

ASSOCIATED IMPORTERS  
ALBUQUERQUE, NM  
DRESSED DOLLS (7", 10", & 18") MADE-SPAIN  
09/01/72  
PINS & SHARP METAL STAND

FREDERICK ATKINS INTL  
NEW YORK, NY  
FASHION DOLLS #PF1301, PF2801, PF3001 (JAPAN)  
10/26/72  
STRAIGHT PINS

FREDERIC ATKINS INC  
NEW YORK, NY  
TOY DOLLS # D 524, #135, AND D529 MFG  
BY SUMIRE DOLL CO LTD. (JAPAN)  
07/31/73  
SHARP PINS AND WIRES

ATLANTA NOVELTY MFG CORP  
NEW YORK, NY  
STUFFED RABBIT (ORANGE/BROWN WITH BOUQUET)  
LABEL (PART) "SNUGGLY MIDGET ZOO ORIGINAL, DESIGNED BY EVAN"  
04/06/72  
SHARP WIRES

BABY PRODUCTS REPRESENTATIVE INC  
HATO REY, PUERTO RICO  
STUFFED DOG (YELLOW & WHITE W/ GOLD NECKLACE) SPAIN  
01/16/73  
SHARP WIRES & STRAIGHT PINS

## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

BENNY'S TOYS  
HATO REY, PUERTO RICO  
CANDY DOLL #9514 (SPAIN)  
12/01/72  
SHARP POINTS

WALLACE BERRIE AND CO  
VAN NUYS, CA  
TOY FUR MOUSE, ITEM #255, 257  
01/31/72  
SHARP WIRES

WALLACE BERRIE AND CO  
VAN NUYS, CA  
STUFFED TOY LOBSTER #2045  
06/29/72  
SHARP WIRES

BLATT DISTRIBUTING CO  
LA MIRADA, CA  
"MISS FASHION" DOLL  
07/14/71  
SHARP WIRE

BLUM'S OF SAN FRANCISCO (DISTRIBUTOR)  
SAN FRANCISCO, CA  
PILGRIM DOLL (MADE-JAPAN-IMPORTER-PAPER GOODS CO CAMBRIDGE MASS)  
01/31/72  
SHARP WIRES

BLUM'S OF SAN FRANCISCO (DISTRIBUTOR)  
SAN FRANCISCO, CA  
CANDY CONTAINERS (HALLOWEEN PUMPKIN AND CAT SHAPES)  
PAPER GOODS CO, CAMBRIDGE, MASS - IMPORTER  
11/10/71  
NAILS

JOSEPH BOXER CO  
NEW YORK, NY  
CATERPILLAR STUFFED TOY #7709 (HONG KONG)  
03/22/73  
SHARP WIRES IN ANTENNAE

JOSEPH BOXER CO  
NEW YORK, NY  
STUFFED TOY MOUSE #1347 (JAPAN)  
03/22/73  
SHARP WIRES IN FEET, ARMS AND EARS

JOSEPH BOXER CO  
NEW YORK, NY  
MISS JULIE NURSE DOLL #1656/1 (HONG KONG)  
03/22/73  
SHARP PINS

DAN BRECHNER & CO INC  
NEW YORK, NY  
"DR. BEN JOINS THE NURSES" DOLL SET #751-64 (MADE-HONG KONG)  
03/06/72  
STRAIGHT PIN

DAN BRECHNER & CO  
NEW YORK, NY  
STUFFED TOY ST BERNARD (HONG KONG)  
12/14/72  
SHARP WIRES IN EARS

DAN BRECHNER & CO  
NEW YORK, NY  
STUFFED TOY ST BERNARD (HONG KONG)  
12/14/72  
SHARP WIRES & STRAIGHT PINS

DAN BRECHNER AND CO  
NEW YORK, NY  
NOO-HEAD DOG #651-11 (HONG KONG)  
05/03/73  
SHARP WIRE

BRITE STAR MFG CO  
PHILADELPHIA, PA  
BLACK & WHITE STUFFED TOY DOG #7123 (JAPAN)  
04/02/73  
SHARP WIRES IN NOSE & EYES



## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

WHITE STAR MFG CO  
PHILADELPHIA, PA  
STUFFED ORANGE OR RED MOUSE #7123 (JAPAN)  
04/02/73  
SHARP WIRES IN LEGS, TAIL & NOSE

CAPITOL TOY CO  
CLEVELAND OHIO  
STUFFED TOY CATERPILLAR #567  
02/14/73  
SHARP WIRES (ANTENNAE)

CENTENNIAL NOVELTY CO INC  
LOS ANGELES, CAL  
TOY STUFFED BLACK BEAR APPROX 7" LONG AND  
3" WIDE WITH RED COLLAR AND CHAIN (JAPAN)  
06/29/73  
SHARP BARBED EYES

CHASE DEVELOPMENT & TRADING CO  
SAN FRANCISCO, CAL  
ASSORTED CHINESE ART DOLLS (TAIWAN)  
07/16/73  
SHARP PINS OR WIRES

CHINA BAZAAR  
SAN FRANCISCO, CA  
"SPITZ" DOG (4" BLACK) TAIWAN  
03/16/73  
SHARP POINTS (NOSE, EYES, & LEASH)

CHINA BAZAAR  
SAN FRANCISCO, CAL  
BABY DOLL #T149N (JAPAN)  
05/08/73  
SHARP PIN IN HEAD

CHINA DOLL RESTAURANT  
EVERETT, WASH  
DOLL (3" TALL & 1/2" WIDE) IN CONTAINER (TAIWAN)  
11/09/72  
PIN

## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

COLOMBO DOLL CO  
BROOKLYN, NY  
ELLEN SUE DOLL SET #111R  
01/23/73  
PINS

COLOMBO DOLL CO  
BROOKLYN, NY  
BABY SUE DOLL SET #213RC  
01/23/73  
STRAIGHT PINS & "T" PINS

COLORAMA DESIGNS  
BRONX, NY  
TOY DONKEY (BROWN W/ BELL, CHAIN, & BASKET)  
11/17/72  
STRAIGHT PINS

COMMONWEALTH TOY & NOVELTY CO  
BROOKLYN, NY  
12" STUFFED MICKEY MOUSE WITH BALL POINT PEN  
07/02/73  
SHARP WIRES IN EARS

CONSOLIDATED PRODUCTIONS  
FT LAUDERDALE, FLORIDA  
"POLY-FLUFF" ANIMALS  
06/21/71  
SHARP NOSE

CORDINE INTERNATIONAL CORP  
LAKE SUCCESS, NY  
MUSICAL SPINNING TWIRLER TOY (COURT JESTER) HONG KONG  
03/02/73  
SMALL PARTS (NOSE & PUFF BALL)

CORNET STORES  
PASADENA, CA  
ASSORTED VINYL ANIMAL SQUEEZE TOYS (3" - 5") JAPAN  
03/13/72  
SQUEAKERS REMOVE

CHUN LAM COMPANY  
SAN FRANCISCO, CAL  
9" CHINESE ART DOLLS WITH CLOTH, LUTE, FLOWERS,  
WIDE BRIM HAT, OR BASKET AND HOE (TAIWAN)  
06/12/73  
SHARP PINS AND SHARP HOE

CHUN LAM COMPANY  
SAN FRANCISCO, CAL  
12" CHINESE ART DOLLS WITH LANTERN, WIDE BRIM  
HAT, BASKET AND HOE, FLAT FAN, CLOTH, FLOWERS,  
BALL, LUTE OR HEADRESS (TAIWAN)  
06/29/73  
SHARP PINS, LANTERN AND HOE

CHUN LAM COMPANY  
SAN FRANCISCO, CAL  
16" CHINESE ART DOLLS WITH LUTE, LANTERN,  
FOLDED FAN, FLOWERS, BALL, WIDE BRIM HAT  
OR BASKET AND HOE (TAIWAN)  
06/29/73  
SHARP PINS, SHARP LANTERN AND HOE

COLLETTE TOY NOVELTY CO INC  
LONG ISLAND CITY, NY  
STUFFED DOLLS #127B  
05/11/71  
SHARP WIRES

COLLETTE TOY NOVELTY CO INC  
LONG ISLAND CITY, NY  
STUFFED DOLLS #131 C/1  
05/26/71  
SHARP WIRES

COLLETTE TOY NOVELTY CO INC  
LONG ISLAND CITY, NY  
SOFT STUFFED BABY DOLLS  
05/26/71  
SHARP WIRES

COLOMBO DOLL CO  
BROOKLYN, NY  
"ELLEN SUE" DOLLS #141 RC, 141D, & 135R  
12/14/72  
"T" PINS

CREATIVE CREATIONS  
HICKSVILLE, NY  
VINYL TOY RABBIT WITH LONG FURRY EARS #A5026  
MADE IN JAPAN  
03/20/72  
SHARP WIRES

CREATIVE CREATIONS  
HICKSVILLE, NY  
STUFFED TOY DOG W/ HAT (JAPAN)  
01/11/73  
SHARP NAIL

CREATIVE CREATIONS  
HICKSVILLE, NY  
FLOCKED PLASTIC BIRDS #9000 (HONG KONG)  
01/29/73  
SHARP WIRE

CUT-RATE LINOLEUM STORE  
NEW ORLEANS, LA  
LADY BUG #T-215  
10/07/71  
SHARP WIRES

CUT-RATE LINOLEUM STORE  
NEW ORLEANS, LA  
MOUSE #1-508  
10/07/71  
SHARP WIRES

CUT-RATE LINOLEUM STORE  
NEW ORLEANS, LA  
STUFFED DONKEY #6303  
10/07/71  
SHARP WIRES

D & F INDUSTRIES INC  
CAMBRIDGE, MASS  
"PERLA NYLON" DOLL  
01/31/72  
PINS



## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

R. DAKIN & CO  
BRISBANE, CA  
"REGGIE RABBIT" (PACKAGED WITH WHITMAN'S "SAMPLER")  
05/14/71  
SHARP WIRES

R. DAKIN & CO  
BRISBANE, CA  
"LISA" DOLL #1394  
01/31/72  
SHARP WIRES

R. DAKIN & CO  
BRISBANE, CA  
"DREAM DOLL" (YELLOW & BLUE CLOWN)  
11/04/71  
SHARP WIRES

R. DAKIN & CO  
BRISBANE, CA  
STUFFED MOUSE "DREAM PETS" #1253  
12/15/71  
SHARP WIRES

R. DAKIN & CO  
BRISBANE, CA  
TOY STUFFED PORPOISE  
07/28/71  
SHARP WIRES IN FLIPPERS

R. DAKIN & CO  
BRISBANE, CA  
"PRISSY CAT"-DREAM PETS #238 (MADE-JAPAN)  
09/12/72  
RIGID WOODEN STICK

R. DAKIN & CO  
SAN FRANCISCO, CA  
"SAILOR DREAM DOLLS" #1314 (JAPAN)  
12/20/72  
SHARP WIRES IN LEGS

DANDEE DOLL MFG CORP (LARAMIE CORP)  
PHILADELPHIA, PA  
BRIDE DOLL #300  
08/08/72  
STRAIGHT PINS & SHARP WIRES

DEXTER THREAD MILLS INC  
ELGIN, ILL  
DRESS ME DOLL CATALOG # 18-01380 (HONG KONG)  
04/30/73  
RIGID PLASTIC SHAFT

DOLLCRAFT NOVELTY CO INC  
NEW YORK, NY  
STUFFED BUNNY  
07/14/71  
SHARP WIRES IN EARS

EASTER UNLIMITED (FUN WORLD INC)  
NEW YORK, NY  
STUFFED EASTER BUNNY #3502  
04/21/71  
SHARP WIRES

EASTER UNLIMITED (FUN WORLD INC)  
NEW YORK, NY  
STUFFED TOY BUNNY #3450 (MR. OR MRS. CUDDLY BUNNY)  
06/07/71  
SHARP WIRE IN EARS

EFFANBEE DOLL CO  
NEW YORK, NY  
"I AM MISS CHIPS" (BRIDE DOLL) # 1745 AND # 1745-N  
06/06/72  
PINS

EFFANBEE DOLL CO  
NEW YORK, NY  
BRIDESMAID DOLL #1591  
06/29/72  
SHARP WIRE

## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

EFFANBEE DOLL CO  
NEW YORK, NY  
"I'M A GUMDROP" #1642 (16" BLONDE DOLL)  
09/18/72  
PIN

EFFANBEE DOLL CO  
NEW YORK, NY  
"MISS CHIPS" DOLL #1743  
10/26/72  
SHARP POINTS

EFFANBEE DOLL CO  
NEW YORK, NY  
"CHIPPER" BRIDE DOLL #1595  
11/09/72  
SHARP WIRES

EFFANBEE DOLL CO  
NEW YORK, NY  
"I AM MISS CHIPS" DOLL #1753  
01/17/73  
SHARP CLIPS ON HAT BAND

ELITE ASSOCIATES INC  
DALLAS, TEXAS  
WEDDING MARCH WOODEN TOY SET (MADE-KOREA)  
10/26/72  
SHARP POINTS

ELITE ASSOCIATES INC  
DALLAS, TEXAS  
BRIDE AND BRIDEGROOM WOODEN TOY SET (MADE-KOREA)  
10/26/72  
SHARP POINTS

ELLANEE DOLL CO INC  
BROOKLYN, NY  
MISS TOYLAND DOLL #575  
07/10/72  
SHARP WIRES

JERRY ELSNER CO  
NEW YORK, NY  
JERRY PETS STUFFED POODLE  
12/21/70  
SHARP EYES

ESCO IMPORTS OF TEXAS INC  
SAN ANTONIO, TEXAS  
DOLL IN CHAIR WITH PLASTIC DRESS #14/14  
MADE IN HONG KONG  
04/06/72  
FLAMMABLE PLASTIC DRESS

ESCO IMPORTS OF TEXAS INC  
SAN ANTONIO, TEXAS  
6-1/2" "FASHION DOLL" (MADE IN HONG KONG)  
03/07/72  
SHARP WIRES AND RIGID METAL ROD

ESCO IMPORTS OF TEXAS INC  
SAN ANTONIO, TEXAS  
BABY DOLL IN CAR SEAT (MADE-HONG KONG)  
04/09/72  
SHARP METAL ROD

EUGENE DOLL & NOVELTY CO INC  
BROOKLYN, NY  
"DREAM BRIDE" DOLL #K2082  
03/24/72  
SHARP PINS

EUGENE DOLL & NOVELTY CO INC  
BROOKLYN, NY  
"YOUR DREAM BRIDE" DOLL #2080  
12/21/70  
PIN IN HEAD BAND

EUGENE DOLL & NOVELTY CO INC  
BROOKLYN, NY  
"YOUR DREAM" DOLLS #2080 & #2082  
02/18/72  
"I" PINS



## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

EUGENE DOLL CO  
NEW YORK, NY  
TINY LORRIE DOLL #1220  
01/08/73  
"T" PINS

FAMISS CORP  
BROOKLYN, NY  
STUFFED GRAY MOUSE  
10/19/71  
SHARP WIRE

FAMUS CORP  
NEW YORK, NY  
STUFFED SNOOPY DOG #165 (MADE IN HONG KONG)  
03/06/72  
PIN

FAMUS CORP  
NEW YORK, NY  
ASSORTED STUFFED ANIMALS #27 (WHITE RABBIT, BROWN DOG,  
BROWN MOUSE, ORANGE MOUSE, BLUE DOG, BLACK & WHITE DOG)  
MADE-JAPAN  
05/19/72  
SHARP WIRES

E. FOMIL & SONS  
SAN FRANCISCO, CA  
DOCTOR AND NURSE DOLL SET #241484A (MADE-HONG KONG)  
06/06/72  
PINS

E. FOMIL & SONS  
SAN FRANCISCO, CA  
TOY FLOCKED DONKEY #27L366 (W/ ORANGE FRUIT BASKET)  
MADE-HONG KONG  
10/25/72  
SHARP POINTS

E FOMIL & SONS  
SAN FRANCISCO, CA  
"EASTER NOVELTY" CHENILLE CHICK (JAPAN)  
LABELED "DISTRIBUTED BY W T GRANT"  
03/22/73  
SHARP WIRES

## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

FUN WORLD, INC  
NEW YORK, NY  
"CANDY AT PLAY" DOLL  
12/21/70  
PIN

FUN WORLD, INC  
NEW YORK, NY  
"JACKIE" TWISTING-WAIST DOLL  
12/21/70  
SHARP PIN IN HAT AND DRESS

FUN WORLD, INC  
NEW YORK, NY  
SUSIE SLICKER DOLL #9542  
06/29/72  
STRAIGHT PIN

FUN WORLD, INC  
NEW YORK, NY  
SOUL SISTER DOLL #9543 (HONG KONG)  
11/22/72  
SHARP POINTS

FUN WORLD INC  
NEW YORK, NY  
BABY HUGGLES DOLL #9574 (HONG KONG)  
01/08/73  
STRAIGHT PINS SECURING HAT

FUN WORLD INC  
NEW YORK, NY  
WINNIE DOLL #9576 (HONG KONG)  
01/08/73  
STRAIGHT PINS SECURING HAT

FUN WORLD INC  
NEW YORK, NY  
ROXANNE DOLL #9575 (HONG KONG)  
01/08/73  
STRAIGHT PINS SECURING HAT

E FOMIL & SONS  
SAN FRANCISCO, CAL  
STUFFED ANIMALS WITH WHITE, BROWN OR RED  
FACES AND WEARING GLASSES #53A76 (JAPAN)  
05/03/73  
SHARP PINS AND WIRES

E FOMIL & SONS  
SAN FRANCISCO, CAL  
STUFFED BEAR #54A45 (JAPAN)  
05/03/73  
SHARP WIRES

E FOMIL & SONS  
SAN FRANCISCO, CAL  
STUFFED DOG #54A44 (JAPAN)  
05/03/73  
SHARP WIRES

E FOMIL & SONS  
SAN FRANCISCO, CAL  
EASTER NOVELTY CHICKEN #206 (JAPAN)  
05/24/73  
SHARP WIRES

E FOMIL & SONS  
SAN FRANCISCO, CAL  
DANGLING FUR DOG #15T060 (JAPAN)  
04/23/73  
SHARP WIRES

FRANKLIN STORE CORP  
BRONX, NY  
SOPHIA DOLLS #18M/8109 (MADE-ITALY)  
09/28/72  
PINS & SHARP STAPLES AND WIRE

FUN WORLD, INC  
NEW YORK, NY  
STUFFED YELLOW TEDDY BEAR  
07/13/71  
SHARP WIRES

G & B CHAFTS  
YUCAIPA, CA  
TOY POODLE (WIRE FRAME & SYNTHETIC YARN)  
01/26/73  
SHARP WIRES IN TAIL

HAROLD GALE DISPLAY INC  
KANSAS CITY, MO  
STUFFED TOY SANTA CLAUS #K-160 (28")  
11/24/72  
SHARP STAPLES & FLAMMABLE BEARD

LEWIS GALDOOR CO  
SAN FRANCISCO, CA  
"DR BEN JOINS THE NURSES" DOLL SET (MADE-HONG KONG)  
06/30/72  
PINS

GARRAT-WRAY IMPORTERS  
NOGALES, ARIZ  
1" MEXICAN DOLL WITH FEATHERS AND  
STRAW HAT (MEXICO)  
03/22/73  
SHARP PINS

GOLDBERGER DOLL MFG CO INC  
BROOKLYN, NY  
"I CRY MAMA" DOLL  
12/21/70  
SHARP WIRES

GOLDBERGER DOLL MFG CO INC  
BROOKLYN, NY  
"NEW BORN BABY" T. 80  
12/21/70  
SHARP WIRES

GOLDBERGER DOLL MFG CO INC  
BROOKLYN, NY  
"LIL BETH" AND "TERI TOTE" DOLL SETS  
01/31/72  
STRAIGHT PINS



## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

GOLDBERGER DOLL MFG CO INC  
BROOKLYN, NY  
"LOVELY LISA" DOLLS #6133 AND 6135  
03/10/72  
PINS

GOLDBERGER DOLL MFG CO INC  
BROOKLYN, NY  
"MICHELLE" BRIDE DOLL  
11/09/72  
SHARP WIRES

GOLDEN GATE  
SAN FRANCISCO, CA  
CHINESE ART DOLLS (12" & 16") TAIWAN  
02/13/73  
SHARP NAILS & STRAIGHT PINS

LOUIS GREENBERG & SONS  
NEW YORK, NY  
NURSE DOLL #9294P (MADE IN HONG KONG)  
03/02/72  
PIN

LOUIS GREENBERG & SONS  
NEW YORK, NY  
"DR BEN JOINS THE NURSES" DOLL SET (MADE-HONG KONG)  
08/09/72  
SHARP STAPLE

GREENMAN BROTHERS INC  
FARMINGDALE, NY  
"MR JOLLY" PLASTIC SANTA CLAUS DOLL (4") HONG KONG  
11/28/72  
STRAIGHT PIN

GUND MFG CO  
BROOKLYN, NY  
STUFFED TOY DOLPHIN (JAPAN)  
11/17/72  
SHARP WIRES

K M HAN CO  
MILPITAS, CA  
"YU-CHU" BRAND CHINESE DRESSED DOLLS (5" & 9") TAIWAN  
02/07/73  
PINS SECURE EARRINGS OR HAT

K M HAN CO  
SANTA CLARA, CA  
DOLL IN SITTING POSITION (TAIWAN)  
03/22/73  
PINS

K M HAN CO  
SANTA CLARA, CA  
DOLL W/ DOG ON LEASH - STYLE B-12 (TAIWAN)  
03/22/73  
PIN (WAIST & SHARP WIRE (006))

K M HAN CO  
SANTA CLARA, CA  
ART "A" DOLLS (14" W/GREEN, PINK, OR RED DRESS) TAIWAN  
03/22/73  
PINS & SHARP WIRES (SKIRT HOOP)

OSCAR HEISS INC  
NEW BERLIN, WIS  
SWEETHEART DOLL #56 (WEST GERMANY)  
04/16/73  
SHARP PINS

KURT HESSE TOY IMPORTS  
SAN FRANCISCO, CA  
RABBIT FAMILY IN GRASS #K-7283 (JAPAN)  
03/13/73  
SHARP WIRE

KURT HESSE TOY IMPORTS  
SAN FRANCISCO, CA  
RABBIT W/ PIPE CLEANER #K-7321 (JAPAN)  
03/13/73  
SHARP WIRE

## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

KURT HESSE TOY IMPORTS  
SAN FRANCISCO, CA  
CHICK W/ PIPE CLEANER #K-7323 (JAPAN)  
03/13/73  
SHARP WIRE

KURT HESSE TOY IMPORTS  
SAN FRANCISCO, CAL  
EASTER RABBIT 1 3/4 " #21465 (JAPAN)  
04/16/73  
SHARP WIRES

MILDEBRAND CO  
LOUISVILLE, KY  
"SUZY" & "SIMONA" DOLLS (MADE-ITALY)  
04/25/72  
STRAIGHT PINS & SHARP WIRES

MILDEBRAND CO  
LOUISVILLE, KY  
MICHELLE TWISTIE DOLL #602 (11 1/2") HONG KONG  
11/13/72  
SHARP WIRES

MING WAH ART CO  
SAN FRANCISCO, CA  
"KATSURANINGYO" DOLL (W/ 3 WIGS) JAPAN  
03/14/73  
SHARP EDGE (BASE WIRE)

MING WAH ART CO  
SAN FRANCISCO, CAL  
11 1/2" x 16" x 18" SAKURA DOLLS (JAPAN)  
04/02/73  
SHARP PINS AND NAILS

MOBBY CENTER  
HOLLAND, OHIO  
SWEETHEART DOLL #5460 (W GERMANY)  
03/06/73  
STRAIGHT PINS SECURE HAT OR HAIR ORNAMENTS

HOLIDAY  
MINNEAPOLIS, MINN  
CINDI JOY FASHION DOLL #7101 (HONG KONG)  
08/01/73  
SHARP WIRES

HOLIDAY FAIR, INC  
NEW YORK, NY  
"MOODY" DOLL  
12/21/70  
PINS AND LONG WIRE SPIKE IN NECK

HOP LEE CO  
SAN FRANCISCO, CA  
ART DOLL W/ STRING OF FLOWERS (8") TAIWAN  
03/06/73  
STRAIGHT PINS

HOP LEE CO  
SAN FRANCISCO, CA  
ART DOLL W/ GOLD HAT (6") TAIWAN  
03/06/73  
STRAIGHT PINS

HOP LEE CO  
SAN FRANCISCO, CA  
ART DOLL W/ BABY (6") TAIWAN  
03/06/73  
STRAIGHT PINS

HORSMAN DOLLS INC  
NEW YORK, NY  
"BABY BUTTERCUP" DOLL SET #5500  
01/31/72  
1TH PINS

HORSMAN DOLLS INC  
NEW YORK, NY  
"PEGGY" DOLL #6111 & 6620  
01/31/72  
1TH PINS



## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

HORSMAN DOLLS INC  
NEW YORK, NY  
"LIL CHARMER" DOLL SET #6661  
01/31/72  
"TH" PINS

HORSMAN DOLLS INC  
NEW YORK, NY  
"TEENSIE BABY" DOLL SET  
01/31/72  
"TH" PINS

HORSMAN DOLLS INC  
NEW YORK, NY  
"THIRSTEE WALKER WITH LIFE SIZE BOTTLE" DOLL  
01/31/72  
"TH" PINS

HORSMAN DOLLS INC  
NEW YORK, NY  
RUTHIE DOLL (W/ "TH" PINS IN HEAD)  
11/17/72  
LACERATION/PUNCTURE WOUND HAZARD

HOTAI CO  
SAN FRANCISCO, CAL  
17" SAKURA ORIENTAL ART DOLL (JAPAN)  
04/02/73  
SHARP NAIL

IDEAL TOY CORP  
NEW YORK, NY  
"TEARIE BETSY WETSIE" DOLL #1158-5  
01/31/72  
STRAIGHT PIN

ILLFELDER IMPORTING CO  
NEW YORK, NY  
HIGH CHAIR WITH "BABY SWEETHEART" #37/864 (MADE-HONG KONG)  
03/06/72  
SHARP EDGES

ILLFELDER IMPORTING CO  
NEW YORK, NY  
TOY DOG APPROX 7" LONG BY 4" WIDE (JAPAN)  
03/22/73  
SHARP WIRES

JC TRADING INC  
SAN FRANCISCO, CA  
DAHOMA DOLLS #TB-111A, TB-114A, & TB-114B (JAPAN)  
01/08/73  
NAILS

JANCO INDUSTRIES INC (BEN FRANKLIN IMPORTS)  
NEW YORK, NY  
"MISS FASHION" DOLL #10159 (MADE-HONG KONG)  
03/22/72  
SHARP WIRES

JAPANESE TEA GARDEN  
SAN FRANCISCO, CA  
JAPANESE ART DOLLS (11") JAPAN  
12/14/72  
STRAIGHT PINS AND SHARP WIRES

GEORG JENSEN, INC  
NEW YORK, NY  
STUFFED TOY CAT  
12/21/70  
SHARP EYES

GEORG JENSEN, INC  
NEW YORK, NY  
STUFFED HEAD  
12/21/70  
SHARP EYES

JOLLY TOYS INC  
NEW YORK, NY  
"LIL JOLLY JOKER" DOLL STYLE #2-310  
01/31/72  
PINS

## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

JOLLY TOYS INC  
NEW YORK, NY  
DOLL #8080 (OLD DESIGN)  
10/18/71  
SHARP WIRES

MORRIS KAGLE  
FLUSHING, NY  
MULTI-COLORED STUFFED RABBIT (11" W/ BLUE BOW)  
12/14/72  
SHARP EYE PIECES & WIRES

KAMAR  
GARDENA, CA  
BUSHY STUFFED KANGAROO #3811 (JAPAN)  
01/12/73  
SHARP WIRE IN EARS

KAMAR  
GARDENA, CAL  
"LULU" CLOWN DOLL #1945 (JAPAN)  
05/03/73  
SHARP WIRES

KAMAR  
GARDENA, CAL  
STUFFED DOG LABELED IN PART "MY NAME IS  
LADONNA 2290" (JAPAN)  
07/02/73  
SHARP WIRE IN TAIL

KNICKERBOCKER TOY CO INC  
MIDDLESEX, NJ  
"CUDDLE RABBIT" #9406  
08/18/71  
SHARP WIRE

E J KORVETTES  
NEW YORK, NY  
MODERN MISS FASHION DOLL - PETITE STYLE #N1230 (HONG KONG)  
LABELED L J N TOYS LTD  
12/14/72  
SHARP WIRES

PHILIP KROKOW & CO  
BROOKLYN, NY  
DOLL SET - "BABY ALLISON" & "CUTIE PIE BABY DOLL"  
MADE-HONG KONG  
04/25/72  
ACCESSORY RATTLE BREAKS EXPOSING SMALL OBJECTS

PHILIP KROKOW & CO  
BROOKLYN, NY  
"CUTIE-PIE BABY DOLL SLEEPING EYES" (MADE-HONG KONG)  
04/25/72  
ACCESSORY CHAIR BREAKS EXPOSING SHARP EDGES

KUNTETSU WORLD EXPRESS  
SOUTH SAN FRANCISCO CAL  
ART DOLL  
06/12/73  
SHARP PINS

KUO WAH CO  
SAN FRANCISCO, CA  
DOLL #39 "8" STYLE (11") JAPAN  
03/13/73  
STRAIGHT PINS

L. J. N. TOYS LTD  
NEW YORK, NY  
PETITE 11-1/2-INCH "MODERN MISS OF FASHION" #N1230  
04/05/72  
SHARP WIRE

LA MAR TOY CO  
BROOKLYN, NY  
STUFFED TOY DOG AND DOLL  
12/21/70  
SHARP EYES

LANGFELDER, HOMMA & CARROLL  
NEW YORK, NY  
BOY & GIRL PURITAN DOLLS #714/35 (MADE-JAPAN)  
06/29/72  
SHARP WIRES



## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

LANGFELDER, HOMMA & CARROLL  
NEW YORK, NY  
STUFFED LOBSTER #UN1535 (MADE-JAPAN)  
06/29/72  
SHARP WIRES

LANGFELDER, HOMMA & CARROLL  
NEW YORK, NY  
STUFFED GRAY DONKEY #UN1442 (MADE-JAPAN)  
06/29/72  
BARBED EYEPieces

LANGFELDER, HOMMA & CARROLL  
NEW YORK, NY  
STUFFED BLACK BEARS #UN766, UN767 & UN768 (MADE-JAPAN)  
06/29/72  
BARBED EYEPieces

LANGFELDER, HOMMA & CARROLL  
NEW YORK, NY  
CHRISTMAS FIGURES #320/66 (MADE-JAPAN)  
06/29/72  
SHARP WIRE

LANGFELDER, HOMMA & CARROLL  
NEW YORK, NY  
STUFFED SNOOPY DOG #6452 (MADE-JAPAN)  
06/29/72  
PIN

LANGFELDER, HOMMA, & CARROLL  
NEW YORK, NY  
GIRL & BOY PURITAN DOLLS #714/31  
W/WIRE ATTACHMENT (JAPAN)  
12/01/72  
SHARP WIRES

LANGFELDER, HOMMA, & CARROLL  
NEW YORK, NY  
PILGRIM DOLL #724/52 (JAPAN)  
01/10/73  
SHARP WIRES

LAHAMI CORP  
PHILADELPHIA, PA  
DOLL IN HI-CHAIR #5114 (MADE-HONG KONG)  
06/06/72  
SHARP WIRES IN CHAIR

LAREDO SALES CO  
LAREDO, TEXAS  
CLOTH MASCOT DOLLS #2783 (MADE-JAPAN)  
06/22/72  
PINS

LEN ART MFG CO  
PETALUMA, CA  
STUFFED "MYRTLE TURTLE"  
06/14/71  
SHARP WIRE AND PIN

LIBBY MAJORETTE DOLL CORP  
NEW YORK, NY  
DOLLS #24M, 2057, 1605, & 1963  
08/10/72  
SHARP STAPLES & PINS

LIBERTY BELL CHRISTMAS INC  
HEMPSTEAD, NY  
WHITE BOY ON SKATES DOLL #4201 (JAPAN)  
05/24/73  
SHARP WIRES

LIBERTY BELL CHRISTMAS INC  
HEMPSTEAD, NY  
RED SANTA DOLL #4201  
05/24/73  
SHARP WIRES

LIONEL LEISURE INC  
PHILADELPHIA, PA  
STUFFED CHIPMUNK #1 (SPAIN)  
11/15/72  
STRAIGHT PINS

## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

LIONEL LEISURE INC  
PHILADELPHIA, PA  
CLOWN DOLL ON STAND (SPAIN)  
11/15/72  
STRAIGHT PINS

LIONEL LEISURE INC  
PHILADELPHIA, PA  
CLOWN DOLL ON STAND W/ UMBRELLA (SPAIN)  
11/15/72  
STRAIGHT PINS

LOVEE DOLL & TOY CO INC  
NEW YORK, NY  
"PATTY HAPPY LANDINGS" DOLL  
09/15/71  
STRAIGHT PIN

LOVEE DOLL & TOY CO INC  
NEW YORK, NY  
"LITTLE SISTER AND BIG SISTER" DOLL SET #6116  
01/31/72  
WTH PINS

LOVEE DOLL & TOY CO INC  
NEW YORK, NY  
SWEET LINDA DOLL #2424 (W/ STRAIGHT PIN IN HEAD)  
11/17/72  
LACERATION/PUNCTURE WOUND HAZARD

LOVEE DOLL AND TOY CO INC  
BROOKLYN, NY  
GINGER SNAP PARTY DOLL SET  
04/16/73  
WTH PIN IN HAIR

L. W. LOYD CO INC  
SOUTH PITTSBURG, TENN  
TOY FLOCKED POODLE #183 (MADE-HONG KONG)  
06/13/72  
STRAIGHT PIN

M & S TOYS INC  
NEW YORK, NY  
STUFFED KITTENS AND DOGS #140  
01/12/72  
EYES HAVE SHARP POINTS

MANGELS CORP  
NEW YORK, NY  
ITTY BITTY BABY DOLL #5900 (HONG KONG)  
01/17/73  
SHARP POINTS (AXLES)

MATTEL, INC  
HAWTHORNE, CA  
"TUTTI" DOLL #3580  
01/31/72  
SHARP WIRES

MEGO CORP  
NEW YORK, NY  
PLASTIC DOLL #76  
01/12/72  
SMALL OBJECTS

MEI WAH CO  
SAN FRANCISCO, CA  
ART DOLLS (2 SIZES - 9 1/2" & 14") TAIWAN  
11/01/72  
STRAIGHT PINS

MEI WAH CO  
SAN FRANCISCO, CAL  
WISTERIA DOLL #JD-16W, 3HATS DANCER DOLL,  
#JD-16C, CHERRY DANCER DOLL #JD-16C AND  
PINE DANCER DOLL #70-16P (JAPAN)  
05/07/73  
GLASS, SHARP RODS AND WIRES

MEI WAH CO  
SAN FRANCISCO, CAL  
8" OSANA GIRL BABY DOLL #6849 (JAPAN)  
05/07/73  
SHARP WIRE



## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

METASCO INC  
NEW YORK, NY  
ACE FASHION DOLL ON STAND (JAPAN)  
11/15/72  
STRAIGHT PINS

MILLER WOHL CO  
ST CLOUD, MINN  
SANTA CLAUS DOLL (HONG KONG)  
01/12/73  
PINS

MINER INDUSTRIES  
NEW YORK, NY  
"BEND-A FAMILY" NO. 4133  
12/23/70  
LACERATION/PUNCTURE HAZARD

MINER INDUSTRIES  
BRONX, NY  
"BEND-ME-TOY" #4233 (HONG KONG)  
12/01/72  
SHARP WIRES

MODERN IMPORTS INC  
ST LOUIS, MO  
CHINESE ART DOLLS # P6001, P6002, P6005,  
P6006, P6007 AND P6008 (TAIWAN)  
04/30/73  
SHARP PINS

MOON S PARK ORIENTAL WORLD  
MILFORD, OH  
FRENCH STYLE DRESS DOLL #80-1 (KOREA)  
01/12/73  
STRAIGHT PINS

MUTUAL OVERSEAS LTD  
NEW YORK, NY  
"MIGLIORATI" DOLL #7120 (14") ITALY  
01/05/73  
STRAIGHT PIN

NANCY ANN STORY BOOK DOLLS  
SAN FRANCISCO, CA  
NANCY ANN DOLL  
06/07/72  
PINS

NANCY SALES CO INC  
CHARLESTOWN, MASS  
COLORED SISAL MONKEYS MADE OF ROPE #811 AND #3384  
01/26/72  
SHARP WIRES

NASCO DOLLS INC  
BROOKLYN, NY  
"LOVELY JO-ANN" #T217  
03/02/70  
STRAIGHT PIN

NASCO DOLLS INC  
NEW YORK, NY  
JO ANN DOLL #T12 (HONG KONG)  
01/08/73  
PINS

NASCO DOLLS INC  
NEW YORK, NY  
LOVELY JO ANN DOLL #T15  
01/08/73  
STRAIGHT PIN

NATIONAL POTTERIES CORP  
BEDFORD HTS, OHIO  
FUR-COVERED PAPER MACHE MONKEY #M-8299 (JAPAN)  
05/24/73  
SHARP WIRE IN TAIL

NATURAL DOLL CO  
BROOKLYN, NY  
"LITTLE SCHOOLMATES" DOLL SET #1279  
01/31/72  
SHARP WIRES

## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

NEIMAN-MARCUS CO  
DALLAS, TEXAS  
CRESIMANDA BUIDE DOLL 31 MODEL 25 (MADE-ITALY)  
09/28/72  
PINS

NEIMAN-MARCUS CO  
DALLAS, TEXAS  
DOLL W/ ASSORTED OUTFITS (PACKAGED IN WHITE TRUNK)  
MADE IN FRANCE  
10/26/72  
SHARP POINTS

NEW BEAUTIFUL CREATIONS  
LYNWOOD, CAL  
NYLON YARN DOG 12" LONG 6" HIGH (MEXICO)  
08/01/73  
SHARP PIN

NEW YORK MERCHANDISE CO  
DALLAS, TEXAS  
STUFFED RABBIT #37/7479  
04/06/72  
SHARP WIRES

NEW YORK MERCHANDISE CO  
DALLAS, TEXAS  
PLASTIC DOLLS #K2/195 (MADE-HONG KONG)  
04/25/72  
SHARP EDGES

NEW YORK MERCHANDISE CO  
DALLAS, TEXAS  
"MISS FASHION DOLL" #E8/1006 (MADE-HONG KONG)  
04/25/72  
SHARP EDGES

NEW YORK MERCHANDISE CO  
DALLAS, TEXAS  
SANTALAND XMAS TREE ORNAMENT DOLLS (JAPAN)  
11/22/72  
SHARP WIRES

A. NICE IMPORTS  
SAN FRANCISCO, CA  
ART DOLLS #125, 131, & 140 (TAIWAN)  
11/17/72  
STRAIGHT PINS

ORIENTAL TRADING CO  
METAIRIE, LA  
TOY MOUSE #6/26A  
10/19/71  
SHARP WIRES AND EYES

ORIENTAL TRADING CO  
METAIRIE, LA  
FLOCKED BULL #39/412  
10/19/71  
STRAIGHT PIN

ORIENTAL TRADING CO  
METAIRIE, LA  
STUFFED DOG #6-104  
01/31/72  
SHARP WIRES

ORIENTAL TRADING CO  
METAIRIE, LA  
TOY STUFFED DOG #6/75N  
01/12/72  
SHARP WIRES

ORIENTAL TRADING CO  
METAIRIE, LA  
STUFFED MICE #6/26-S & 6/26A (MADE-JAPAN)  
06/28/72  
SHARP WIRES

ORIENTAL TRADING CO  
METAIRIE, LA  
STUFFED CHIMPANZEE #5/19 LAW (MADE-JAPAN)  
08/21/72  
SHARP WIRES



## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

ORIENTAL TRADING CO  
OMAHA, NEB  
DANGLING DOGS #5/123 (JAPAN)  
12/01/72  
SHARP EDGES

ORIENTAL TRADING CO  
OMAHA, NEB  
JAPANESE ART DOLL #25/32-L  
02/09/73  
SHARP NAILS & WIRES

ORIENTAL TRADING CO  
METAIRIE, LA  
POLYETHRENE FLYING BIRD ON WOODEN  
STICK (JAPAN)  
08/06/73  
SHARP EDGES AND POINTS

LEONARD A OSTRER & SONS INC  
SEATTLE, WASH  
CLOWN DOLL BANK #9548 (HONG KONG)  
11/06/72  
STRAIGHT PIN

OTOGIRI MERCANTILE CO  
SAN FRANCISCO, CA  
"JUMPING JACK DOLL" (6-1/2" w/ RED OR BLACK HAT) MADE-JAPAN  
04/25/72  
SHARP NAILS EXPOSED

OTOGIRI MERCANTILE CO INC  
SAN FRANCISCO, CA  
JAPANESE ART DOLLS #10/23C (12") & #10/37A (13")  
12/14/72  
STRAIGHT PINS

P & W DOLL CO INC  
NEW YORK, NY  
"HONEY BABY" DOLL  
12/21/70  
PINS HOLDING HAIR RIBBONS

PACIFIC MERCHANDISING CO  
DALLAS, TEXAS  
DOLLS IN ORIENTAL COSTUMES (10", 12", & 18") (MADE-S KOREA)  
06/06/72  
PINS

PALACE IMPORTS INC  
BROOKLYN, NY  
"CICLISTA" (BICYCLIST) DOLL (MEXICO)  
03/13/73  
SHARP WIRE (WHEEL)

PALACE IMPORTS INC  
BROOKLYN, NY  
"BOXEADRES" (BOXER) DOLL (MEXICO)  
03/13/73  
NAILS

PALMER IMPORT CO INC  
LOS ANGELES, CAL  
TOY CYCLIST WITH BELL (HONG KONG)  
04/09/73  
SHARP METAL EDGES

PAPER GOODS CO INC  
CAMBRIDGE, MASS  
"SANTA CLAUS" CONTAINER #12270 AND #12233 (MADE-JAPAN)  
04/25/72  
SHARP NAIL CAN BE EXPOSED

PAPER GOODS CO INC  
CAMBRIDGE, MASS  
WITCH CANDY CONTAINER #12232 (MADE-JAPAN)  
06/29/72  
NAIL CAN BE EXPOSED

PARADISE JEWELS CORP  
DALLAS, TEXAS  
ART DOLLS #K-7 (6", 12", & 14") TAIWAN  
12/14/72  
SHARP POINTS

## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

PARADISE PRODUCTS INC  
EL CERRITE, CAL  
TOY BUKRO (SPAIN)  
04/23/73  
SHARP PINS AND TACKS

HERMAN PECKER & CO INC  
NEW YORK, NY  
STUFFED DONKEY #1422  
03/29/71  
SHARP WIRE IN EAR

HERMAN PECKER & CO INC  
NEW YORK, NY  
LEATHERETTE "GRANDPA DOG" #386  
03/29/71  
SHARP WIRES OF GLASSES

HERMAN PECKER & CO INC  
NEW YORK, NY  
SMALL, ORANGE, STUFFED ELEPHANT  
01/12/72  
SHARP WIRE

PEKING BAZAAR  
SAN FRANCISCO, CAL  
6" ART DOLLS #TA-600, TA601, TA602, TA603  
TA604 AND TA605 (JAPAN)  
05/02/73  
SHARP PINS, NAILS OR WIRES

PEKING BAZAAR  
SAN FRANCISCO, CAL  
8" ART DOLLS #TA700, TA701, TA702, TA703,  
TA704, AND TA705 (JAPAN)  
05/02/73  
SHARP PINS, NAILS OR WIRES

PENSICK & GORDON CO  
LOS ANGELES, CA  
"MINI-BEND-A-FAMILY" DOLL  
12/21/70  
SHARP WIRES

BARUCH PETRANKER IMPORT CO  
SAN FRANCISCO, CA  
14-INCH WESTERN DOLL #2585 (MADE IN TAIWAN)  
03/07/72  
STRAIGHT PINS & SHARP WIRES

BARUCH PETRANKER IMPORT CO  
SAN FRANCISCO, CA  
STUFFED BLACK BEAR (7" w/ COLLAR) JAPAN  
11/13/72  
SHARP POINTS

PICO NOVELTY CO  
LOS ANGELES, CA  
MUSICAL MINI-DOLLS #5279, #5280, AND #5282 (JAPAN)  
02/10/73  
STRAIGHT PINS

PIER ONE IMPORTS  
HOUSTON, TEXAS  
PUPPETS WITCH, BANDIT, MONKEY, GYPSY, INDIAN, AND GUITAR PLAYER  
MADE IN MEXICO  
03/07/72  
SHARP WIRES AND NAILS

PLAYLAND AMUSEMENTS INC  
NEW ORLEANS, LA  
NODDING CAT #985 (HONG KONG)  
03/06/73  
SHARP WIRE SPRING

M. PRESSNER AND CO INC  
NEW YORK, NY  
TOY CLOWN DOLLS #4035  
01/12/72  
SHARP WIRES

M. PRESSNER AND CO INC  
NEW YORK, NY  
STUFFED TOY DACHSHUND #3639/6868 (MADE-HONG KONG)  
10/26/72  
SHARP POINTS



## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

M PRESSNER & CO INC  
NEW YORK, NY  
VINYL STUFFED SNOOPY DOG #3460 (HONG KONG)  
03/27/73  
SHARP PIN IN NOSE

RALPH PRESSNER CARNIVAL MART  
METAIRIE, LA  
CLOWN #5-209  
10/07/71  
SHARP WIRES

RALPH PRESSNER CARNIVAL MART  
METAIRIE, LA  
MUSICAL FASHION DOLL #5337  
10/07/71  
STRAIGHT PINS

RALPH PRESSNER'S CARNIVAL MART  
METAIRIE, LA  
VINYL SQUEEZE TOY #7-256 (JAPAN)  
12/14/72  
SQUEAKER REMOVES

PRO NOVELTY CO INC  
CHICAGO, ILL  
FOOTBALL FIGURE WITH BOBBING HEAD LABELED  
IN PART "MY FAVORITE 1968 MASCOT TEAM IN  
MOTION NFL" (JAPAN)  
08/01/73  
SHARP WIRE AND SPRING

PUL WAL INC  
LOS ANGELES, CAL  
TOY FUR PEKINESE DOG (KOREA)  
08/22/73  
SMALL OBJECTS AND SHARP WIRES

PUSSY CAT TOY CO  
BROOKLYN, NY  
STUFFED TOY LADYBUG (7" - BLK, ORANGE, & YELLOW) JAPAN  
01/12/73  
SHARP WIRE

R & R TOY MFG CO INC  
PEN ARGYL, PA  
STUFFED WHITE DOGS  
10/19/71  
SHARP EYES

R & R TOY MFG CO  
PEN ARGYL, PA  
STUFFED ANIMAL (MULTI-COLORED SCOTTY DOG #239A)  
03/09/72  
SHARP WIRES

R & R TOY MFG CO  
PEN ARGYL, PA  
STUFFED ANIMAL (LONG SNOOTED ANIMAL)  
03/09/72  
SHARP EDGES

R & R TOY MFG CO  
PEN ARGYL, PA  
"ORANGE BLOB" (STUFFED TOY)  
03/09/72  
RIGID POINT OF EYE

R & R TOY MFG CO  
PEN ARGYL, PA  
STUFFED TOY TURTLE W/ STRAW MAT #239A  
09/19/72  
SHARP POINTS

R & R TOY MFG CO  
PEN ARGYL, PA  
STUFFED TOY DOGS #239A (10" & 11" LONG - VARIOUS COLORS)  
09/19/72  
SHARP STAPLES

R & R TOY MFG CO  
PEN ARGYL, PA  
STUFFED TOY CAT #239A (13" TALL - BLACK & ORANGE)  
09/19/72  
SHARP WIRES

## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

RICE-BAYERSDORFER CO  
PHILADELPHIA, PA  
MALE AND FEMALE PURITAN DOLL SET  
04/05/73  
SHARP WIRES

ROBERTA DOLL CO  
BROOKLYN, NY  
MOTHER AND DAUGHTER DOLL SET, STYLE #E5731  
01/31/72  
7" PINS

ROYALTY DESIGNS OF FLORIDA INC  
HIALEAH, FLORIDA  
"HOBBO DOLL" (YELLOW OR RED-ORANGE HAIR)  
04/25/72  
FLAMMABLE HAIR

RUSHTON CO  
ATLANTA, GEORGIA  
"I SQUEAK FOR A SQUEEZE" STUFFED MOUSE  
09/08/71  
SHARP WIRES

SALLY DISTRIBUTORS  
MINNEAPOLIS, MINN  
FUR HANGING MONKEYS #3831 (MADE-JAPAN)  
06/12/72  
PINS

SALLY DISTRIBUTORS  
MINNEAPOLIS, MINN  
4" RAINBOW FASHION DOLL (MADE-HONG KONG)  
09/01/72  
PIN

NATHAN SCHECTER & SONS  
PHILADELPHIA, PA  
SANTA CLAUS TUMBLER #1963 (HONG KONG)  
01/08/73  
SMALL OBJECTS & SHARP EDGES

F. A. O. SCHWARZ  
NEW YORK, NY  
BLACK AND WHITE CAT WITH WIRED TAIL #001-243-5  
MADE IN WEST GERMANY  
03/24/72  
SHARP WIRE

F. A. O. SCHWARZ  
NEW YORK, NY  
CLOWN MOUSE TOY, STEIFF #308.5, MADE IN WEST GERMANY  
03/24/72  
STRAIGHT PINS

F. A. O. SCHWARZ  
NEW YORK, NY  
BROWN BEAR IN SCOTTISH KILT AND HAT, STEIFF 0202/26  
03/24/72  
STRAIGHT PINS

D J SEKIN & CO  
DALLAS, TEXAS  
WEDDING MARCH WOODEN TOY SET (KOREA)  
10/26/72  
NAIL

D J SEKIN & CO  
DALLAS, TEXAS  
BRIDE & BRIDEGROOM WOODEN TOY SET #17 (KOREA)  
10/26/72  
SHARP POINT

H. SHACKMAN & CO  
NEW YORK, NY  
CARDBOARD EASTER BUNNY CONTAINER #6324 (MADE-W GERMANY)  
06/29/72  
SHARP COIL SPRING

WILLIAM SHALAND CORP  
NEW YORK, NY  
TOY MONKEYS (2 SIZES - 7" & 11") MADE-JAPAN  
10/18/72  
SHARP POINTS



## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

WILLIAM SHALAND CORP  
NEW YORK, NY  
LEATHERETTE BLUE SNOOPY (6") HONG KONG  
01/08/73  
STRAIGHT PIN (SECURING NOSE)

WILLIAM SHALAND CORP  
NEW YORK, NY  
"RABBIT ON BIKE" TOY (JAPAN)  
02/14/73  
SHARP EDGES

W & S SHILLMAN INC  
BROOKLYN, NY  
MAXI MOD FASHION DOLL - 11 1/2" (HONG KONG)  
11/10/72  
SHARP WIRES

SOL SIMON SALES INC  
DETROIT, MICH  
"HOLLANDER" MUSICAL WIND-UP  
FASHION DOLL (JAPAN)  
07/06/73  
SHARP PINS & SHARP WIRE IN BOUQUET

SOL SIMON SALES INC  
DETROIT, MICH  
MUSICAL FASHION DOLLS "ITALY", "BRIDE",  
"BOHEMIAN" AND "CHINESE" (JAPAN)  
07/06/73  
SHARP PINS

SMALL WORLD IMPORTING CORP  
NEW YORK, NY  
MR. & MRS SANTA CLAUS DOLLS ON PLATFORM #1520 (HONG KONG)  
11/13/72  
SHARP WIRES

SMILE NOVELTY CO  
BROOKLYN, NY  
11" STUFFED RABBIT (MULTI-COLOR W/ BLUE BOW)  
01/24/73  
SHARP EYE PIECES & WIRES (EARS)

## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

STANDARD IMPORT CO  
SAN FRANCISCO, CAL  
YAGGARTIME ART DOLLS 11" AND 15" TALL (JAPAN)  
04/23/73  
SHARP PINS

STANDARD IMPORT CO  
SAN FRANCISCO, CAL  
FUZIMOSUME ART DOLLS 11" AND 18" TALL (JAPAN)  
04/23/73  
SHARP PINS

STANDARD IMPORT CO  
SAN FRANCISCO, CAL  
MADAME BUTTERFLY ART DOLLS  
11" AND 15" TALL (JAPAN)  
04/23/73  
SHARP PINS

STICHLER AND CO INC  
READING, PA  
STYROFOAM SNOWMAN #X5082  
05/02/73  
SHARP WIRES

STICHLER AND CO INC  
READING, PA  
STYROFOAM RABBIT #E5554  
05/02/73  
SHARP WIRES

STICHLER AND CO  
READING, PA  
STYROFOAM CHICK #E5586  
05/02/73  
SHARP WIRES

STICHLER AND CO INC  
READING, PA  
NOVELTY WITCH #H5060  
04/05/73  
SHARP WIRES

PARK SMITH CORP  
NEW YORK, NY  
"DIZZY DIDDLE" DOLL  
12/21/70  
SQUEAKER REMOVES

SPROUSE HEITZ CO  
PORTLAND, OR  
STUFFED TOY DOG #22027 (JAPAN)  
01/05/73  
SHARP WIRE (EARS)

SPROUSE HEITZ CO  
PORTLAND, OR  
STUFFED TOY MOUSE #22112 (JAPAN)  
01/05/73  
SHARP WIRE (EARS)

SPROUSE HEITZ CO  
PORTLAND, OR  
"SINGING BIRD IN CAGE" (JAPAN)  
01/05/73  
SHARP EDGES & POINTS

PHILLIP STAHL  
PELHAM, NY  
TOY WOODEN PONIES (WEST GERMANY)  
07/12/73  
SHARP TACKS

STANDARD IMPORT CO  
SAN FRANCISCO, CAL  
NANAMIGASA ART DOLLS 11" AND 15" TALL (JAPAN)  
04/23/73  
SHARP PINS AND WIRES

STANDARD IMPORT CO  
SAN FRANCISCO, CAL  
MAIKO ART DOLLS 11" AND 15" TALL (JAPAN)  
04/23/73  
SHARP PINS

STUART INC  
ST PAUL, MINN  
12" FELT BODY DOLLS IN WICKER CHAIR  
LABELED IN PART "GREATEST GRANDMOTHER"  
OR "RETIRED"  
06/29/73  
SHARP PINS

SUPERIOR TOY AND NOVELTY CO  
KANSAS CITY, MO  
9" TALL STUFFED RABBIT (KOREA)  
05/02/73  
SHARP WIRES

I. S. SUTTON & SONS  
E ORANGE, NJ  
"COW ON MOON" MUSICAL STUFFED TOY #DM9  
08/21/72  
SHARP WIRE

TAK-A-TOY  
HYATTSVILLE, MD  
PETITE FASHION DOLL #2350 (MADE-HONG KONG)  
04/05/72  
SHARP WIRE

THOR IMPORT CO  
DALLAS, TEXAS  
"DEBBIE TEEN" #1360 1/10  
05/27/71  
SHARP WIRES

THOR IMPORT CO  
DALLAS, TEXAS  
4" NURSE DOLL (MADE-HONG KONG)  
06/28/72  
STRAIGHT PINS

THOR IMPORT CO  
DALLAS, TEXAS  
ITTY BITTY BABY DOLL #5900 (W/ CARRIAGE)  
MADE-HONG KONG  
09/18/72  
SHARP EDGES



## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

THOR IMPORT CO  
DALLAS, TEXAS  
SPARKING MONSTERS #860A (MADE-JAPAN)  
09/13/72  
SHARP POINT

TOPPER CORP  
ELIZABETH, NJ  
BABY PARTY DOLL  
01/31/72  
"TH" PIN

TRANSOGRAM CO  
NEW YORK, NY  
STARRY-EYED CLOWN, SQUEAKY "PROLY POLY"  
01/26/72  
SMALL OBJECTS

UNEEDA DOLL CO INC  
BROOKLYN, NY  
"WEE THREE FAMILY" DOLL SET #82420  
01/31/72  
"TH" PINS

UNEEDA DOLL CO INC  
BROOKLYN, NY  
"DEBTEEN" DOLL #91900 AND #91940  
01/31/72  
"TH" PINS

UNEEDA DOLL CO INC  
BROOKLYN, NY  
"TINY TODDLES" DOLL #9120/8  
01/12/72  
STRAIGHT PIN

UNEEDA DOLL CO INC  
BROOKLYN, NY  
PRINCESS BRIDE DOLL #2002  
11/17/72  
"TH" PINS & SHARP WIRES

UNIQUE INDUSTRIES  
PHILADELPHIA, PA  
"HAPPY HOME PARTY FAVOR (FIGURES AND A BOX OF CANDLES)  
\*\*\*WOOLWORTH'S\*\*\* MADE IN HONG KONG  
03/22/72  
SHARP WIRES

VICTORY MERCHANDISE CO  
NEW YORK, NY  
BUNNY ON TRICYCLE #3-33 (JAPAN)  
12/14/72  
SHARP POINT

VOGUE DOLLS INC  
MALDEN, MASS  
"MISS GINNY" DOLL #8565 B  
01/31/72  
SHARP WIRES

VOGUE DOLLS INC  
MELROSE, MASS  
GINNY COWGIRL DOLL #520  
02/21/73  
STRAIGHT PINS

WEINSTOCKS  
SACRAMENTO, CA  
DOLL #804 (22" - ATTACHED TO WOODEN PLATFORM) JAPAN  
02/21/73  
PINS

WING WAH ART GOODS  
SAN FRANCISCO, CAL  
8" JAPANESE OSANA DOLL #6849 (JAPAN)  
05/08/73  
SHARP WIRE

WISCONSIN TOY & NOVELTY CO INC  
MILWAUKEE, WIS  
VALENTINA DOLL #30368 (MADE-ITALY)  
07/20/72  
PIN

## 1302 NON-MECHANICAL DOLLS AND TOY ANIMALS.

I. B. WOLFSET AND CO INC  
NEW YORK, NY  
"DR BEN JOINS THE NURSES" DOLL SET  
11/19/71  
STRAIGHT PINS

WOLIN MFG CO INC  
WEST HAVEN, CT  
PIRATE BEAR #633 (MADE-HONG KONG)  
06/28/72  
SHARP WIRE RINGS

WOLIN MFG CO INC  
WEST HAVEN, CT  
PIRATE SNOWMAN #632 (MADE-HONG KONG)  
06/28/72  
STRAIGHT PIN

WOLIN MFG CO INC  
WEST HAVEN, CT  
PIRATE BUNNY #635 (MADE-HONG KONG)  
06/28/72  
SHARP WIRE RINGS

WOLIN MFG CO INC  
WEST HAVEN, CT  
RED VELVET "BAMBI" TOY #664 (MADE-JAPAN)  
06/28/72  
STRAIGHT PINS

WOLIN MFG CO INC  
WEST HAVEN, CT  
PIRATE CHIPMUNK #634 (MADE-HONG KONG)  
06/28/72  
SHARP WIRE RINGS

F. W. WOOLWORTH CO  
NEW YORK, NY  
"LILI" DOLL #300, MADE IN ITALY  
03/24/72  
STRAIGHT PINS

F. W. WOOLWORTH CO  
NEW YORK, NY  
YELLOW-HAIRED DOLL IN YELLOW ROBE  
03/24/72  
SHARP WIRE

F. W. WOOLWORTH CO  
NEW YORK, NY  
MUSICAL DOLLS #4874 MANDOLIN #4878 HOLLANDER #4879 BRIDE  
#4880 (BABY) MADE IN JAPAN BY ACE SHOJI  
01/31/72  
STRAIGHT PINS

F. W. WOOLWORTH CO  
NEW YORK, NY  
"ART DOLL" CHINESE STYLE (MADE-TAIWAN)  
08/23/72  
PINS

F. W. WOOLWORTH CO  
NEW YORK, NY  
ANGELA DOLL #300 (ITALY)  
11/09/72  
STRAIGHT PINS

F. W. WOOLWORTH CO  
NEW YORK, NY  
LOLITA DOLL #25/4 (SPAIN)  
01/17/73  
STRAIGHT PINS

F. W. WOOLWORTH CO  
NEW YORK, NY  
TOY DOG IN STRAW (W GERMANY)  
01/09/73  
STRAIGHT PIN IN COLLAR

OYULETIDE ENTERPRISES INC  
NEW YORK, NY  
BEETLE DOLL #2255 (JAPAN)  
11/22/72  
SHARP POINTS



## 1303 MECHANICAL DOLLS AND TOY ANIMALS INC. KEYWIND AND BATTERY OPERATED

A. A. IMPORTING INC  
WILLOUGHBY, OHIO  
DANCING ST PATRICK DOLL #T-375 (7 INCH), MADE IN JAPAN  
03/20/72  
SHARP WIRES

AJIA SHOKAI INC  
PEARL CITY, HAWAII  
"ROTATE-O-MATIC" SUPER ASTRONAUT (BATTERY OP) JAPAN  
02/13/73  
SHARP EDGES

ASSOCIATED DRY GOODS CORP  
NEW YORK, NY  
BATTERY OPERATED NAUGHTY PUSSY CATS #295 (JAPAN)  
02/09/73  
SMALL OBJECT (BELL) & SHARP POINTS (EYES & NOSE)

BLOCK HOUSE INC  
NEW YORK, NY  
WIND-UP MECHANICAL PARROT #102 (SPAIN)  
04/23/73  
BREAKS EXPOSING SHARP EDGES AND POINTS

JOSEPH BOXER CO  
NEW YORK, NY  
MECHANICAL FUR WALKING DOG #1331 (JAPAN)  
03/22/73  
SHARP POINTS IN LEGS

JOSEPH BOXER CO  
NEW YORK, NY  
GI GI THE PLAYFUL PUP #6020/8 (JAPAN)  
03/22/73  
SHARP WIRES IN TAIL AND COLLAR

CALIFORNIA TOYS INC  
LOS ANGELES, CA  
PLASTIC WIND-UP CRAWLING DOG (JAPAN)  
01/08/73  
SHARP WIRE IN TAIL

CENTER IMPORTING CO  
BALTIMORE, MD  
BATTERY-OPERATED SKIPPING  
MONKEY WITH BELL (JAPAN)  
04/16/73  
SHARP POINTS IN LEGS

CIRCLE IMPORT EXPORT CO  
LOS ANGELES, CAL  
KITTY REVOLVING MUSICAL DOLL #TD-911 (JAPAN)  
06/12/73  
SHARP PINS

DAI'EI INC  
AIEA, HAWAII  
"MONKEY THE DRUMMER" WINDUP TOY (JAPAN)  
02/09/73  
SMALL OBJECTS (DRUMSTICKS)

DAI'EI INC  
AIEA, HAWAII  
"PLAYFUL CAT" WINDUP TOY (JAPAN)  
02/09/73  
SHARP POINTS

EMPORIUM-CAPWELL CO  
SAN FRANCISCO, CAL  
SANDY SNOOPER TOY PUPPY WITH  
BUTTERFLY (JAPAN)  
04/02/73  
SHARP EDGES AND WIRES, SMALL OBJECTS

E FONIL & SONS  
SAN FRANCISCO, CA  
MUSICAL ELEPHANT DRUMMER #543 (JAPAN)  
12/26/72  
SHARP WIRES & SMALL PART

FRANKONIA PRODUCTS  
NEW YORK, NY  
MUSICAL ELEPHANT TOY #543 (JAPAN)  
12/01/72  
SHARP WIRE

## 1303 MECHANICAL DOLLS AND TOY ANIMALS INC. KEYWIND AND BATTERY OPERATED

FRANKONIA PRODUCTS  
NEW YORK, NY  
MECHANICAL CYMBAL MONKEY #6346 (JAPAN)  
12/01/72  
SHARP WIRES & EDGES

FRANKONIA PRODUCTS  
NEW YORK, NY  
HAPPY MONKEY WIND-UP TOY #602 (JAPAN)  
12/01/72  
SHARP WIRES

LEWIS GALOOR CO  
SAN FRANCISCO, CA  
MOBO/HILLBILLY BAND (WIND-UP TOYS) MADE-JAPAN  
09/28/72  
SHARP EDGES

LEWIS GALOOR CO  
SAN FRANCISCO, CA  
"DAXSY THE DACHSHUND" #7501 (BATTERY OP) HONG KONG  
02/14/73  
SHARP EDGES (TONGUE)

GLOBE WHOLESALE CO  
CHICAGO, ILL  
BATTERY OPERATED "CHEERFUL DACHSHUND" #256 (JAPAN)  
02/07/73  
SHARP POINTS (NOSE)

IDEAL TOY CORP  
NEW YORK, NY  
TODDLER THUMBELLINA #BT9-H-124 (W/ MECHANICALLY OPERATED LEGS)  
08/25/72  
SHARP SPRINGS IN LEGS

ILLFELDER IMPORTING CO  
NEW YORK, NY  
MECHANICAL WIGGLING ACTION SANTA CLAUS #2502 (JAPAN)  
12/01/72  
SMALL OBJECT & SHARP WIRE

ILLFELDER IMPORTING CO  
NEW YORK, NY  
BATTERY OPERATED MARATHON PUPPIES  
ST BERNARD #15/218 (JAPAN)  
12/01/72  
METAL ROD & SMALL PARTS

ILLFELDER IMPORTING CO  
NEW YORK, NY  
MECHANICAL WIGGLING ACTION SANTA CLAUS #2502 (JAPAN)  
12/14/72  
SHARP WIRES & SMALL OBJECTS

ILLFELDER IMPORTING CO  
NEW YORK, NY  
"BINGO CLOWN" #45/202 (BATTERY OP) JAPAN  
02/09/73  
SHARP WIRES (ARMS)

ILLFELDER IMPORTING CO  
NEW YORK, NEW YORK  
MECHANICAL WIND-UP PINKY PANKY #20/308 (JAPAN)  
04/23/73  
SHARP EDGES ON TONGUE

ILLFELDER IMPORTING CO  
NEW YORK, NEW YORK  
MECHANICAL WIND-UP TERRIER #20/206 (JAPAN)  
04/23/73  
SHARP POINTS ON NOSE AND EYES, SHARP WIRE

ILLFELDER IMPORTING CO  
NEW YORK, NEW YORK  
BATTERY-OPERATED LEASH-CONTROLLED DACHSHUND  
#1101 (HONG KONG)  
03/22/73  
SHARP EDGES ON TONGUE

JACOBSON'S  
JACKSON, MICH  
WIND-UP MECHANICAL DUCK (MADE-W GERMANY)  
07/14/72  
PIN & SHARP METAL RODS



## 1303 MECHANICAL DOLLS AND TOY ANIMALS INC. KEYWIND AND BATTERY OPERATED

LEONARD'S DEPT STORES INC  
FT WORTH, TEXAS  
PLAYFUL PUPPY #5828 (JAPAN)  
11/17/72  
SMALL OBJECTS

LEONARD'S DEPT STORES INC  
FT WORTH, TEXAS  
"DORABLE DAKSY" DOG #7501 (BATTERY OP) HONG KONG  
12/01/72  
SMALL OBJECTS & SHARP EDGES

MEGO CORP  
NEW YORK, NY  
"JUMPIN JIMINY" WINDUP DOG #411 (JAPAN)  
03/13/73  
SMALL PARTS (EYES)

F O MERZ & CO  
PHILADELPHIA, PA  
"CARL ORIGINAL" WINDUP BEAR #662 (W GERMANY)  
(RATTLE IN EACH PAW)  
01/26/73  
SHARP WIRES

METASCO INC  
NEW YORK, NY  
HOBBO-HILLBILLY BAND (JAPAN)  
11/15/72  
SHARP EDGES

METASCO INC  
NEW YORK, NY  
MECHANICAL COCKY SPANIEL DOG #726219 (JAPAN)  
11/15/72  
SHARP POINTS & EDGES

MILTON B MEYER CO  
CARNEGIE, PA  
CRAWLING BABY IN PAJAMAS (WIND-UP TOY)  
01/05/73  
SHARP EDGES

## 1303 MECHANICAL DOLLS AND TOY ANIMALS INC. KEYWIND AND BATTERY OPERATED

NEW YORK MERCHANDISE CO  
NEW YORK, NY  
WINDUP MECHANICAL CIRCUS MONKEY (JAPAN)  
02/21/73  
SHARP WIRE (LASSO)

NEW YORK MERCHANDISE CO  
NEW YORK, NY  
WINDUP MECHANICAL TERRIER (JAPAN)  
02/21/73  
SHARP WIRE (TAIL)

NEW YORK MERCHANDISE CO  
NEW YORK, NY  
WINDUP MECHANICAL JOE CHEF (JAPAN)  
02/21/73  
SHARP EDGES

NEW YORK MERCHANDISE CO  
NEW YORK, NY  
WINDUP MECHANICAL CLOWN (JAPAN)  
02/21/73  
SHARP EDGES

NOVELTY DISTRIBUTORS INC  
OWENSBORO, KY  
LEASH CONTROL DACHSHUND #5683 (JAPAN)  
02/13/73  
SHARP EDGES (TONGUE)

OAKLAND IMPORT DEPOT  
OAKLAND, CA  
"BEGGING PUPPY" #289 (BATTERY OP) JAPAN  
DISTRIBUTED BY MONTGOMERY WARD  
03/02/73  
SHARP EDGES & SMALL PARTS (EYES & NOSE)

J. C. PENNEY CO INC  
NEW YORK, NY  
LEASH CONTROL DACHSHUND #1101 (MADE-HONG KONG)  
10/30/72  
SHARP EDGES

G C MURPHY CO  
MONROE, LA  
HOPPING CHICKEN #M-3 & JUMPING RABBIT #M-4 (JAPAN)  
03/06/73  
SHARP EDGES

NORTHERN SPECIALTY SALES  
PORTLAND, OREGON  
BLOOPY DOG WITH CLICK CLICK SOUND #804  
(WESTERN IMPORTS LABEL) (HONG KONG)  
05/02/73  
SMALL OBJECTS AND SHARP POINTS

NEIMAN MARCUS COMPANY  
DALLAS, TEXAS  
MECHANICAL WIND-UP MONKEY AND  
RABBIT (WEST GERMANY)  
07/16/73  
KEY REMOVES EXPOSING RIGID  
METAL SHAFT

NEW YORK MERCHANDISE CO  
DALLAS, TEXAS  
JUMPING RABBIT WITH BABY RABBIT  
04/06/72  
SHARP EDGES

NEW YORK MERCHANDISE CO  
DALLAS, TEXAS  
"HOPPING BUNNY" #3235  
04/06/72  
SHARP EDGES AND WIRES

NEW YORK MERCHANDISE CO  
DALLAS, TEXAS  
"ROVEN & HOPPER" WIND-UP TOYS (MADE-JAPAN)  
(STYLED AS DUCKS, CHICKENS, OR RABBITS)  
08/10/72  
CAN BE BROKEN EXPOSING SHARP EDGES & SMALL PARTS

NEW YORK MERCHANDISE CO  
NEW YORK, NY  
WINDUP MECHANICAL COWBOY MONKEY (JAPAN)  
02/21/73  
SHARP WIRE (LASSO) & EDGES (HANDS)

PENSICK & GORDON INC  
LOS ANGELES, CA  
BATTERY OPERATED "SNIFFY DOG" (JAPAN)  
01/23/73  
SHARP EDGES (EYES)

BARUCH PETHANKER IMPORT CO  
SAN FRANCISCO, CA  
STUFFED BALLERINA DOLL SEATED ON ROTATING MUSIC BOX  
#2592 (12-1/2 X 7 1/2") AND #2591 (14" X 7")  
03/23/72  
PINS IN DOLL'S HAIR AND CLOTHING

BARUCH-PETHANKER IMPORT CO  
SAN FRANCISCO, CAL  
BATTERY-OPERATED DACHSHUND #871 (HONG KONG)  
04/05/73  
SMALL OBJECT

M PRESSNER & CO INC  
NEW YORK, NY  
WIND-UP TOY TERRIER (JAPAN)  
12/14/72  
SHARP POINTS & EDGES

F. A. O. SCHWARZ  
NEW YORK, NY  
MECHANICAL DOLL, LABEL (PART) "DANCING DOLLS" LANZ-PUPPCHEN  
03/24/72  
SHARP WINDING STEM

SEARS, ROEBUCK & CO  
CHICAGO, ILL  
MECHANICAL HOPPING DONKEY #41015 (W GERMANY)  
01/08/73  
SHARP SHAFT & NAIL

SKYLINE INTERNATIONAL INC  
MEQUON, WIS  
BATTERY OPERATED DOG FAMILY #5887  
MOTHER & PUPPIES (MADE-JAPAN)  
09/27/72  
SHARP EDGES & POINTS



## 1303 MECHANICAL DOLLS AND TOY ANIMALS INC. KEYWIND AND BATTERY OPERATED

THOR IMPORT CO  
DALLAS, TEXAS  
"LEASH CONTROL DACHSHUND" #1101 (BATTERY OPERATED)  
MADE-HONG KONG  
09/13/72  
SHARP EDGES

I. B. WOLFSET AND CO INC  
NEW YORK, NY  
CRAWLING BABY WIND-UP MOTOR #3010  
11/19/71  
SHARP EDGES

TOP VALUE ENTERPRISES INC  
DAYTON, OHIO  
MECHANICAL CAT WITH BALL #11-65 (WEST GERMANY)  
04/30/73  
SHARP POINTS AND EDGES

I. B. WOLFSET AND CO INC  
NEW YORK, NY  
WIND-UP BALLOON PUP, #8343  
11/19/71  
SHARP METAL AND POINTED WIRE

TOP VALUE ENTERPRISES INC  
DAYTON, OHIO  
QUAK QUAK MECHANICAL DUCK #11-68 (WEST GERMANY)  
04/30/73  
SHARP POINTS AND EDGES

TRAVELLER TRADING CO  
NEW YORK, NY  
WIND-UP TUMBLING MOUSE (JAPAN)  
11/28/72  
NAILS

TRIDENT IMPORTS INC  
SEATTLE, WASH  
WIND-UP TURTLE THE SWIMMER (HONG KONG)  
11/22/72  
SHARP METAL PROJECTIONS

WINDSOR INDUSTRIES INC  
PLAINVIEW, NY  
DOXIE THE DACHS BATTERY OPERATED DOG  
#9683 (HONG KONG)  
03/28/73  
SHARP EDGES AND SMALL PARTS

I. B. WOLFSET AND CO INC  
NEW YORK, NY  
CRAWLING BABY #3-33  
11/19/71  
SHARP EDGES

## 1304 WINDUP AND BATTERY-OPERATED TOYS, NOT DOLLS OR ANIMALS

AZRAK-HAMWAY INTERNATIONAL INC  
NEW YORK, NY  
TAKE-APART TRAIN ENGINE #3300 AMI BRAND  
04/16/73  
SMALL OBJECTS AND SHARP EDGES

F J STRAUSS  
NEW YORK, NY  
"SILVER MOUNTAIN EXPRESS" #3525 (BATTERY OP LOCOMOTIVE) JAPAN  
12/01/72  
SHARP EDGES

CHILD GUIDANCE PRODUCTS INC  
BRONX, NY  
MUSICAL RAILROAD #4010  
01/31/72  
SHARP EDGES

TARGET STORES INC  
MINNEAPOLIS, MINN  
SILVER MOUNTAIN EXPRESS #3525 (TOY LOCOMOTIVE) JAPAN  
11/17/72  
SHARP EDGES

LEWIS GALOUB CO  
SAN FRANCISCO, CA  
"SILVER MOUNTAIN EXPRESS" #3525 (MADE-JAPAN)  
BATTERY OPERATED TOY LOCOMOTIVE  
06/30/72  
SHARP EDGES

TARGET STORES INC  
MINNEAPOLIS, MINN  
SILVER MOUNTAIN EXPRESS #3525 (JAPAN)  
11/10/72  
SHARP EDGES

LEWIS GALOUB CO  
SAN FRANCISCO, CA  
RICKY MOUSE LOCOMOTIVE #3981 (JAPAN)  
01/05/73  
SMALL OBJECTS & SHARP EDGES

VICTORY MERCHANDISE CO  
NEW YORK, NY  
SILVER MOUNTAIN EXPRESS #3525 (JAPAN)  
04/02/73  
SHARP METAL EDGES

LEWIS GALOUB CO  
SAN FRANCISCO, CA  
DONALD DUCK LOCOMOTIVE #3982 (JAPAN)  
01/05/73  
SMALL OBJECTS & SHARP EDGES

F W WOOLWORTH CO  
NEW YORK, NY  
KIDDIE TROLLEY #3848 (BATTERY OP) JAPAN  
01/11/73  
SMALL OBJECTS

GAMBLE'S IMPORT CORP  
BURBANK, CA  
"SILVER MOUNTAIN EXPRESS" (BATTERY POWERED TOY LOCOMOTIVE)  
MADE-JAPAN  
05/02/72  
SHARP EDGES

F W WOOLWORTH CO  
NEW YORK, NY  
BATTERY OP IRON HORSE #HK6520 (HONG KONG)  
01/09/73  
SMALL PARTS

GAMBLE'S IMPORT CO  
BURBANK, CA  
CHOO-CHOO TRAIN #N1945 (JAPAN)  
01/12/73  
SHARP EDGES & SMALL PARTS



## 1305 TOY CARS AND TRUCKS, NON-FLYING AIRPLANES, BOATS (NOT INC. MODELS)

CREATIVE CREATIONS  
HICKSVILLE, NY  
HUSTLER MUSTANG TEST CAR #6-147 (JAPAN)  
11/17/72  
SHARP EDGES

MADEL AND SONS TOY CORP  
NEW YORK, NY  
TOY TRUCK KIT #5044  
09/02/71  
SMALL OBJECTS

ESCO IMPORTS OF TEXAS INC  
SAN ANTONIO, TEXAS  
SCREAMING SIREN CAR #12/67 (BATTERY OPERATED)  
MADE-JAPAN  
10/25/72  
SHARP EDGES

GREENMAN BROTHERS INC  
FARMINGDALE, NY  
BATTERY OPERATED SNORKEL FIRE ENGINE  
#624 (JAPAN)  
04/02/73  
SHARP METAL EDGES, SMALL OBJECT AND  
PINCHING HAZARD

ILLFELDER IMPORTING CO  
NEW YORK, NY  
TOY POLICE CAR #15/331 (MADE-JAPAN)  
08/11/72  
SHARP EDGES

LORD AND TAYLOR  
NEW YORK, NY  
"GRANDPA'S CAR" #31519  
09/12/71  
SHARP AND SMALL OBJECTS

MC CRODY, MC CLELLAN, & GREEN STORES  
YORK, PA  
FRICTION POWERED POLICE CAR W/ SIREN (JAPAN)  
02/09/73  
SHARP EDGES

METASCO INC  
NEW YORK, NY  
SCREAMING SIREN FIRE CHIEF CAR (JAPAN)  
11/01/72  
SHARP EDGES

## 1311 TOY GUNS AND WEAPONS WITHOUT PROJECTILES, EXCLUDING CAP TOYS

DAISY-HEDDON  
ROGERS, ARK  
"HIGH CHAPARRAL" TOY RIFLE #694  
01/08/73  
SOUND ABOVE 138 DECIBELS

LOUIS MARX AND CO  
NEW YORK, NY  
TOY RANCH RIFLE #293  
06/09/72  
IMPULSE TYPE SOUND ABOVE 138 DECIBELS



# NOTICES

29423

## 1321 NON-HEATING TOY HOME EQUIP. INC STOVES, SINKS, SEWING MACH., IRONS ETC.

ARKIN DISTRIBUTING  
DETROIT, MI  
PA-OK™PLAY PHONE #400/A1254 (HONG KONG)  
01/10/73  
SMALL OBJECTS

HANDI-CRAFT CO  
ST LOUIS, MO  
FRENCH PLAY PHONE #435 & 436  
11/17/71  
SHARP EDGES

MARETT-GILMAR INC  
EAST ROCKAWAY, NY  
TOY LAWN MOWER #238 (MADE IN CANADA)  
03/06/72  
SHARP EDGES

TICO TOYS  
PANTUCKET, RI  
MR FUNNY PHONE #1695  
12/18/72  
SMALL PARTS

U. S. METAL TOY MFG CO  
BROOKLYN, NY  
TOY LAWN MOWER #201  
09/18/72  
SHARP EDGES

## 1322 CHILDREN PLAY TENTS, PLAY TUNNELS AND OTHER ENCLOSURES.

INDUSTRIAL SAFETY BELT CO  
PITTSBURGH, PA  
"SHOKEY BEAR" PLASTIC TENT #58-3  
11/08/72  
FLAMMABLE

KELLWOOD CO  
NEW HAVEN, MO  
SEARS CABANA PLAY TENT #308  
11/13/72  
FLAMMABLE

LOWENS TOYS  
BETHESDA, MD  
SIOUX SHERIFF INDIAN TENT (GERMANY)  
11/08/72  
FLAMMABLE



## 1326 BLOCKS, PULL TOYS, AND SIMILAR ITEMS.

EASTERN TOY CORP (DIV OF ATLANTIC DEPT STORES)  
PAWTUCKET, RI  
BUTTERFLY PULL TOY #4200 (MADE IN HONG KONG)  
03/10/72  
SMALL PARTS AND SHARP EDGES EXPOSED

EASTERN TOY CORP (DIV OF ATLANTIC DEPT STORES)  
PAWTUCKET, RI  
PULL-A-LONG DUCK (MADE-HONG KONG)  
06/06/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

GREENMAN BROTHERS  
FARMINGDALE, NY  
BUTTERFLY PULL TOY (HONG KONG)  
12/14/72  
SMALL OBJECTS & SHARP EDGES

HASBRO INDUSTRIES, INC  
PAWTUCKET, RI  
ROMPER ROOM MUSICAL BLOCK CLOCK  
01/31/72  
WEIGHTS IN SOME OF THE BLOCKS CAN BE EXPOSED

JANCO INDUSTRIES INC (BEN FRANKLIN IMPORTS)  
NEW YORK, NY  
BUTTERFLY PULL TOY #4200 (MADE-HONG KONG)  
06/29/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS AND SHARP EDGES

KING'S DEPT STORES  
NEWTON, MASS  
"8 ACTION BLOCKS" #6825 (MADE-HONG KONG)  
06/30/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

KUSAN INC  
NASHVILLE, TENN  
BUTTERFLY PULL TOY #39  
12/15/71  
SHARP EDGES AND SMALL OBJECTS EXPOSED

LARCO IMPORTS (DIV OF LACHMAN ROSE CO)  
SAN ANTONIO, TEXAS  
BUTTERFLY PULL TOY #4200 (MADE-HONG KONG)  
06/28/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

LIONEL LEISURE INC  
PHILADELPHIA, PA  
BUTTERFLY PULL TOY #4200 (HONG KONG)  
11/15/72  
SMALL OBJECTS

LOUIS MARX AND CO  
NEW YORK, NY  
WALT DISNEY'S MOLLING DISNEY TOY #K-5009 (MADE-HONG KONG)  
06/29/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS AND SHARP EDGES

MEGO CORP  
NEW YORK, NY  
ROOSTER PULL TOY WITH RATTLE EGGS #205  
07/12/71  
SMALL OBJECTS

SANKYO SEIKI, INC  
NEW YORK, NY  
"MUSIK MATE" PULL TOY #4000  
10/12/71  
SMALL OBJECTS

SANKYO SEIKI, INC  
NEW YORK, NY  
"MUSICAL PLAYMATE" PULL TOY #5000C  
10/12/71  
SMALL OBJECTS

TAK-A-TOY  
HYATTSVILLE, MD  
BUTTERFLY PULL TOY #4200, MADE IN HONG KONG  
04/06/72  
SMALL OBJECTS

## 1326 BLOCKS, PULL TOYS, AND SIMILAR ITEMS.

TARGET STORES INC  
MINNEAPOLIS, MINN  
PULL-A-LONG DUCK (MADE-HONG KONG)  
06/06/72  
CAN BE BROKEN EXPOSING SMALL PARTS

THOR IMPORT CO  
DALLAS, TEXAS  
BUTTERFLY PULL TOY WITH BALLS, RATTLE (MADE IN HONG KONG)  
03/24/72  
SHARP EDGES AND SMALL OBJECTS

F. W. WOOLWORTH CO  
NEW YORK, NY  
PLASTIC EICHORN PICTURE BLOCKS WITH BEADS #1235  
MADE IN W GERMANY  
03/06/72  
SMALL OBJECTS & SHARP EDGES

F. W. WOOLWORTH CO  
NEW YORK, NY  
TOY WOODEN DUCK PULL TOY #1031 1/P12 (MADE IN JAPAN)  
03/06/72  
SMALL OBJECTS & SHARP STAPLE



## 1327 ROCKING HORSE, HOBBY HORSE AND SIMILAR RIDING TOYS (NOT-WHEELED)

POPULAR PRODUCTS MFG CORP  
CHICAGO, ILL  
ROCKING HORSE CHAIR # 1425  
10/18/72  
SMALL PART

## 1330 OTHER POWERED TOYS CARRYING THE CHILD, NOT BICYCLES

UNIVERSAL SPECIALTIES CO  
BOISE, IDAHO  
APOLLO MINI-CAR #CF001 (MADE-TAIWAN)  
06/08/72  
INCLUDES CORROSIVE HAZARDOUS SUBSTANCE (32% W/W SULFURIC  
ACID IN BATTERY) SUSEPTIBLE TO ACCESS BY CHILDREN



## 1344 TOY MUSICAL INSTRUMENTS

ACME PREMIUM SUPPLY CO  
ST LOUIS, MO  
MELODY XYLOPHONE (JAPAN)  
12/18/72  
SHARP EDGES

ALEXANDER'S  
NEW YORK, NY  
"PLAY PAL" MUSIC BOX #3901 (MADE IN WEST GERMANY)  
03/02/72  
SMALL OBJECTS AND SHARP EDGES

AMERICAN IMPORT MERCHANT'S CORP  
NEW YORK, NY  
"PLAY-A-TUNE" TYPEWRITER XYLOPHONE WITH Mallet  
MADE IN JAPAN BY TAIYO CO LTD  
03/02/72  
SHARP KEYS

ASSOCIATED DRY GOODS CORP  
NEW YORK, NY  
TOY TENORHORN #1333/8G (W GERMANY)  
02/09/73  
SHARP POINTS

AZRAC-HAMWAY INTERNATIONAL INC  
NEW YORK, NY  
PLAY-A-TUNE XYLOPHONE #2622A (MADE-HONG KONG)  
09/01/72  
SHARP EDGES

BADDOUR WHOLESALE DRY GOODS  
MEMPHIS, TENN  
MUSICAL SOUND SET W/DRUM CYMBALS #56147 (JAPAN)  
02/14/73  
SHARP EDGES

BERTON CO  
PICO RIVERA CAL  
TOY PLASTIC TAMBOURINE (HONG KONG)  
03/22/73  
SHARP PINS IN CYMBALS

## 1344 TOY MUSICAL INSTRUMENTS

COST PLUS INC  
SAN FRANCISCO, CA  
METAL TAMBOURINE IBM #130955 (MADE-JAPAN)  
10/24/72  
SHARP EDGES & POINTS

CRAIGSTAN INDUSTRIES INC  
NEW YORK, NY  
MUSICAL TOY XYLOPHONE SAW W/ HAMMER (JAPAN)  
01/08/73  
SHARP EDGES

DAC TOYMAKERS INC  
FARMINGDALE, NY  
TOY RECORD PLAYER #410 (HONG KONG)  
01/08/73  
SHARP POINTS

ESCO IMPORTS OF TEXAS INC  
SAN ANTONIO, TEXAS  
MELODY XYLOPHONE #10/16 (MADE-JAPAN)  
08/10/72  
SHARP EDGES

E. FOMIL & SONS  
SAN FRANCISCO, CA  
MELODY XYLOPHONE (ITEM #04238) MADE-JAPAN  
07/12/72  
SHARP EDGES

FRANKONIA PRODUCTS  
NEW YORK, NY  
CONCERT XYLOPHONE #1172 (JAPAN)  
12/14/72  
SHARP EDGES

GAMBLE'S IMPORT CORP  
BURBANK, CA  
MELODY XYLOPHONE  
10/19/71  
KEYS HAVE SHARP EDGES

BLATT DISTRIBUTING CO  
LA MIRADA, CA  
"MELODY" XYLOPHONE  
12/06/71  
SHARP EDGES

JOSEPH BOXER CO  
NEW YORK, NY  
PLAY-A-TUNE XYLOPHONE #7032 (HONG KONG)  
03/22/73  
SHARP EDGES ON KEYS

CARNIVAL TOY DIV (LORRAINE INDUSTRIES INC)  
BRIDGEPORT, CT  
"TOOTY FLOOTY WHISTLE #8"  
(RED, YELLOW & BLUE CLARINET TYPE PLASTIC WHISTLE)  
06/29/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS & SHARP EDGES

CARNIVAL TOY DIV (LORRAINE INDUSTRIES INC)  
BRIDGEPORT, CT  
MASTRO MARACAS #703  
06/29/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

CENTER IMPORTING CO  
BALTIMORE, MD  
"DE LUXE" TOY XYLOPHONE (JAPAN)  
01/08/73  
SHARP EDGES

CHILDOCHAFT EDUCATION CORP  
NEW YORK, NY  
"NOVO XILOFONE X8" (MADE-BRAZIL)  
07/27/72  
CAN BE BROKEN EXPOSING SMALL PIECES AND SHARP EDGES & POINTS

CORNET STORES  
PASADENA, CA  
PIXIE TUNE XYLOPHONE #2623 (HONG KONG)  
03/13/73  
SHARP EDGES

GAMBLE'S IMPORT CO  
BURBANK, CA  
TOY "CONCERT XYLOPHONE" (JAPAN)  
02/14/73  
SHARP EDGES

GAMBLE'S IMPORT CO  
BURBANK, CA  
TOY CONCERT XYLOPHONE (JAPAN)  
02/14/73  
SHARP EDGES

GIMBEL BROTHERS INC  
MILWAUKEE, WIS  
METAL MOUTH ORGAN (GERMANY)  
11/01/72  
SHARP EDGES & POINTS

LOUIS GREENBERG & SONS  
NEW YORK, NY  
LITTLE MUSICMAKER XYLOPHONE (MADE-JAPAN)  
09/01/72  
SHARP EDGES

HAWAII PLAYWELL INC  
HONOLULU, HAWAII  
10 KEY XYLOPHONE (JAPAN)  
02/10/73  
SHARP EDGES

HAWAII PLAYWELL INC  
HONOLULU, HAWAII  
NEW PIAPHONE MUSICAL TOY (JAPAN)  
02/10/73  
SHARP EDGES

HAWAII PLAYWELL  
AIEA, HAWAII  
TOY METALLIC XYLOPHONE #T-12 (JAPAN)  
04/02/73  
SHARP METAL EDGES



## 1344 TOY MUSICAL INSTRUMENTS

KURT HESSE TOY IMPORTS  
SAN FRANCISCO, CAL  
TOY TAMBOURINE (HONG KONG)  
05/02/73  
SHARP NAILS

JAK PAK INC  
MILWAUKEE, WIS  
"POUND-A-TUNE" XYLOPHONE #183 (MADE-HONG KONG)  
08/21/72  
SHARP EDGES

JA RU SALES  
JACKSONVILLE, FLA  
PLAY-A-TUNE XYLOPHONE #2622 (HONG KONG)  
11/17/72  
SHARP EDGES

JAYMAR SPECIALTY CO  
BROOKLYN, NY  
GRAND PIANO w/ COLOR CHIME XYLOPHONE #J-2100  
MADE-JAPAN  
09/01/72  
SHARP POINTS AND EDGES & SMALL PARTS

JORGE STELLA ROYO INC  
RIO PIEDRAS, PUERTO RICO  
TOY METAL TAMBOURINE (JAPAN)  
04/30/73  
SHARP NAILS

S. S. KRESGE  
DETROIT, MI  
TOY PIANO w/ XYLOPHONE #212/16/384 (JAPAN)  
01/17/73  
SHARP EDGES

S.H. KRESS COMPANY  
NEW YORK, NY  
NEW PIAPHONE (XYLOPHONE-TYPE TOY) MADE IN JAPAN  
03/23/72  
SHARP EDGES ON KEYS

LANGFELDER, HOMMA & CARROLL  
NEW YORK, NY  
NOISEMAKER DRUMS #UN1362 & UN1371 (MADE-JAPAN)  
06/29/72  
NAILS & SMALL OBJECTS

LANGFELDER, HOMMA & CARROLL  
NEW YORK, NY  
MELODY XYLOPHONES #UN1393, UN1394 & UN1395 (MADE-JAPAN)  
06/29/72  
SHARP EDGES

LARAMI CORP  
PHILADELPHIA, PA  
"LITTLE MUSICMAKER" XYLOPHONE #5703 MADE IN JAPAN  
04/06/72  
SHARP EDGES AND NAILS

LARAMI CORP  
PHILADELPHIA, PA  
XYLOPHONE PLAYER #9150  
08/25/71  
SHARP EDGES

LARAMI CORP  
PHILADELPHIA, PA  
WALT DISNEY'S "SNOW WHITE AND SEVEN DWARFS" XYLOPHONE #9326  
03/09/72  
SHARP KEYS

LARAMI CORP  
PHILADELPHIA, PA  
MICKEY MOUSE HARMONICA #5143  
06/29/72  
SHARP EDGES

LARAMI CORP  
PHILADELPHIA, PA  
XYLOPHONE PLAYER #5703 (JAPAN)  
01/08/73  
SHARP EDGES

## 1344 TOY MUSICAL INSTRUMENTS

LARAMI CORP  
PHILADELPHIA, PA  
BANANA SPLITS TOY TAMBOURINE #9480  
05/24/73  
SHARP NAILS

LARAMI CORP  
PHILADELPHIA, PA  
BANANA SPLITS TAMBOURINE #5771 (HONG KONG)  
08/01/73  
SHARP NAILS

LIONEL LEISURE INC  
PHILADELPHIA, PA  
CONCERT XYLOPHONE #8725 (JAPAN)  
11/15/72  
SHARP EDGES

LIONEL LEISURE INC  
PHILADELPHIA, PA  
GLOCKENSPIEL TOY (JAPAN)  
11/15/72  
SHARP EDGES

MAKOTO IMPORTS INC  
PORTLAND, ORE  
"TOM TOM DRUMS" #N/T/49 & #N/T/50 (MADE-JAPAN)  
09/27/72  
NAILS & SMALL PARTS

MEGO CORP  
NEW YORK, NY  
14 KEY MELODY XYLOPHONE #191 (MADE-JAPAN)  
06/29/72  
SHARP EDGES

MEGO CORP  
NEW YORK, NY  
TYPE-A-TUNE MUSICAL TYPEWRITER #192 (MADE-JAPAN)  
06/29/72  
SHARP EDGES

MIYA COMPANY INC  
NEW YORK, NY  
TOM TOM DRUM WITH BELL CATALOG #T-180 (JAPAN)  
07/31/73  
SHARP NAILS AND SMALL OBJECTS

MONTGOMERY WARD  
CHICAGO, ILLINOIS  
SHARPS AND FLATS 23 KEY CONCERT XYLOPHONE #48-37191  
MADE IN JAPAN  
03/07/72  
SHARP EDGES

NADEL AND SONS TOY CORP  
NEW YORK, NY  
CANDY FLUTES #7335  
10/19/71  
SHARP TONE MODULATOR SHAFT

NEW YORK MERCHANDISE CO  
DALLAS, TEXAS  
TOY XYLOPHONES #22314, 22308, AND 90173  
11/10/71  
SHARP EDGES ON BOTH AND NAILS IN #90173

NOBLE & COOLEY CO  
GRANVILLE, MASS  
TAMBOURINE #1150-95  
01/10/73  
SHARP EDGES

ORIENTAL TRADING CO  
OMAHA, NEB  
TOY HARMONICA #9/28 (JAPAN)  
12/01/72  
SHARP EDGES

JOSEPH A. PAREDES CO  
SAN FRANCISCO, CAL  
TIN HORN (MEXICO)  
05/08/73  
SHARP METAL EDGES



## 1344 TOY MUSICAL INSTRUMENTS

PARK PLASTICS CO  
LINDEN, NJ  
XYLOPHONE & PIANO #643 (HONG KONG)  
12/20/72  
SHARP EDGES

J. C. PENNEY CO INC  
NEW YORK, NY  
CONCERT TABLE XYLOPHONE WITH KEYS, LOT 653-1007  
MADE IN JAPAN  
02/18/72  
SHARP EDGES ON THE KEYS

PIER 1 IMPORTS  
FT WORTH, TEX  
TOM-TOM DRUMS #144-561 (JAPAN)  
12/18/72  
SHARP POINTS & SMALL OBJECTS

PLYMOUTH WHOLESALE CORP  
NEW YORK, NY  
"20 KEY GRAND PIANO W/STOOL (ITEM #B20W/5)  
07/27/72  
SHARP EDGES & STAPLES

REED TOYS, INC  
WEST CONSHOHOCKEN, PA  
TOY TAMBOURINE #50 (5 SETS OF DOUBLE TIN DISKS)  
03/23/72  
SHARP EDGES

SALLY DISTRIBUTORS  
MINNEAPOLIS, MINN  
INDIAN DRUMS #3715  
07/26/71  
SHARP NAIL AND SMALL OBJECTS

SCHOENHUT INC  
PHILADELPHIA, PA  
CONCERT XYLOPHONE #312 (MADE-JAPAN)  
06/13/72  
SHARP EDGES

SCHOENHUT INC  
PHILADELPHIA, PA  
XYLOPHONE #416 (MADE-JAPAN)  
06/13/72  
SHARP EDGES

SCHOENHUT INC  
PHILADELPHIA, PA  
20 KEY GRAND PIANO W/STOOL #B-20W/5 (JAPAN)  
01/11/73  
SHARP STAPLES

B. SHACKMAN & CO  
NEW YORK, NY  
ANIMAL XYLOPHONE #3488 (MADE-JAPAN)  
06/29/72  
SHARP EDGES & NAILS

WILLIAM SHALAND CORP  
NEW YORK, NY  
TOY HARMONICA (ITEM CODE #29) MADE-JAPAN  
06/29/72  
SHARP EDGES

M. SHIMMEL & SONS INC  
BROOKLYN, NY  
"WANNATOY" MUSICAL INSTRUMENT SET #9179 (MADE-HONG KONG)  
07/31/72  
SHARP WIRE & CAN BE BROKEN EXPOSING SMALL PIECES

F. J. STRAUSS  
NEW YORK, NY  
MELODY XYLOPHONE  
01/08/73  
SHARP EDGES

TAK-A-TOY (DISTRIBUTOR)  
HYATTSVILLE, MD  
TOY HARMONICA (IMPORTED BY LARAMI CORP)  
1/12/72  
SHARP EDGES

## 1344 TOY MUSICAL INSTRUMENTS

TARGET STORES INC  
MINNEAPOLIS, MINN  
20 KEY GRAND PIANO W/ STOOL #B-20W/5 (JAPAN)  
11/10/72  
HARP EDGES & POINTS - SMALL PARTS

THOR IMPORT CO  
DALLAS, TEXAS  
MELODY XYLOPHONES (MADE IN JAPAN)  
02/18/72  
SHARP EDGES

THOR IMPORT CO  
DALLAS, TEXAS  
"LITTLE MUSICMAKER" XYLOPHONE (MADE IN JAPAN)  
02/18/72  
SHARP EDGES

VIKING CHARMS CO  
JACKSONVILLE FLA  
MINIATURE HARMONICAS IN PLASTIC CAPSULE  
FOR GUM-BALL MACHINES (HONG KONG)  
08/13/73  
ITEM ITSELF IS A SMALL OBJECT

WILLIS IMPORT INC  
FARMINGDALE, NY  
LITTLE MUSICMAKER XYLOPHONE #7 (JAPAN)  
12/14/72  
SHARP EDGES & NAILS

WILLIS IMPORT INC  
FARMINGDALE, NY  
TAMBOURINE W/ 6 SETS DOUBLE DISCS (JAPAN)  
01/09/73  
SHARP EDGES & SMALL PARTS

F. W. WOOLWORTH CO  
NEW YORK, NY  
SHARPS & FLATS 23 KEY CONCERT XYLOPHONE #48-37191 (MADE IN JAPAN)  
03/06/72  
SHARP KEYS

F. W. WOOLWORTH CO  
NEW YORK, NY  
TOY CONCERT XYLOPHONE (JAPAN)  
11/09/72  
SHARP EDGES

WORLD TOY HOUSE  
ST PAUL, MINN  
MELODY XYLOPHONE (MADE-JAPAN)  
06/06/72  
SHARP KEYS AND NAILS

WORLD TOY HOUSE  
ST PAUL, MINN  
CONCERT XYLOPHONE (MADE-JAPAN)  
06/06/72  
SHARP KEYS

WORLD TOY HOUSE  
ST PAUL, MINN  
ROCK TAM TAMBOURINE #3-63-1 (HONG KONG)  
08/07/73  
SHARP NAILS



## 1346 "CLACKER" BALLS

EXCALIBUR MFG AND ELECTRONICS INC  
WESTBURY, NY  
"WACK-EMS" & "WACKENS WITH  
ARMGUARDS" CLACKER BALLS  
05/08/73  
CORD NOT OF SYNTHETIC MATERIAL,  
LACK REQUIRED WARNING STATEMENT

GOLDEN PROMOTIONS INC  
NEW YORK, NY  
"KA-NOCK-ER" CLACKER BALLS  
08/14/72  
NATURAL FIBER CORD & INADEQUATE LABEL

HAWKEYE ENTERPRISES  
DAVENPORT, IOWA  
"ZONKER" CLACKER BALLS  
01/31/72  
CORD NOT A SYNTHETIC FIBER

KER-KNOCKERS CORP  
LOS ANGELES, CA  
KER-KNOCKERS #KK10  
06/28/72  
NATURAL FIBER CORD

O. K. ENTERPRISES  
ROSEVILLE, MI  
CLACKER BALLS  
09/28/72  
NATURAL FIBER CORD & LACK OF LABELING

TOYMAKERS INC  
NASHVILLE, TENN  
CLACKER BALLS  
12/19/72  
COTTON STRING & INADEQUATE LABELING

## 1348 CAPS AND CAP TOYS

LARAMI CORP  
PHILADELPHIA, PA  
"DICK TRACY" CAP GUN SET #9188  
03/06/73  
INADEQUATE LABELING (CAPS)

PRECISE IMPORTS CORP  
SUFFERN, NY  
TINY WHITE TOY GUN AND CAP SET #33369  
04/02/73  
CAPS PRODUCE SOUND PRESSURE LEVEL AT OR ABOVE  
138 DECIBELS AND HAVE NO WARNING STATEMENT



## 1350 SQUEEZE/ SQUEAKER TOYS

AIM PLASTICS INC  
NEW ROCHELLE, NY  
SQUEEZE TOYS #4000 AND 4400  
09/29/71  
SQUEAKER REMOVES

AIM PLASTICS INC  
NEW ROCHELLE, NY  
"LIL PRECIOUS SQUEEZE" TOY #4100  
01/31/72  
SQUEAKER REMOVES

AIM PLASTICS INC  
NEW ROCHELLE, NY  
SQUEEZE TOYS #3000 (DOG, CLOWN & ELEPHANT)  
03/06/72  
SQUEAKER REMOVES

ALTRAY CO INC  
BRONX, NY  
"SQUEAKY LOLLIPOPS"  
10/18/71  
SQUEAKER REMOVES

AMERICAN FOREIGN TRADE INC  
SAVANNAH, GA  
KANGAROO SQUEAKER TOY (LANCO-SPAIN)  
02/07/73  
SQUEAKER REMOVES

AMERICAN FOREIGN TRADE INC  
SAVANNAH, GA  
TIGER SQUEAKER TOY (LANCO-SPAIN)  
02/07/73  
SQUEAKER REMOVES

ASHLAND RUBBER PRODUCTS CORP  
ASHLAND, OHIO  
WHISKERS TOY SQUEEZE LION  
08/23/71  
SQUEAKER REMOVES

AZRAK-HAMWAY INTERNATIONAL INC  
NEW YORK, NY  
"KOOKY EYES"  
12/21/70  
SQUEAKER REMOVES

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
ASSORTED SQUEEZE TOYS #6500  
07/22/71  
SQUEAKERS REMOVE

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
LITTLE GHOOER SET #5711  
06/29/72  
SQUEAKER REMOVES

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
BOXING GLOVES SQUEEZE TOY #5742  
06/29/72  
SQUEAKER REMOVES

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
SQUEEZE DOLL #6246P  
10/26/72  
SQUEAKER REMOVES

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
SQUEAKER TOYS LABELED "RICHARD G KRUEGER"  
(DOG, RABBIT, & ELEPHANT)  
11/22/72  
SQUEAKER REMOVES

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
BABY'S PAL SQUEAKER COW (LABELED "RICHARD G KRUEGER")  
11/22/72  
SQUEAKER REMOVES

## 1350 SQUEEZE/ SQUEAKER TOYS

BABY WORLD CO  
GRAFTON, W VA  
PRETZELETTE SQUEEZE TOY #6266  
01/09/73  
SQUEAKER REMOVES

BABY WORLD CO  
GRAFTON, W VA  
BASEBALL GLOVE SQUEAKER TOY #6636  
01/08/73  
SHARP EDGES & SMALL OBJECTS

BABY WORLD CO  
GRAFTON, W VA  
SQUEEZE TOY #6726  
01/08/73  
SQUEAKER REMOVES

BABY WORLD CO  
GRAFTON, W VA  
"HAPPY SQUEEZE TOY" #6600 (GIRL w/ TENNIS RACKET)  
02/07/73  
SQUEAKER REMOVES

BABY WORLD CO  
GRAFTON, W VA  
SQUEEZE TOY #5942 (CLOTHESPIN)  
02/07/73  
SQUEAKER REMOVES

BABY WORLD CO  
GRAFTON, W VA  
BABY POWDER CONTAINER SHAPED SQUEEZE TOY  
IDENTIFIED AS #1000 SQ TOY ASST OR #16306  
03/28/73  
SQUEAKER REMOVES

BABY WORLD CO INC  
GRAFTON, W VA  
PUPPY SQUEEZE TOY #1000 SQ ASST  
04/23/73  
SQUEAKER REMOVES

BEN FRANKLIN (DIV OF CITY PRODUCTS)  
DES PLAINES, ILL  
CLOWN CIRCUS ACCORDIAN SQUEAKER TOY #9627  
(HONG KONG) LABELED FUN WORLD INC  
12/26/72  
SQUEAKER REMOVES

BENNY'S TOYS  
HATO REY, PUERTO RICO  
PUCHERIN DOLL #8414 (SPAIN)  
12/01/72  
SQUEAKER REMOVES - SMALL OBJECT - SHARP POINTS

BINKY BABY PRODUCTS CO INC  
WALLINGTON, NJ  
SQUEEZE TOYS #131  
07/12/71  
SQUEAKER REMOVES

BINKY BABY PRODUCTS CO INC  
WALLINGTON, NJ  
PLASTIC DOLL SQUEEZE TOY #297  
07/22/71  
SQUEAKER REMOVES

BINKY BABY PRODUCTS CO INC  
WALLINGTON, NJ  
CLOWN SQUEEZE TOY #393-OLD STYLE (MADE JAPAN)  
06/02/72  
SQUEAKER REMOVES

BINKY BABY PRODUCTS CO INC  
WALLINGTON, NJ  
SQUEEZE TOY #123 (MADE-JAPAN)  
06/29/72  
SQUEAKER REMOVES

BINKY BABY PRODUCTS CO INC  
WALLINGTON, NJ  
BOXING GLOVES SQUEEZE TOY #596 (JAPAN)  
01/05/73  
SQUEAKERS REMOVE



## 1350 SQUEEZE/ SQUEAKER TOYS

BINKY BABY PRODUCTS  
WALLINGTON, NJ  
REDESIGNED BOXING GLOVES SQUEEZE TOY #596 (JAPAN)  
05/03/73  
SQUEAKER REMOVES

BLAKE INDUSTRIES  
BOSTON, MASS  
KITTEN SQUEAKER TOY  
09/01/72  
SQUEAKER REMOVES

BLATT DISTRIBUTING CO  
LA MIRADA, CA  
MULTI-COLORED "MUSICAL MERRY-GO-ROUND", NOS. #7171 AND #808  
MADE IN JAPAN  
04/06/72  
SQUEAKERS REMOVE

BLOCK HOUSE INC  
NEW YORK, NY  
SQUEAKER CAR #1051 (WEST GERMANY)  
05/08/73  
SQUEAKER REMOVES

BLOCK HOUSE INC  
NEW YORK, NY  
SQUEAKER PLANE #1050 (WEST GERMANY)  
05/08/73  
SQUEAKER & WHEELS REMOVE

LOUIS A. BOETTIGER CO INC  
HEWLETT, NY  
DOG SQUEEZE TOY #780/1  
07/28/71  
SQUEAKER REMOVES

LOUIS A. BOETTIGER CO INC  
HEWLETT, NY  
BEAR WITH DARK GLASSES SQUEEZE TOY # BV-5  
07/28/71  
SQUEAKER REMOVES

LOUIS A. BOETTIGER CO INC  
HEWLETT, NY  
CAT AND DUCK SQUEEZE TOY #BV-8  
07/28/71  
SQUEAKER REMOVES

LOUIS A. BOETTIGER CO  
HEWLETT, NY  
CLOWN W/ SQUEAKER SUCTION TOY #BV-7  
(CLEAR PLASTIC BODY W/ ENCLOSED CONFETTI)  
01/26/73  
SMALL OBJECTS & SHARP EDGES

BOMAR CO (DIV OF KIDDIE PRODUCTS INC)  
SQUANTUM, MASS  
SQUIRREL SQUEEZE TOY #164  
12/28/71  
SQUEAKER REMOVES

BOMAR CO (DIV OF KIDDIE PRODUCTS INC)  
SQUANTUM, MASS  
GLOBETROTTER SQUEEZE TOY #125  
12/28/71  
SQUEAKER REMOVES

BOMAR CO (DIV OF KIDDIE PRODUCTS INC)  
SQUANTUM, MASS  
SQUEEZE GIRAFFES #197  
12/28/71  
SQUEAKER REMOVES

BOMAR CO (DIV OF KIDDIE PRODUCTS INC)  
SQUANTUM, MASS  
SQUEEZE TOY ANIMALS #199  
12/28/71  
SQUEAKER REMOVES

BOMAR CO (DIV OF KIDDIE PRODUCTS INC)  
SQUANTUM, MASS  
BASEBALL GLOVE & BALL SQUEEZE TOY #116RS  
10/28/71  
SHARP EDGES AND SMALL OBJECTS EXPOSED

## 1350 SQUEEZE/ SQUEAKER TOYS

BOMAR CO (DIV OF KIDDIE PRODUCTS INC)  
SQUANTUM, MASS  
CLOWN AND DOG SQUEAKER TOY #250 (MADE IN TAIWAN)  
03/09/72  
SQUEAKER REMOVES

BOMAR CO (DIV OF KIDDIE PRODUCTS INC)  
SQUANTUM, MASS  
TOTTIE FROTTIES SQUEEZE TOY #445 (MADE-JAPAN)  
06/06/72  
SQUEAKER REMOVES

BONNYTEX CO INC  
NEW YORK, NY  
SQUEEZE TOY #1028 (BOY IN BATHTUB)  
03/22/73  
SQUEAKER REMOVES

DAN BRECHNER & CO INC  
NEW YORK, NY  
"GOGGLE EYE" DOLL #651-34  
01/12/72  
SQUEAKER & EYES REMOVE

CARSON, PIRIE, SCOTT & CO  
CHICAGO, ILL  
SQUEEZE TOY ASST (TURTLE, FROG, CHICKEN, AND BALL)  
MADE-W GERMANY  
06/08/72  
SQUEAKER REMOVES

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
CLOTHESPIN SQUEEZE TOY #183  
10/19/71  
SQUEAKER REMOVES

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
HOUSE-CHEESE SQUEEZE TOY #2170B  
04/06/72  
SQUEAKER REMOVES

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
BABY RATTLER #831, #832, #833 AND #834  
06/22/71  
SMALL OBJECTS

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
BABY GIFT SET #YT452  
04/22/71  
SQUEAKER REMOVES, SMALL OBJECTS, SMALL PARTS

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
"LITTLE ANGEL" PLAY BALL  
12/21/70  
SQUEAKER REMOVES

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
YELLOW BEAN SQUEEZE TOY  
06/06/72  
SQUEAKER REMOVES

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
TIGER-WITH-BOTTLE SQUEEZE TOY #2170B  
06/06/72  
SQUEAKER REMOVES

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
BEAR W/ WATERMELON SQUEEZE TOY #2170B  
06/29/72  
SQUEAKER REMOVES

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
SQUEEZE ME TOY #2602  
10/19/71  
SQUEAKER REMOVES



## 1350 SQUEEZE/ SQUEAKER TOYS

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
CLOWN SQUEAKER TOY #2330  
12/18/72  
SQUEAKER REMOVES

CHILDHOOD INTEHESTS/ALAN JAY  
ROSELLE PARK, NJ  
RACCOON SQUEAKER TOY #2203  
12/18/72  
SQUEAKER REMOVES

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
"LITTLE ANGEL" SQUEEZE BABY #2601 (TAIWAN)  
01/26/73  
SQUEAKER REMOVES

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
SQUEAKER BALL (ORANGE, YELLOW, & WHITE) FIRM'S STOCK #2260  
LABELED "CHILDHOOD/ALAN JAY-CLAROLYTE"  
02/09/73  
SQUEAKER REMOVES

COLLETTE TOY NOVELTY CO INC  
LONG ISLAND CITY, NY  
"ANOTHER BEAUTIFUL COLLETTE DOLL" (SQUEAKER TOY #K-7)  
02/18/72  
SQUEAKER AND EYES REMOVE

CORNET STORES  
PASADENA, CAL  
GREY SQUEEZE MOUSE WITH SQUEAKER  
IN MOUTH (HONG KONG)  
08/13/73  
SQUEAKER REMOVES

CREATIVE PLAYTHINGS INC  
PRINCETON, NJ  
HEDGE HOG SQUEAKER TOYS (W GERMANY)  
12/20/72  
SQUEAKER REMOVES

## 1350 SQUEEZE/ SQUEAKER TOYS

H. DAKIN AND CO  
BRISBANE, CAL  
TWEETY SQUEEZE TOY #2213 (WITH SQUEAKER)  
05/09/73  
SQUEAKER REMOVES

DAVIS-GRABOWSKI INC  
MIAMI, FLA  
CHICK SQUEAKER TOY (SPAIN)  
11/01/72  
SQUEAKER REMOVES

DAVIS-GRABOWSKI INC  
MIAMI, FLA  
HEDGEHOG SQUEAKER TOY (SPAIN)  
11/01/72  
SQUEAKER REMOVES

DISTRIBUTORS IMPORTS CO  
NEW ORLEANS, LA  
DOLL WITH SQUEAKER IN MOUTH #1770  
10/19/71  
SQUEAKER REMOVES

DREAMLAND CREATIONS  
BRONX, NY  
SQUEEZE TOYS BOY AND GIRL LIKENESS  
07/12/71  
SQUEAKER REMOVES

DREAMLAND CREATIONS INC  
BRONX, NY  
SQUEEZE TOYS (DOG, ELEPHANT, BEAR, SITTING RABBIT, AND  
RABBIT EATING CARROT)  
01/07/72  
SQUEAKER REMOVES

EASTER UNLIMITED (FUN WORLD INC)  
NEW YORK, NY  
ACCORDIAN SQUEAKER TOY, STYLED AS BIRD, DUCK AND DOG  
MADE IN HONG KONG  
04/06/72  
SQUEAKER REMOVES

CUT-RATE LINOLEUM STORE  
NEW ORLEANS, LA  
FOX SQUEEZE TOY #P-10  
01/12/72  
SQUEAKER REMOVES

CUT-RATE LINOLEUM STORE  
NEW ORLEANS, LA  
CAT SQUEEZE TOY #F-22  
01/12/72  
SQUEAKER REMOVES

CUT-RATE LINOLEUM STORE  
NEW ORLEANS, LA  
LAMB SQUEEZE TOY #F-44  
01/12/72  
SQUEAKER REMOVES

CUT-RATE LINOLEUM STORE  
NEW ORLEANS, LA  
PUPPY SQUEEZE TOY #F-12  
01/12/72  
SQUEAKER REMOVES

H. DAKIN & CO  
BRISBANE, CA  
"PLUTO" TOY W/ SQUEAKER #2246 (MADE-HONG KONG)  
09/26/72  
SQUEAKER REMOVES

H. DAKIN & CO  
SAN FRANCISCO, CA  
ROAD RUNNER SQUEEZE TOY #2205 (HONG KONG)  
03/16/73  
SQUEAKER REMOVES

H. DAKIN & CO  
SAN FRANCISCO, CA  
"PEPE LE PEN" SQUEEZE TOY #2215 (HONG KONG)  
03/16/73  
SQUEAKER REMOVES

EASTER UNLIMITED (FUN WORLD INC)  
NEW YORK, NY  
REDESIGNED ACCORDION SQUEAKER TOYS (BIRD, DUCK, & DOG)  
MADE-HONG KONG  
06/09/72  
SQUEAKERS REMOVE

EASTERN MOLDED PRODUCTS  
CLEARFIELD, PA  
ELEPHANT SQUEEZE TOYS (OLD DESIGN)  
10/19/71  
SQUEAKER REMOVES

EASTERN MOLDED PRODUCTS  
CLEARFIELD, PA  
CARROT SQUEEZE TOY  
06/29/72  
SQUEAKER REMOVES

EASTERN MOLDED PRODUCTS  
CLEARFIELD, PA  
SQUASH SQUEEZE TOY  
06/29/72  
SQUEAKER REMOVES

EASTERN TOY CORP (DIV OF ATLANTIC DEPT STORES)  
PANTUCKET, RI  
GRAY MOUSE SQUEEZE TOY (MADE-HONG KONG)  
06/06/72  
SQUEAKER REMOVES

ECKERD DRUG  
CLEARWATER, FLA  
BUNNY SQUEEZE TOY (HONG KONG)  
11/17/72  
SQUEAKER REMOVES

EDEN TOYS, INC  
JERSEY CITY, NJ  
SOFT TOYS WITH MUSIC BOX AND SQUEAKER  
NUMBERS #00910 842, 00911 766, AND 00916 785/938  
10/12/71  
SQUEAKER REMOVES



## 1350 SQUEEZE/ SQUEAKER TOYS

ELECTRO PLASTICS, INC (DIST.)  
NEWARK, NJ  
GREEN CAT SQUEEZE TOY #679  
06/07/71  
SQUEAKER REMOVES

SANGER-HARRIS CO  
DALLAS, TEXAS  
"BABY GRIP" PLAYBALL  
11/10/71  
SQUEAKER REMOVES

ELECTRO PLASTICS, INC  
NEWARK, NJ  
SQUEEZE TOY #671 (RABBIT WITH CARROT)  
03/09/72  
SQUEAKER REMOVES

HILDEBRAND CO  
LOUISVILLE, KY  
BIRD SQUEEZE TOY APPROX 5" HIGH (HONG KONG)  
07/31/73  
SQUEAKER REMOVES

ELECTRO PLASTICS INC  
NEWARK, NJ  
"HAPPY MATES" SQUEEZE TOY #505 (FROG ON STEM) JAPAN  
02/09/73  
SQUEAKER REMOVES

HILDEBRAND CO  
LOUISVILLE, KY  
SQUEEZE TOYS APPROX 3 1/2" HIGH STYLED AS  
HABBITTS, BEARS, ELEPHANTS, DOGS AND DUCKS  
(HONG KONG)  
07/31/73  
SQUEAKERS REMOVE

FORMULETTE CO INC  
LONG ISLAND CITY, NY  
CRIMATES CLOWN HEAD SUCTION SQUEEZE TOYS #4661 & 4681  
06/09/72  
SQUEAKER REMOVES

I. S. P. IMPORTERS (SUBSID OF SAV-A-STOP)  
JACKSONVILLE, FLA  
MOUSE SQUEEZE TOY #88100 (MADE-JAPAN)  
07/26/72  
SQUEAKER ATTACHMENT REMOVES

FUN WORLD, INC  
NEW YORK, NY  
CLOWN ACCORDION SQUEAKER TOY (MADE-HONG KONG)  
06/30/72  
SQUEAKER REMOVES

ILLFELDER IMPORTING CO  
NEW YORK, NY  
DOG & SHEEP SQUEEZE TOY #17/623 (MADE IN JAPAN)  
03/06/72  
SQUEAKER REMOVES

FUN WORLD, INC  
NEW YORK, NY  
HALLOWEEN ACCORDIAN SQUEAKER TOY #9406 (MADE-HONG KONG)  
10/13/72  
SMALL PARTS

KASTA CORPORATION  
BELLEVUE, IOWA  
"HAPPY HASSOCK"  
07/13/71  
SQUEAKER REMOVES

LEWIS GALOOR CO  
SAN FRANCISCO, CA  
MILK BOTTLE & SAFETY HAMMER (MADE-HONG KONG)  
06/30/72  
SQUEAKER REMOVES & SMALL OBJECTS CAN BE EXPOSED

KIPP BROTHERS  
INDIANAPOLIS, INDIANA  
SQUEAKER DOG & CAT APPROX 12" HIGH (HONG KONG)  
05/07/73  
SQUEAKER REMOVES

## 1350 SQUEEZE/ SQUEAKER TOYS

S S KRESGE  
DETROIT, MI  
SQUEEZE TOY BULL W/HAT #11-36  
01/17/73  
SQUEAKER REMOVES

LEISURE GROUP  
WEST POINT, MISS  
SWAN SQUEAKER TOY  
11/17/72  
SQUEAKER REMOVES

S S KRESGE  
DETROIT, MI  
SQUEEZE TOY DUCK #11-40 (JAPAN)  
01/17/73  
SQUEAKER REMOVES

LEISURE GROUP  
WEST POINT, MISS  
FISH SQUEAKER TOY  
11/17/72  
SQUEAKER REMOVES

S S KRESGE  
DETROIT, MI  
SQUEEZE TOY TURTLE #11-40 (JAPAN)  
01/17/73  
SQUEAKER REMOVES

LEISURE GROUP INC  
LOS ANGELES, CA  
RABBIT SQUEEZE TOY (LABELED MASCON-MEDINA, OHIO)  
12/01/72  
SQUEAKER REMOVES

S S KRESGE  
DETROIT, MI  
DOG & ELEPHANT SQUEEZE TOYS #11-45 (JAPAN)  
01/17/73  
SQUEAKERS REMOVE

LEISURE GROUP INC  
LOS ANGELES, CA  
SQUEEZE TOY SET (HUMAN & ANIMAL)  
01/08/73  
SQUEAKERS REMOVE

LEARNING AIDS GROUP  
MINEOLA, NY  
BOY SQUEAKER TOY (LABELED J.L. PRESCOTT CO)  
01/08/73  
SQUEAKER REMOVES

LEISURE GROUP INC  
LOS ANGELES, CA  
SQUEEZE SANTA CLAUS  
01/08/73  
SQUEAKER REMOVES

LEISURE GROUP  
WEST POINT, MISS  
RUBBER SQUEEZE TOY FOOTBALL PLAYER  
12/21/70  
SQUEAKER REMOVES

LEISURE GROUP INC  
LOS ANGELES, CA  
"MASCON" SQUEEZE TOY SET (BABY DOLL & DUCK)  
01/26/73  
SQUEAKER REMOVES (DUCK)

LEISURE GROUP  
WEST POINT, MISS  
MASCON SQUEEZE TOY CHEERLEADER  
01/22/73  
SQUEAKER REMOVES

LOUIS MARK AND CO  
NEW YORK, NY  
DISNEY CHARACTERS WITH SQUEAKER #653-1010  
01/31/72  
SQUEAKER REMOVES



09/10/73

CONSUMER PRODUCT SAFETY COMMISSION  
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## 1350 SQUEEZE/ SQUEAKER TOYS

LOUIS MARX AND CO  
NEW YORK, NY  
"PUP SQUEAK" ACCORDION SQUEAKER TOYS (DONALD DUCK, DAISY DUCK,  
MICKEY MOUSE, & GOOFY) MADE-HONG KONG  
06/09/72  
SQUEAKERS REMOVE

MAY DEPT STORES  
NEW YORK, NY  
GRAY CAT SQUEEZE TOY (LANCO- SPAIN)  
01/08/73  
SQUEAKER REMOVES

MAY DEPT STORES  
NEW YORK, NY  
"GRANDMOTHER" ANIMAL SQUEEZE TOY (LANCO- SPAIN)  
01/08/73  
SQUEAKER REMOVES

MAY DEPT STORES  
NEW YORK, NY  
GREEN PORCUPINE SQUEEZE TOY (LANCO - SPAIN)  
01/08/73  
SQUEAKER REMOVES

MAYFAIR INC  
NEW YORK, NY  
SNOWMAN SQUEEZE TOY  
11/22/72  
SQUEAKER REMOVES

MC CRORY, MC CLELLAN, & GREEN STORES  
YORK, PA  
GRAY MOUSE SQUEEZE TOY (7 1/2") HONG KONG  
01/08/73  
SQUEAKER REMOVES

MUTUAL BUYING SYNDICATE INC  
NEW YORK, NY  
SQUEAKER TOY SET (SNAIL & HEDGEHOG) W GERMANY  
01/23/73  
SQUEAKERS REMOVE

## 1350 SQUEEZE/ SQUEAKER TOYS

PLAKIE TOYS INC  
YOUNGSTOWN, OHIO  
TURTLE SQUEEZE TOY #765P  
04/02/73  
SQUEAKER REMOVES

A. PONNOCK, INC  
CAMDEN, NJ  
SQUEAKING TOY DONKEY  
12/21/70  
SQUEAKER REMOVES

J. L. PRESCOTT CO (ARROW MOLDED PRODUCTS DIV)  
PASSAIC, NJ  
SQUEEZE TOY PIG  
12/21/70  
SQUEAKER REMOVES

J. L. PRESCOTT CO (ARROW MOLDED PRODUCTS DIV)  
PASSAIC, NJ  
TOY POODLE RUBBER SQUEEZE TOY  
12/21/70  
SQUEAKER REMOVES

J. L. PRESCOTT CO (ARROW MOLDED PRODUCTS DIV)  
PASSAIC, NJ  
SQUEEZE TOY #690  
07/12/71  
SQUEAKER REMOVES

J. L. PRESCOTT CO (ARROW MOLDED PRODUCTS DIV)  
PASSAIC, NJ  
SQUEEZE TOYS (DOG, KITTEN, BEAR) MADE IN USA  
03/09/72  
SQUEAKER REMOVES

J. L. PRESCOTT CO (ARROW MOLDED PRODUCTS DIV)  
PASSAIC, NJ  
"TOYS FOR FUN" SQUEEZE DOLL  
12/21/70  
SQUEAKER REMOVES

PENSICK & BOHDMAN INC  
LOS ANGELES, CA  
SQUEEZE TOYS (HORSE, CAT, & ELEPHANT) JAPAN  
02/14/73  
SQUEAKERS REMOVE

BARUCH PETRANKER IMPORT CO  
SAN FRANCISCO, CA  
PLASTIC CROCODILE WITH POP-OUT TONGUE (MADE IN HONG KONG)  
03/07/72  
SQUEAKER AND TONGUE REMOVE

PICO INTERNATIONAL  
LOS ANGELES, CAL  
ACCORDION SQUEEZE TOY #5090 (HONG KONG)  
07/31/73  
SQUEAKER REMOVES

PIER ONE IMPORTS  
HOUSTON, TEXAS  
"RUBBER THINGS" SQUEAKER TOYS #100-953  
(STYLED AS MOUSE OR LION) MADE-JAPAN  
08/10/72  
SQUEAKER REMOVES

PIER 1 IMPORTS  
FT WORTH, TEX  
HEDGE HOG SQUEEZE TOYS #100-609 & #100-611 (W GERMANY)  
12/18/72  
SQUEAKERS REMOVE

PLAKIE TOYS INC  
YOUNGSTOWN, OHIO  
ROLLING PIN SQUEEZE TOY  
12/21/70  
SQUEAKER REMOVES

PLAKIE TOYS INC  
YOUNGSTOWN, OHIO  
SWAN SQUEEZE TOY #754-P (OLD FORMULA)  
10/03/72  
SMALL PART

M PRESSNER & CO INC  
NEW YORK, NY  
CAT SQUEAKER TOY #6255 (HONG KONG)  
03/27/73  
SQUEAKER REMOVES

PULSE PLASTICS INC  
BRONX, NY  
"BITE-A-BEDOUIN" SQUEEZE TOY #PP-203  
LABELED "PEOPLE TOYS FOR ANIMALS (AND/OR PEOPLE)  
CREATED BY PET PROJECTS INC, DIV OF ROSENEL INTL"  
02/09/73  
SQUEAKER REMOVES

PULSE PLASTICS INC  
BRONX, NY  
"SIC-A-CYCLIST" (#PP201) & "CLAW-A-KLANSMAN" (#PP202)  
LABELED "PEOPLE TOYS FOR ANIMALS (AND/OR PEOPLE)  
PET PROJECTS INC, DIV OF ROSENEL INTL"  
03/27/73  
SQUEAKER REMOVES

KEEVES INTERNATIONAL INC  
NEW YORK, NY  
SQUEAKER TOY #25038 (DONKEY) AUSTRIA  
12/26/72  
SQUEAKER REMOVES

REGENT BABY PRODUCTS  
WOODSIDE, NY  
BOXING GLOVE SQUEEZE TOY #3501 (JAPAN)  
01/08/73  
SQUEAKER REMOVES

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
"SQUEEZE ME" TOY #835  
05/06/71  
SQUEAKER REMOVES

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
PROTECTO "SQUEEZE ME" TOY #838  
05/20/71  
SQUEAKER REMOVES



## 1350 SQUEEZE/ SQUEAKER TOYS

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
SQUEEZE TOYS #835 AND #838 (RECONDITIONED)  
01/12/72  
SQUEAKER REMOVES

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
"LITTLE CHAMP" BOXING GLOVES #710  
01/12/72  
SQUEAKER REMOVES

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
SQUEEZE TOY #808 (MADE-JAPAN)  
06/06/72  
SQUEAKER REMOVES

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
TURTLE SQUEEZE TOY #510T  
06/29/72  
SQUEAKER REMOVES

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
SQUEEZE ME BOTTLE HOLDER #535 (LAMB)  
06/29/72  
SQUEAKER REMOVES

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
PEACE SYMBOL SQUEEZE TOY #7817  
09/18/72  
SQUEAKER REMOVES

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
FLASHLIGHT SQUEEZE TOY #8124  
11/09/72  
SQUEAKER REMOVES

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
CARROT SQUEEZE TOY #816 (W/ REMOVABLE SQUEAKER IN TOP)  
01/09/73  
SMALL OBJECT

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
CAT SQUEEZE TOY #805 (W/ REMOVABLE SQUEAKER IN BASE)  
01/08/73  
SMALL OBJECT

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
"PROTECT-O SQUEEZE BATH TOY" #230 (FISH) TAIWAN  
02/09/73  
SQUEAKER REMOVES

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
"PROTECT-O SUCTION TOY" #824 (CLOWN) TAIWAN  
02/09/73  
SQUEAKER REMOVES

REMPEL MFG INC  
WEST POINT, MISS  
SQUEAKER TOYS (DUCK, PIG, RABBIT, FROG, & LAMB)  
11/15/72  
SQUEAKERS REMOVE

OTTO RIES CO  
SEATTLE, WASH  
PLASTIC CLOWN SQUEEZE DOLL (HONG KONG)  
11/17/72  
SQUEAKER REMOVES - SMALL OBJECTS - STRAIGHT PINS

OTTO RIES CO  
SEATTLE, WASH  
PANDA BEAR SQUEAKER TOY (HONG KONG)  
11/17/72  
SQUEAKER REMOVES

## 1350 SQUEEZE/ SQUEAKER TOYS

SANITTOY INC  
PALISADES PARK, NJ  
SQUEEZE TOY GIRAFFE #125  
05/04/71  
SQUEAKER REMOVES

SANITTOY INC  
PALISADES PARK, NJ  
"TALKIE TIGER"  
04/01/71  
SQUEAKER REMOVES

SANITTOY INC  
PALISADES PARK, NJ  
"LITTLE SOFTIE" SQUEEZE TOYS #146 & 160  
01/31/72  
SQUEAKERS REMOVE

SANITTOY INC  
PALISADES PARK, NJ  
LITTLE SOFTIE SQUEEZE TOY #126 (MADE-JAPAN)  
06/29/72  
SQUEAKER REMOVES

SANITTOY INC  
PALISADES PARK, NJ  
LITTLE SOFTIE SQUEEZE TOY #127  
11/06/72  
SQUEAKER REMOVES

SANITTOY INC  
PALISADES PARK, NJ  
TALKING CLOWN SUCTION TOY #844 (W/ SQUEAKER IN HEAD)  
11/10/72  
SQUEAKER REMOVES

SANITTOY INC  
PALISADES PARK, NJ  
SQUEEZE TOY #354 (AXE)  
01/05/73  
SQUEAKER REMOVES

F. A. O. SCHWARZ  
NEW YORK, NY  
HEDGEHOG SQUEAKER TEETHERS  
04/18/71  
SQUEAKER REMOVES

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
SQUEAKER TOY #435 (COW FIGURE)  
10/19/71  
SQUEAKER REMOVES

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
SQUEEZE "ZOO-ZEE"  
12/21/70  
SQUEAKER REMOVES

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
SQUEEZE TOYS #314  
06/08/71  
SQUEAKER REMOVES

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
PRETZEL, HOCKING HORSE, AND WISHBONE TOY #924  
06/08/71  
SQUEAKER REMOVES

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
"TUTTI-FRUITEE" SQUEEZE TOYS #140  
07/21/71  
SQUEAKER REMOVES

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
ANIMAL SQUEEZE TOYS #275  
04/18/71  
SQUEAKER REMOVES



## 1350 SQUEEZE/ SQUEAKER TOYS

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
SQUEAKER TOY #225 (MADE-JAPAN)  
09/01/72  
SQUEAKER REMOVES

STAHLWOOD TOY MFG CO  
NEW YORK, NY  
DOG SQUEAKER TOY #629  
01/08/73  
SQUEAKER REMOVES

STAHLWOOD TOY MFG CO  
NEW YORK, NY  
SASSY SQUEEZE TOY #893  
01/08/73  
SQUEAKER REMOVES

STAR MFG CO  
LEOMINSTER, MASS  
DUCK SQUEAKER TOY #3-680  
07/23/71  
SQUEAKER REMOVES

STAR MFG CO  
LEOMINSTER, MASS  
MONKEY SQUEAKER TOY #3-160  
07/23/71  
SQUEAKER REMOVES

STAR MFG CO  
LEOMINSTER, MASS  
SQUEEZE LION #3/187  
07/23/71  
SQUEAKER REMOVES

STAR MFG CO  
LEOMINSTER, MASS  
SANTA SQUEEZE TOY #3-440,  
01/12/72  
SQUEAKER REMOVES

STAR MFG CO  
LEOMINSTER, MASS  
CAT SQUEAKER TOY #3-17  
01/12/72  
SQUEAKER REMOVES

STAR MFG CO  
LEOMINSTER, MASS  
SQUEEZE TOY #3-19  
08/22/72  
SQUEAKER REMOVES

STAR MFG CO  
LEOMINSTER, MASS  
CAT SQUEEZE TOY #3-15  
11/17/72  
SQUEAKER REMOVES

STAR MFG CO  
LEOMINSTER, MASS  
DOG SQUEAKER TOY #3-15 (TAIWAN)  
11/17/72  
SQUEAKER REMOVES

STAR MFG CO  
LEOMINSTER, MASS  
SQUEEZE TOY #3-46 (JAPAN)  
03/13/73  
SQUEAKER REMOVES

STEVEN MFG CO  
HERMANN, MO  
"PLAYFUL PANDAS" SQUEAKER TOYS NO. 1761 (HONG KONG)  
11/10/72  
SQUEAKER REMOVES

STROMBECKER CORP  
CHICAGO, ILL  
"ORIGINAL SITTING KENPIE DOLL" #6004 (HONG KONG)  
12/20/72  
SQUEAKER REMOVES

## 1350 SQUEEZE/ SQUEAKER TOYS

STROMBECKER CORP  
CHICAGO, ILL  
KENPIE DOLL SQUEEZE TOY #6308 (HONG KONG)  
04/05/73  
SMALL OBJECTS (SHOES)

STROMBECKER CORP  
CHICAGO, ILL  
KENPIE GAT SQUEEZE TOY #6309 (HONG KONG)  
04/02/73  
SMALL OBJECTS (SHOES)

SUAREZ TOY HOUSE  
RIO PIEDRAS, PUERTO RICO  
SUAREZ SQUEEZE TOY  
10/21/71  
SQUEAKER REMOVES

SUN PRODUCTS CORP  
BARBENTON, OHIO  
VINYL SQUEEZE TOY STYLED AS BEAR (PAT NO. 2629134)  
03/07/72  
SQUEAKERS REMOVE

SUN PRODUCTS CORP  
BARBENTON, OHIO  
VINYL SQUEEZE TOY STYLED AS DUCK (PAT NO. 2629134)  
03/07/72  
SQUEAKERS REMOVE

TIDY TIES CORP  
MONROE, LA  
TOY SQUEEZE DOLL #64034  
04/28/71  
SQUEAKER REMOVES

TIDY TIES CORP  
MONROE, LA  
SQUEAKER TOYS #6565, #6516, #6590  
05/05/71  
SQUEAKER REMOVES

TIDY TIES CORP  
MONROE, LA  
SQUEAKER TOY #63542 (WITH SPECIAL SQUEAKER)  
05/12/71  
SQUEAKER REMOVES

TIDY TIES CORP (IMPORTER)  
MONROE, LA  
PLASTIC SQUEEZE TOY #20892  
04/22/71  
SQUEAKER REMOVES

TOP VALUE ENTERPRISES INC  
DAYTON, OHIO  
ELEPHANT FAMILY SQUEEZE TOY ("FAMILLE DELACOSTE") FRANCE  
11/17/72  
SQUEAKER REMOVES

TOP VALUE ENTERPRISES INC  
DAYTON, OHIO  
LAMB FAMILY SQUEAKER TOY ("FAMILLE DELACOSTE") FRANCE  
11/17/72  
SQUEAKER REMOVES

UNEEDA DOLL CO INC  
BROOKLYN, NY  
"KOOKY-EYES" SQUEEZE DOLL  
12/21/70  
SMALL PARTS

WEST BROTHERS OF DE RIDDER  
DE RIDDER, LA  
SQUEEZE TELEPHONE #2544  
10/05/71  
SQUEAKER REMOVES

WEST BROTHERS OF DE RIDDER  
DE RIDDER, LA  
SQUEEZE TOYS #2521 AND 2548  
09/15/71  
SQUEAKER REMOVES



## 1350 SQUEEZE/ SQUEAKER TOYS

WESTLAND PLASTICS INC  
NEWBURY PARK, CA  
SQUEEZY SQUEAKER #WPO2  
06/29/72  
SQUEAKER REMOVES

WESTLAND PLASTICS INC  
NEWBURY PARK, CA  
SQUEEZY SQUEAKER #WPO2 (REVISED VERSION)  
06/29/72  
SQUEAKER CAP REMOVES

WILLIAMS AND ROSENBAUM INC  
BOSTON, MASS  
DOG & CAT SQUEEZE TOYS APPROX  
10" TALL (HONG KONG)  
04/05/73  
SQUEAKERS REMOVE

I. B. WOLFSET AND CO INC  
NEW YORK, NY  
ANIMAL SQUEEZE TOY #731  
11/19/73  
SQUEAKER REMOVES

F. W. WOOLWORTH CO  
NEW YORK, NY  
SOLDIER DOLL LABEL (PART) "SQUEEZE FIGURE W/ WHISTLE SOUND"  
MADE IN SPAIN  
03/24/72  
SQUEAKER REMOVES

F. W. WOOLWORTH CO  
NEW YORK, NY  
"NOISEMAKER BAG" HOLDS 12 PIECES, F.W. WOOLWORTH (DISTRIB.)  
MADE IN ITALY  
03/24/72  
SQUEAKERS REMOVE

F. W. WOOLWORTH CO  
NEW YORK, NY  
SQUEEZE TOYS: DEER, ELEPHANT, ROOSTER, HORSE,  
MAN ON HORSE; LABEL (PART) "JOHN" MADE IN W. GERMANY  
03/24/72  
SQUEAKERS REMOVE

## 1363 WHISTLES

S. S. ADAMS CO  
NEPTUNE, NJ  
PLASTIC SUPER VOICE THROWER #J-2835  
04/16/73  
SMALL OBJECT

FRED ALAN NOVELTY CO INC  
GREENSBORO, NC  
VOICE THROWER #103 (MADE-ITALY)  
08/11/72  
SMALL PART

FRED ALAN NOVELTY CO INC  
GREENSBORO, NC  
SWISS WARBLER BIRD CALL (TAIWAN)  
12/01/72  
SMALL PART

R. L. ALBERT & SONS INC  
BRONX, NY  
CHEWING GUM WHISTLE (MADE-JAPAN)  
09/27/72  
ASPHYXIATION HAZARD

AMERICAN GREETING CORP  
CLEVELAND, OHIO  
MUSICAL BALLOONS #PF 103 (JAPAN)  
12/14/72  
SMALL PARTS

AMTECH CREATIONS  
HICKSVILLE, NY  
PLAYTIME TARGET SET #9023-B (HONG KONG)  
11/19/72  
SMALL PART

APPLICATOR BRUSH CO  
LOS ANGELES, CA  
PARTY FAVORS #105 (BLOWOUTS) MADE-TAIWAN  
09/28/72  
SMALL PART

F. W. WOOLWORTH CO  
NEW YORK, NY  
BUGLES & ACCORDION SQUEAKER TOYS IN SURPRISE PACKAGE  
MADE IN ITALY  
03/06/72  
SQUEAKER REMOVES

F. W. WOOLWORTH CO  
NEW YORK, NY  
"PATA CAKE" SQUEEZE TOYS (JAPAN)  
(RABBIT PUPPY, ELEPHANT, & DEER)  
01/09/73  
SQUEAKERS REMOVE

F. W. WOOLWORTH CO  
NEW YORK, NY  
SQUEAKER PULL TOY (LAMB OR CAT FIGURE ON 4 WHEEL CART)  
LABELED "FERRARIO GARANZIA"  
02/06/73  
SHARP POINTS & EDGES (COTTER PINS)

WORLD TOY HOUSE  
ST. PAUL, MINN  
TOM & JERRY SQUEEZE TOY #349 WT1-Z  
06/06/72  
SQUEAKER REMOVES

ARKIN DISTRIBUTING  
DETHOIT, MI  
PLASTIC DETECTIVE SET #400/D426 (HONG KONG)  
03/02/73  
SMALL PARTS (WHISTLE)

ARKIN DISTRIBUTING  
DETHOIT, MI  
PLASTIC BUCCANEER DART GUN SET #400/D428 (HONG KONG)  
03/02/73  
SMALL PARTS (WHISTLE)

ATLANTIC STATIONERY CORP  
JAMAICA, NY  
PARTY BALLOONS #A24  
09/27/71  
NOISEMAKER REMOVES

ATLANTIC STATIONERY CORP  
JAMAICA, NY  
RUBBER BALLOON SQUAWKER PARTY FAVOR #488A  
01/26/72  
MOUTHPIECE REMOVES

BEN FRANKLIN (DIV OF CITY PRODUCTS)  
DES PLAINES, ILL  
JR DETECTIVE SET #F909-01 (HONG KONG)  
12/26/72  
SHARP EDGES

JOSEPH BOXER CO  
NEW YORK, NY  
RAZZER NOISEMAKER #404 (TAIWAN)  
04/02/73  
MOUTHPIECE REMOVES

JOSEPH BOXER COMPANY  
NEW YORK, NY  
PARTY FAVOR #400 (TAIWAN)  
06/12/73  
SMALL OBJECTS AND SHARP EDGES



## 1363 WHISTLES

DAN BRECHNER AND CO  
NEW YORK, NY  
RAZZAR NOISEMAKER #810-14 (TAIWAN)  
05/03/73  
MOUTHPIECE REMOVES

CARDEL MFB CO  
BROOKLYN, NY  
BALLOON-SQUAWKERS BLOWOUTS  
10/19/71  
NOISEMAKER REMOVES

CARNIVAL MART  
ARABI, LA  
PLASTIC WHISTLE #17413  
07/14/72  
CAN BE BROKEN APART EXPOSING SMALL OBJECTS

CARNIVAL MART  
ARABI, LA  
PLASTIC WHISTLE #17414  
07/14/72  
SMALL OBJECT

CAROUSEL PARTY FAVORS INC  
LOS ANGELES, CA  
SQUAWKER BALLOON w/CARDBOARD MOUTHPIECE  
08/19/71  
NOISEMAKER REMOVES

CRACKER JACKS CO  
CHICAGO, ILLINOIS  
WHISTLE PACKED IN CRACKER JACKS  
08/23/71  
SMALL OBJECT

CUT-RATE LINOLEUM STORE  
NEW ORLEANS, LA  
WHISTLES #241  
01/12/72  
SHARP EDGES & SMALL OBJECTS

## 1363 WHISTLES

GAY-GEN PRODUCTS CORP  
PHILADELPHIA, PA  
TRUMPET BLOWOUT #688-2500 (ITALY)  
05/09/73  
SHARP EDGES AND SMALL OBJECTS

GORDON NOVELTY COMPANY  
NEW YORK, NY  
VENTRILLO THE WONDER VOICE THROWER  
07/02/73  
ARTICLE ITSELF IS A SMALL OBJECT

W R GRACE CO  
CHICAGO, ILL  
ROCKET BALLOON #B-514  
05/24/73  
MOUTHPIECE REMOVES, LACKS CAUTION STATEMENT

IMPERIAL TOY CORP  
LOS ANGELES, CAL  
SCREAMING TIGER TAIL #030 (TAIWAN)  
04/05/73  
MOUTHPIECE REMOVES

JET INDUSTRIES INC  
STAMFORD, CT  
JET PARTY FAVORS, WHISTLING BLOWOUT #518  
01/12/72  
SHARP WIRE

S L KAYE CO  
NEW YORK, NY  
CANDY STICK WITH PLASTIC WHISTLE (ENGLAND)  
04/02/73  
WHISTLE REMOVES AND IS A SMALL OBJECT

S L KAYE CO  
NEW YORK, NY  
SINGING BIRD WHISTLE (HONG KONG)  
08/01/73  
SHARP EDGES

CUT-RATE LINOLEUM STORE  
NEW ORLEANS, LA  
WHISTLES #77408  
01/12/72  
SMALL OBJECTS EXPOSED

DORO PLASTICS IWC  
CLINTON, MASS  
WHISTLES #10W & #11B  
02/26/73  
SMALL OBJECTS

DORO PLASTICS INC  
CLINTON, MASS  
WHISTLES #50 & #89  
02/26/73  
SMALL PARTS EXPOSED

F & H MERCHANDISE INC  
NEW YORK, NY  
PLASTIC WHISTLE (#10W 5851 ON BULK CONTAINER)  
03/03/73  
SMALL OBJECT

FRANCO-AMERICAN NOVELTY CO  
NEW YORK, NY  
"TWEETY VOICE THROWER"  
12/14/72  
SMALL OBJECT

FRANCO AMERICAN NOVELTY CO INC  
NEW YORK, NY  
"NOSE BLOWER" RAZZER (TAIWAN)  
08/01/73  
MOUTHPIECE REMOVES

GAMBLE IMPORT CORP  
BURBANK, CAL  
PLAY-A-TUNE SINGING BIRD (HONG KONG)  
05/03/73  
BEAK OF BIRD IS SHARP

KNIGHT TOY & NOVELTY CO  
FREEPORT, NY  
TUBULAR WHISTLE ON PLASTIC KEYRING (HONG KONG)  
12/19/72  
SMALL PARTS

S S KHESBE CO  
DETROIT MICH  
PAPER BLOWOUT #534 (W GERMANY)  
08/01/73  
SMALL PARTS

LARAMI CORP  
PHILADELPHIA, PA  
POPEYE PLAYS PIRATE TOY SET #5501 (HONG KONG)  
01/05/73  
SMALL OBJECTS

LARAMI CORP  
PHILADELPHIA, PA  
DICK THACY DART GUN SET #6712 (HONG KONG)  
03/22/73  
WHISTLE IS A SMALL OBJECT

MAK-A-TOY CORP  
CHICAGO, ILLINOIS  
TOY WHISTLE RING CONSISTING OF TELESCOPE,  
WHISTLE, CODE-DECODER, AND MAGNIFIER,  
PACKAGED IN GENERAL MILLS "TRIX" CEREAL  
05/03/73  
ITEM ITSELF IS A SMALL OBJECT

WIDGETOY DIV OF A&E TOOL & GAGE CO  
HOCKFORD, ILL  
"THE FUN ONES" TOY SET (3 CARS, SHERIFF BADGE & WHISTLE)  
01/08/73  
SMALL OBJECT (WHISTLE)

MIYA COMPANY INC  
NEW YORK, NY  
ANIMAL-SHAPED "SURPRISE BALL" CONTAINING  
WHISTLE AND/OR WAHLER CATALOG #P-40 (JAPAN)  
07/31/73  
SMALL OBJECTS



## 1363 WHISTLES

MIYA COMPANY INC  
NEW YORK, NY  
PLASTIC AND METAL SNAKE WITH WHISTLE  
CATALOG #B-B3 (JAPAN)  
07/31/73  
NAILS AND SMALL OBJECTS

ORIENTAL TRADING CO  
METAIRIE, LA  
WHISTLES #39/47  
01/12/71  
SMALL OBJECTS EXPOSED

M PRESSNER & CO INC  
NEW YORK, NY  
SWISS MARBLE BIRD CALL (TAIWAN)  
03/16/73  
SMALL OBJECT

RALPH PRESSNER CARNIVAL MART  
METAIRIE, LA  
TOY WHISTLE #662  
09/15/71  
SMALL OBJECT

RALPH PRESSNER CARNIVAL MART  
METAIRIE, LA  
PLASTIC POLICE WHISTLE #664 (MADE-HONG KONG)  
08/10/72  
SMALL OBJECT

RAVEN PLASTIC CORP  
LEOMINSTER, MASS  
TOY POLICE WHISTLE  
02/09/73  
SMALL OBJECT

E ROSEN CO  
PAWTUCKET, RI  
XMAS STOCKING (W/SMALL TOYS & CANDY)  
01/08/73  
SMALL PART (WHISTLE)

## 1367 TOY BANKS

DE-VOL INTERNATIONAL INC  
MINNEAPOLIS, MINN  
TOY BEAR BANK #KK131-38 (JAPAN)  
04/30/73  
SHARP NAILS, OTHER SHARP EDGES AND POINTS

DE-VOL INTERNATIONAL INC  
MINNEAPOLIS, MINN  
TOY RACCOON BANK #KK132-38 (JAPAN)  
04/30/73  
SHARP NAILS, OTHER SHARP EDGES AND POINTS

ROYALTY DESIGNS OF FLORIDA INC  
MIALEAH, FLORIDA  
TOY ANIMAL BANKS (MOOSE, DEPUTY DOG, AND HEP CAT)  
02/18/72  
SHARP EDGES

STERLING PRODUCTS INC  
CHICAGO, ILL  
TOY CLOWN BANK #113 (MADE IN HONG KONG)  
03/06/72  
PIN

STERLING PRODUCTS INC  
CHICAGO, ILL  
DOGGIE WEATHERMAN TOY BANKS (MADE IN HONG KONG)  
03/06/72  
SHARP WIRES

B SHACKMAN  
NEW YORK, NY  
CHOD CHOD THAIN WHISTLE #6148 (HONG KONG)  
12/20/72  
SMALL PARTS & SHARP EDGES

TRAVELER TRADING CO  
NEW YORK, NY  
PARTY BLOWOUTS WITH PLASTIC MOUTHPIECE  
03/22/73  
MOUTHPIECE REMOVES

WORLD TOY HOUSE  
ST PAUL, MINN  
"PONY TOYS" WHISTLE (HONG KONG)  
12/14/72  
SMALL PART



## 1508 BABY WALKERS

BILT-RITE JUVENILE PRODUCTS  
ORANGEBURG, NY  
BABY WALKER #100  
07/18/72  
CRUSHING HAZARD & INADEQUATE LABELING

BUCKEYE PLASTICS CO  
REYNOLDSBURG, OHIO  
BABEE WALKER #1000  
11/17/72  
PINCHING HAZARD

COSCO HOUSEHOLD PRODUCTS  
COLUMBUS, IND  
CONVERTIBLE JUMPER #13-107-219  
11/10/72  
PINCHING HAZARD & INADEQUATE LABELING

JACKSON FURNITURE CORP  
JACKSON, TENN  
BABY WALKER #7023  
11/17/72  
PINCHING HAZARD & INADEQUATE LABELING

FRANK F. TAYLOR CO  
FRANKFORT, KY  
PENNEY'S TODDLER SLEEPER-JUMPER WALKER #730 & #731  
11/22/72  
CRUSHING/PINCHING HAZARD - INADEQUATE LABELING

WINSTON KENT CO INC  
BROOKLYN, NY  
BABY WALKERS #555 & #70  
06/30/72  
CRUSHING HAZARD PRESENTED BY "X" JOINT

WINSTON KENT CO INC  
BROOKLYN, NY  
BABY WALKER #30  
06/30/72  
CRUSHING HAZARD

## 1516 OTHER NURSERY FURNITURE AND EQUIPMENT.

BABY WORLD CO  
GRAFTON, W VA  
"SAFETY-TYS" SHOELACE TIES WITH  
BELL #6704 (HONG KONG)  
07/16/73  
ARTICLE ITSELF IS A SMALL OBJECT

TIDY TIES CORP  
MONROE, LA  
TIDY TIES SHOE TIES WITH BELLS #552-B-1  
07/02/73  
ARTICLE ITSELF IS A SMALL OBJECT

BINKY BABY PRODUCTS  
WALLINGTON, NJ  
SHOE TIES WITH BELLS #495  
08/01/73  
ITEM ITSELF IS A SMALL OBJECT

CREATIVE CRAFTS CO INC  
DANIA, FLA  
KEEP-TYS SHOELACE HOLDER  
04/02/73  
ARTICLE ITSELF IS A SMALL OBJECT

CREATIVE CRAFTS CO INC  
DANIA, FLA  
LACE TYS SHOELACE HOLDER  
04/03/73  
ARTICLE ITSELF IS SMALL OBJECT

DANARA PRODUCTS INC  
SOUTH HACKENSACK, NJ  
SHOELACE LOCKS #710 (HONG KONG)  
05/08/73  
ARTICLES THEMSELVES ARE SMALL OBJECTS

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
PLASTIC LACE LOCKS WITH BELLS #707  
07/16/73  
ARTICLE ITSELF IS A SMALL PART

STAR MFG CO  
LEONISTER MASS  
SHOELACE LOCKS WITH BELLS #5/472  
08/01/73  
ITEM ITSELF IS A SMALL OBJECT



## 1517 BABY RATTLES.

ABC WHOLESALER  
NEW YORK, NY  
HEAD-O-MATIC SORTER (HONG KONG)  
12/14/72  
SHARP EDGES & SMALL OBJECTS

ARKIN A-OK PRODUCTS  
DETROIT, MI  
SUCTION BABY RATTLE #300/F622  
03/23/72  
SMALL OBJECTS

ARKIN DISTRIBUTING  
DETROIT, MI  
"BABY'S JOY" TOY SET #400/D438 (HONG KONG)  
(3 RATTLES - SHOE BANK, HAMMER, & FISH)  
02/09/73  
SMALL OBJECTS & SHARP EDGES

BABY SAFETY PRODUCTS  
JACKSON, MISS  
ANKYL-TOY BABY RATTLE (HONG KONG)  
01/08/73  
SMALL OBJECTS

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
ASSORTED RATTLES #5619P  
07/23/71  
SMALL OBJECTS

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
TELEPHONE SHAPED RATTLE #6623  
07/23/71  
SMALL OBJECTS

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
"KLATTER BALLS" #238  
07/23/71  
SMALL OBJECTS

## 1517 BABY RATTLES.

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
BELL RATTLE  
11/22/72  
SMALL PARTS & SHARP EDGES

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
TULIP RATTLE #6702P  
11/22/72  
SHARP POINT IN RIBBON

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
PLASTIC BUTTERFLY BALLS #6018  
11/22/72  
SMALL PARTS & SHARP EDGES

BABY WORLD CO  
GRAFTON, W VA  
HAND RATTLE #6317P  
01/09/73  
SMALL PARTS & SHARP EDGES

BABY WORLD CO  
GRAFTON, W VA  
CIRCULAR RATTLE #7021  
01/08/73  
SHARP EDGES & SMALL OBJECTS

BABY WORLD CO  
GRAFTON, W VA  
BABY RATTLE #7525  
01/08/73  
SHARP EDGES & SMALL PARTS

BINKY BABY PRODUCTS CO INC  
WALLINGTON, NJ  
INFANT TEETHING RATTLE #288 (BIRD-SHAPED WITH LONG STEM)  
MADE IN HONG KONG  
03/23/72  
SMALL OBJECTS

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
"KLATTER HING" #5868  
07/23/71  
SMALL OBJECTS

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
TWO-SIDED MIRROR RATTLE #6256  
03/10/72  
SMALL OBJECTS

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
HAMMER RATTLE #6142  
06/29/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
POLY POLY RATTLE #6124  
06/29/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS & SHARP EDGES

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
SAFETY MIRROR #6356 (STICKER COVERS #6256B)  
06/29/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS & SHARP EDGES

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
FILL & SPILL MILK BOTTLE AND CLOTHESPIN #6270P  
06/22/72  
CAN BE BROKEN EXPOSING SMALL OBJECT

BABY WORLD CO INC  
GRAFTON, W VA OR GREAT NECK, NY  
BABY RATTLE #6260  
09/01/72  
SHARP EDGES & SMALL OBJECTS

BINKY BABY PRODUCTS CO INC  
WALLINGTON, NJ  
TOY RATTLE #289  
07/13/71  
SMALL OBJECTS

BINKY BABY PRODUCTS CO INC  
WALLINGTON, NJ  
TEETHING RATTLE #3970  
07/13/71  
SMALL OBJECTS

BINKY BABY PRODUCTS CO INC  
WALLINGTON, NJ  
"KLATTER BALLS" #793  
07/12/71  
SMALL OBJECTS

BINKY BABY PRODUCTS CO INC  
WALLINGTON, NJ  
MUSICAL CHIME RATTLE #587  
07/13/71  
SMALL OBJECTS

BINKY BABY PRODUCTS CO INC  
WALLINGTON, NJ  
TEETHING RATTLE #295 (MADE-HONG KONG)  
06/29/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

BINKY BABY PRODUCTS CO INC  
WALLINGTON, NJ  
TEETHING RATTLE #75  
06/29/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

BINKY BABY PRODUCTS CO INC  
WALLINGTON, NJ  
TOY RATTLE #394 (HONG KONG)  
12/26/72  
SMALL OBJECTS



## 1517 BABY RATTLES.

BINKY BABY PRODUCTS CO INC  
WALLINGTON, NJ  
RATTLE #494 (4-BALLS CONNECTED BY 4 BEADS ON CORD) HONG KONG  
01/05/73  
SHARP EDGES & SMALL OBJECTS

BINKY BABY PRODUCTS  
WALLINGTON, NJ  
PRAM RATTLE #103 (HONG KONG)  
03/22/73  
SMALL OBJECTS

LOUIS A. BOETTIGER CO INC  
HEWLETT, NY  
COLORSCOPE RATTLE #561  
07/27/71  
SMALL OBJECTS

LOUIS A. BOETTIGER CO INC  
HEWLETT, NY  
MIRROR RATTLE # 581  
03/02/72  
SMALL OBJECTS AND SHARP EDGES

LOUIS A. BOETTIGER CO INC  
HEWLETT, NY  
BABY TOY MUSICAL FLOATING FISH #709 (HONG KONG)  
(EXCEPT THOSE LABELED "HIGH IMPACT PLASTIC")  
11/09/72  
SMALL OBJECTS & SHARP EDGES

BOMAR CO (DIV OF KIDDIE PRODUCTS INC)  
SQUANTUM, MASS  
"MERRY RATTLE" #732 (BELL SHAPE) MADE IN JAPAN  
03/23/72  
SMALL OBJECTS

BOMAR CO (DIV OF KIDDIE PRODUCTS INC)  
SQUANTUM, MASS  
CREATIVE ACTION RATTLE #156, MADE IN HONG KONG  
03/23/72  
SMALL OBJECTS

## 1517 BABY RATTLES.

BOMAR CO  
SQUANTUM, MASS  
BABY RATTLE #833 (HONG KONG)  
01/09/73  
SHARP EDGES & SMALL PARTS

BOMAR CO  
SQUANTUM, MASS  
BABY RATTLE #935 (HONG KONG)  
01/09/73  
SHARP EDGES & SMALL PARTS

BUCKEY PLASTICS CO (DIV OF BUCKEY INTERNATIONAL INC)  
REYNOLDSBURG, OHIO  
"HUMPTY DUMPTY" TEETHER & RATTLE #240  
01/31/72  
SMALL OBJECTS & SHARP EDGES

BUCKEY PLASTICS CO (DIV OF BUCKEY INTERNATIONAL INC)  
REYNOLDSBURG, OHIO  
"BABEE BUBBLE" RATTLES #241, 243 AND #246-7-8  
01/31/72  
SMALL OBJECTS AND SHARP EDGES

BUCKEY PLASTICS CO (DIV OF BUCKEY INTERNATIONAL INC)  
REYNOLDSBURG, OHIO  
BABY RATTLE #240 (EARL FISHER LABEL)  
06/29/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

CENTER IMPORTING CO  
BALTIMORE, MD  
MILK BOTTLE AND SAFETY HAMMER SET (HONG KONG)  
04/16/73  
SMALL OBJECTS

CHILD GUIDANCE PRODUCTS INC  
BRONX, NY  
COLOR SORTER #75 W/BALLS, AGES 1-4  
03/05/72  
SMALL OBJECTS AND SHARP EDGES

BOMAR CO (DIV OF KIDDIE PRODUCTS INC)  
SQUANTUM, MASS  
"JIGGLY" RATTLE  
12/21/70  
SHARP METAL AND PROTRUSIONS WHEN HANDLE BREAKS

BOMAR CO (DIV OF KIDDIE PRODUCTS INC)  
SQUANTUM, MASS  
RATTLE DOLL #281 (MADE IN HONG KONG)  
03/09/72  
SMALL OBJECTS

BOMAR CO (DIV OF KIDDIE PRODUCTS INC)  
SQUANTUM, MASS  
"MERRY RATTLE" #732 (KEY SHAPED) MADE-JAPAN  
04/25/72  
CAN BE BROKEN EXPOSING SMALL PIECES

BOMAR CO (DIV OF KIDDIE PRODUCTS INC)  
SQUANTUM, MASS  
PLASTIC RATTLES #160 & #156-R (MADE-HONG KONG)  
06/06/72  
CAN BE BROKEN EXPOSING SMALL PARTS & SHARP EDGES

BOMAR CO (DIV OF KIDDIE PRODUCTS INC)  
SQUANTUM, MASS  
BABY RATTLE #834 (MADE-HONG KONG)  
06/28/72  
CAN BE BROKEN EXPOSING SMALL OBJECT

BOMAR CO (DIV OF KIDDIE PRODUCTS INC)  
SQUANTUM, MASS  
RATTLE HAMMERS #280 (HONG KONG)  
11/17/72  
SMALL OBJECTS

BOMAR CO (DIV OF KIDDIE PRODUCTS INC)  
SQUANTUM, MASS  
PEEK-A-BOO MIRROR #851 (HONG KONG)  
11/10/72  
SHARP EDGES & SMALL OBJECTS

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
"HIDE N SEEK" SUCTION RATTLE TOY #2708 ASST  
(3 KEYS & PLASTIC ANIMALS) MADE-HONG KONG  
04/26/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS AND SHARP EDGES

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
"MAGIC ACTION HAMMER"  
12/21/70  
SHARP EDGES WHEN BROKEN

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
TOY TELEPHONE RATTLE  
12/21/70  
SMALL PIECES

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
"ROLY POLY" MUSICAL ROCKING HORSE #2400 (MADE IN HONG KONG)  
03/09/72  
SMALL OBJECTS AND SHARP EDGES

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
"LITTLE ANGEL SUCTION TOY" #2243 (BELL SHAPE)  
04/24/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
MUSICAL DING DONG ROLY POLY #2706 (MADE-HONG KONG)  
06/06/72  
CAN BE BROKEN EXPOSING SHARP EDGES AND SMALL OBJECTS

CHILDHOOD INTERESTS/ALAN JAY  
ROSELLE PARK, NJ  
WATER TOY #642  
06/06/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS



## 1517 BABY RATTLES.

CHILDHOOD INTERESTS / ALAN JAY  
ROSELLE PARK, NJ  
DUCK SHAPED SUCTION TOY RATTLE #2240R  
05/03/73  
SMALL OBJECTS

SUSAN CRANE PACKAGING CO  
DALLAS, TEXAS  
BAMBELL BABY RATTLES #1129 & 1130  
03/07/72  
SMALL OBJECTS

SUSAN CRANE PACKAGING CO  
DALLAS, TEXAS  
BABY RATTLES #6250BD  
11/10/71  
SMALL OBJECTS

SUSAN CRANE PACKAGING CO  
DALLAS, TEXAS  
LOCK AND KEY BABY RATTLE #120-72-1127  
01/26/72  
SMALL OBJECTS AND SHARP EDGES

SUSAN CRANE PACKAGING CO  
DALLAS, TEXAS  
BABY RATTLES - ORDER #10646 (MADE-HONG KONG)  
04/25/72  
CAN BE BROKEN EXPOSING SMALL PIECES

CREATIVE CREATIONS  
HICKSVILLE, NY  
SANTA CLAUS MUSICAL ROLY POLY (HONG KONG)  
01/11/73  
SHARP EDGES & SMALL PARTS

CREATIVE PLAYTHINGS INC  
PRINCETON, NJ  
BALL RATTLE #C0011 (ENGLAND)  
01/26/73  
SMALL PART (BELL)

## 1517 BABY RATTLES.

EARL AND ARLINGTON  
SAN FRANCISCO, CA  
BANGA-BALLS #T41  
06/06/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

EARL AND ARLINGTON  
SAN FRANCISCO, CA  
BABY'S CHOICE RATTLE (2 BALLS ON PLASTIC STRING  
SEPARATED BY PLASTIC BEADS)  
07/10/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

EARL AND ARLINGTON  
SAN FRANCISCO, CA  
BABY'S CHOICE RATTLE  
"Y" SHAPE HANDLE W/ PRONGS HOLDING BALL  
07/10/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

EARL AND ARLINGTON  
SAN FRANCISCO, CA  
BABY'S CHOICE BALL & KEY RATTLE  
07/10/72  
CAN BE BROKEN EXPOSING SMALL PARTS & SHARP EDGES

EARL AND ARLINGTON  
SAN FRANCISCO, CA  
BABY'S CHOICE RATTLE  
LARGE OVAL RING W/ 2 SMALLER & 1 LARGE ENCLOSED RINGS  
07/10/72  
CAN BE BROKEN EXPOSING SMALL PARTS & SHARP EDGES

EARL & ARLINGTON  
SAN FRANCISCO, CA  
BABY'S CHOICE RATTLE  
(DISK W/ BALL ON HANDLE OF HEADS & BAMBELS)  
11/09/72  
SMALL OBJECTS & SHARP EDGES

EARL & ARLINGTON  
SAN FRANCISCO, CA  
BABY'S CHOICE RATTLE  
(2 RINGS JOINED BY 2 FLAT PIECES W/ BALL ON 1 PIECE)  
11/09/72  
SHARP EDGES & SMALL PARTS

CHIB-MATES DIV OF FORMULETTE CO  
LONG ISLAND CITY, NY  
BABY RATTLE #4305 (HONG KONG)  
01/08/73  
SMALL PARTS & SHARP EDGES

CHIB-MATES DIV OF FORMULETTE CO  
LONG ISLAND CITY, NY  
BABY RATTLE #4385 (BALL W/ 3 DISCS) HONG KONG  
03/02/73  
SMALL PARTS & SHARP EDGES

CRIBMATES DIVISION OF FORMULETTE CO  
LONG ISLAND CITY, NY  
FLOATING BATH TOY SET #4318  
05/09/73  
SMALL PARTS AND SHARP POINTS

CUT-RATE LINOLEUM STORE  
NEW ORLEANS, LA  
BABY RATTLES #M11-118  
01/12/72  
SMALL OBJECTS EXPOSED

CUT-RATE LINOLEUM STORE  
NEW ORLEANS, LA  
BABY RATTLES #JX-814  
01/12/72  
SMALL OBJECTS EXPOSED

D & D INDUSTRIES  
LEOMINSTER, MASS  
PLASTIC RATTLE DOLL  
12/29/72  
SHARP EDGES & SMALL PARTS

DAVIS-GRABOWSKI INC  
MIAMI, FLA  
DUMPY JUMPY PLASTIC RATTLE #E-30 (HOLLAND)  
11/17/72  
SHARP EDGES & SMALL OBJECTS

EARL & ARLINGTON  
SAN FRANCISCO, CA  
BABY'S CHOICE RATTLE  
(3 SPOKE WHEEL W/ CLEAR BUBBLE HUB CONTAINING BALL)  
11/09/72  
SHARP EDGES & SMALL OBJECTS

EARL & ARLINGTON  
SAN FRANCISCO, CA  
BABY'S CHOICE RATTLE  
(2 LARGE BALLS ON EACH END OF LINE MADE OF 4 SMALL BALLS)  
11/09/72  
SMALL PARTS & SHARP EDGES

EARL & ARLINGTON  
SAN FRANCISCO, CA  
BABY'S CHOICE RATTLE  
(DISK W/ HALF BALL ON LOOPED HANDLE)  
11/09/72  
SHARP EDGES & SMALL PARTS

EARL & ARLINGTON INC  
SAN FRANCISCO, CA  
RATTLE #2270 (BALL ON HANDLE)  
02/21/73  
SHARP EDGES & SMALL OBJECTS

EARL & ARLINGTON INC  
SAN FRANCISCO, CA  
RATTLE #2201 (TELEPHONE RECEIVER)  
02/21/73  
SHARP EDGES & SMALL OBJECTS

ELECTRO PLASTICS, INC  
NEWARK, NJ  
RATTLE #521  
05/19/71  
SMALL PIECES AND SHARP EDGES

ELECTRO PLASTICS, INC  
NEWARK, NJ  
RATTLE #538  
05/19/71  
SMALL PIECES



## 1517 BABY RATTLES.

ELECTRO PLASTICS, INC  
NEWARK, NJ  
RATTLE #522  
05/20/71  
SHARP PIECES

FORMULETTE CO INC  
LONG ISLAND CITY, NY  
"KLATTER BALLS" #4530  
08/18/71  
SMALL OBJECTS

ELECTRO PLASTICS, INC  
NEWARK, NJ  
RATTLE #540  
05/19/71  
SMALL PIECES AND SHARP EDGES

FORMULETTE CO INC  
LONG ISLAND CITY, NY  
CRIBMATES DUMBBELL-SHAPED BABY RATTLE  
06/09/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

ELECTRO PLASTICS, INC  
NEWARK, NJ  
RATTLE #530  
05/19/71  
SMALL PIECES AND SHARP EDGES

FORMULETTE CO INC  
LONG ISLAND CITY, NY  
BABY RATTLES #4307 (HONG KONG)  
11/10/72  
SHARP EDGES & SMALL OBJECTS

ELECTRO PLASTICS, INC  
NEWARK, NJ  
HAPPY MATES RATTLE #522 (IMPROVED DESIGN)  
07/12/71  
SMALL PIECES

FORMULETTE CO INC  
LONG ISLAND CITY, NY  
THUMPER TOY HAMMER #4538 (HONG KONG)  
11/17/72  
SMALL OBJECTS

ELECTRO PLASTICS, INC  
NEWARK, NJ  
"SQUEEZE-N-HAMMER" RATTLE #538 (IMPROVED DESIGN)  
07/12/71  
SMALL PIECES

GEOFFREY IMPORTS INC  
DAYTON, OHIO  
POKENOSE RATTLE #E-12 (HOLLAND)  
11/17/72  
SMALL OBJECTS

ELECTRO PLASTICS, INC  
NEWARK, NJ  
SUCTION TOY RATTLE #674  
08/31/71  
SMALL OBJECTS

SANGER-HARRIS CO  
DALLAS, TEXAS  
"LET'S PLAY ROLY POLY RATTLE"  
01/12/72  
SMALL OBJECTS EXPOSED

ELECTRO PLASTICS INC  
NEWARK, NJ  
"BABEE-MATES" RATTLE #528  
01/09/73  
SMALL PARTS & SHARP EDGES

SANGER-HARRIS CO  
DALLAS, TEXAS  
BABY RATTLE #6191 (MADE-DENMARK)  
07/12/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

## 1517 BABY RATTLES.

ILLFELDER IMPORTING CO  
NEW YORK, NY  
MILK BOTTLE & HAMMER SET (MADE IN HONG KONG)  
03/06/72  
SQUEAKER REMOVES & SMALL OBJECTS

MC CRORY, MC CLELLAN, & GREEN STORES  
YORK, PA  
"WEE ONES" TOY SET (BRUSH, COMB, & RATTLE)  
01/09/73  
SMALL PARTS & SHARP EDGES (RATTLE)

M. W. KASCH CO  
MILWAUKEE, WIS  
READ-O-MATIC SORTER (MADE-HONG KONG)  
07/14/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

MEGO CORP  
NEW YORK, NY  
HOUR GLASS  
07/07/71  
SMALL OBJECTS AND SHARP EDGES

LACHMAN-ROSE COMPANY  
SAN ANTONIO, TEXAS  
PLASTIC MILK BOTTLE & SAFETY HAMMER (MADE-HONG KONG)  
07/14/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

MISHIMOTO TRADING CO LTD  
HONOLULU, HAWAII  
PLASTIC MULTI-COLORED MUSICAL CHIME RATTLE (MADE-JAPAN)  
03/03/72  
SMALL OBJECTS AND SHARP EDGES

LARCO IMPORTS (DIV OF LACHMAN ROSE CO)  
SAN ANTONIO, TEXAS  
READ O Matic SORTER (MADE-HONG KONG)  
06/28/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS & SHARP EDGES

NADEL AND SONS TOY CORP  
NEW YORK, NY  
BABY TOY KIT #5088  
09/02/71  
SMALL OBJECTS

LARCO IMPORTS (DIV OF LACHMAN ROSE CO)  
SAN ANTONIO, TX  
RATTLE SET #1066 (HONG KONG)  
(DUMBBELL, FISH, SAFETY PIN, SHOE BANK, & HAMMER)  
03/22/73  
SMALL PARTS & SHARP EDGES

NEW YORK MERCHANDISE CO  
DALLAS, TEXAS  
MUSICAL RATTLE #37-T4037  
04/22/71  
SHARP PRONGS

LYNEL CORP  
BROOKLYN, NY  
BASKET W/ 4 BBS & RATTLE #300  
11/17/72  
RATTLE- SMALL OBJECTS & SHARP EDGES

NEW YORK MERCHANDISE CO  
DALLAS, TEXAS  
UNLABELED TOY RATTLE  
01/12/72  
SHARP EDGES AND SMALL OBJECTS EXPOSED

MC CRORY, MC CLELLAN, & GREEN STORES  
YORK, PA  
MILK BOTTLE SAFETY HAMMER (HONG KONG)  
01/08/73  
SQUEAKER REMOVES

NEW YORK MERCHANDISE CO  
DALLAS, TEXAS  
"PLASTIC DUCK RATTLES" #K1/913 (MADE-HONG KONG)  
04/25/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS



## 1517 BABY RATTLES.

NIPPY MFG CO (P & L INDUSTRIES)  
JAMAICA, NY  
"PLAY KEYS"  
01/24/72  
SMALL OBJECTS AND SHARP EDGES

NIPPY MFG CO (P & L INDUSTRIES)  
JAMAICA, NY  
RATTLES #616 AND 617  
1/24/72  
SMALL OBJECTS AND SHARP EDGES

NIPPY MFG CO (P & L INDUSTRIES)  
JAMAICA, NY  
"KLATTER BALLS" #846  
01/12/72  
SHARP EDGES AND SMALL OBJECTS EXPOSED

NIPPY MFG CO (P & L INDUSTRIES)  
JAMAICA, NY  
RATTLE #631 (2 BELLS AND 3 DISKS SHAPE)  
01/12/72  
SHARP EDGES AND SMALL OBJECTS EXPOSED

NIPPY MFG CO (P & L INDUSTRIES)  
JAMAICA, NY  
RATTLE #632 (2 BELLS AND 4 BALLS SHAPE)  
01/12/72  
SHARP EDGES & SMALL OBJECTS EXPOSED

ORIENTAL TRADING CO  
METairie, LA  
UNLABELED BABY RATTLES  
01/12/72  
SHARP EDGES & SMALL OBJECTS EXPOSED

ORIENTAL TRADING CO  
METairie, LA  
BABY RATTLES #70-134  
01/12/72  
SHARP EDGES & SMALL OBJECTS EXPOSED

## 1517 BABY RATTLES.

PLAKIE TOYS INC  
YOUNGSTOWN, OHIO  
SAFETY PIN RATTLE #658P (MADE IN HONG KONG)  
12/28/71  
SHARP EDGES & SMALL PARTS

PLAKIE TOYS INC  
YOUNGSTOWN, OHIO  
CLOTHESPIN RATTLE #264P (MADE IN HONG KONG)  
12/28/71  
SHARP EDGES & SMALL PARTS

PLAKIE TOYS INC  
YOUNGSTOWN, OHIO  
BABY RATTLE #262P  
06/29/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS & SHARP EDGES

PLAKIE TOYS INC  
YOUNGSTOWN, OHIO  
BABY RATTLE #29-633P (LABELED "TINKLE TOY CO")  
11/10/72  
SMALL OBJECTS & SHARP EDGES

PLAKIE TOYS INC  
YOUNGSTOWN, OH  
DUCK RATTLE #255P (W/ HORSE SHAPED HANDLE)  
01/08/73  
SMALL OBJECTS & SHARP EDGES

PLAYSKOOL, INC. A MILTON BRADLEY CO  
CHICAGO, ILLINOIS  
PLAYSKOOL HOUR GLASS #105  
01/31/72  
SMALL OBJECTS AND SHARP NAILS

REEVES INTERNATIONAL  
NEW YORK, NY  
BABY PRAM RATTLES #E-335 (HOLLAND)  
11/22/72  
SMALL OBJECTS & SHARP EDGES

LEONARD A OSTHER & SONS INC  
SEATTLE, WASH  
BABY SUCTION RATTLES #9814 (HONG KONG)  
11/06/72  
SHARP EDGES & SMALL OBJECTS

PLAKIE TOYS INC  
YOUNGSTOWN, OHIO  
BARBELL RATTLE #273P (5 1/2" LONG)  
03/08/72  
SMALL OBJECTS AND/OR SHARP EDGES

PLAKIE TOYS INC  
YOUNGSTOWN, OHIO  
CRIB, PLAYPEN, OR BATH TOY (BALL SHAPE)  
03/08/72  
SMALL OBJECTS AND/OR SHARP EDGES

PLAKIE TOYS INC  
YOUNGSTOWN, OHIO  
CLOTHESPIN RATTLE #658P (MADE IN HONG KONG)  
12/28/71  
SHARP EDGES AND SMALL PARTS

PLAKIE TOYS INC  
YOUNGSTOWN, OHIO  
FLOWER POT RATTLE WITH HAT, FACE #672P (MADE IN HONG KONG)  
12/28/71  
SHARP EDGES & SMALL PARTS

PLAKIE TOYS INC  
YOUNGSTOWN, OHIO  
SAILOR DUCK RATTLE #655P (MADE IN HONG KONG)  
12/28/71  
SHARP EDGES & SMALL PARTS

PLAKIE TOYS INC  
YOUNGSTOWN, OHIO  
ROCKING HORSE RATTLE #219P (MADE IN HONG KONG)  
12/28/71  
SHARP EDGES & SMALL PARTS

REEVES INTERNATIONAL  
NEW YORK, NY  
"WOBBLES" RATTLE #E-26 (HOLLAND)  
11/22/72  
SMALL OBJECTS & SHARP EDGES

REGENT BABY PRODUCTS  
WOODSIDE, NY  
CLOTHESPIN RATTLE #M69/8689  
11/19/71  
SHARP EDGES AND SMALL OBJECTS

REGENT BABY PRODUCTS  
WOODSIDE, NY  
BABY FLOATING TOY #6730H  
11/19/71  
SHARP EDGES AND SMALL OBJECTS

REGENT BABY PRODUCTS  
WOODSIDE, NY  
BABY RATTLES #700 (MADE-HONG KONG)  
09/01/72  
SHARP EDGES & SMALL PARTS

REGENT BABY PRODUCTS  
WOODSIDE, NY  
MILK BOTTLE & SAFETY HAMMER (HONG KONG)  
01/08/73  
SQUEAKER REMOVES

REGENT BABY PRODUCTS  
WOODSIDE, NY  
BABY DOLL RATTLE #H67 (HONG KONG)  
03/02/73  
SMALL PARTS & SHARP EDGES

REGENT BABY PRODUCTS  
WOODSIDE, NY  
RATTLE W/BALL (1/2 CLEAR PLASTIC) & RING (HONG KONG)  
02/09/73  
SMALL PARTS & SHARP EDGES



## 1517 BABY RATTLES.

REGENT BABY PRODUCTS  
WOODSIDE, NY  
HARBELL RATTLE (HONG KONG)  
02/09/73  
SMALL PARTS & SHARP EDGES

REGENT BABY PRODUCTS  
WOODSIDE, NY  
BABY DOLL RATTLE (HONG KONG)  
02/09/73  
SMALL PARTS & SHARP EDGES

REGENT BABY PRODUCTS  
WOODSIDE, NY  
BABY GIFT BATH TOY RATTLE (HONG KONG)  
05/02/73  
SHARP EDGES AND SMALL OBJECTS

REGENT BABY PRODUCTS  
WOODSIDE, NY  
FLUTTER BALL 4" HIGH, 3 1/2" LONG BY 3" WIDE  
05/02/73  
SHARP EDGES AND SMALL PARTS

REGENT BABY PRODUCTS  
WOODSIDE, NY  
BUTTERFLY SHAPED RATTLE #8304 (FRANCE)  
07/02/73  
SMALL OBJECTS AND SHARP EDGES

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
PROTECTO "SHAKE ME" TOY, INFANT RATTLE #381 (MADE-HONG KONG)  
03/24/72  
SMALL OBJECTS

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
"SHAKE ME" RATTLE #818  
06/14/71  
SHARP EDGES AND SMALL OBJECTS

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
"SHAKE ME" RATTLE #380 (MADE IN HONG KONG)  
03/02/72  
SMALL OBJECTS AND SHARP EDGES

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
"SHAKE ME" TOY RATTLES #819, #755 (1 BALL SHAPE), #756  
(2 BALLS-2 BELLS-BRACELET RING SHAPE) & #757 (2 BELLS-4 BALLS-  
DUMBBELL SHAPE)  
01/12/72  
SHARP EDGES & SMALL PIECES EXPOSED

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
POLY POLY RATTLE #815 (MADE-HONG KONG)  
06/29/72  
CAN BE BROKEN APART EXPOSING SHARP EDGES & SMALL PARTS

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
PROTECTO SUCTION TOY #826 (HONG KONG)  
11/09/72  
SHARP EDGES & SMALL OBJECTS

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
SANTA STOCKING #954 (ASST INFANT TOYS)  
01/08/73  
SMALL PARTS & SHARP EDGES

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
CHIME RATTLE #320 (JAPAN)  
03/27/73  
SHARP WIRE

S & M COMPANY  
MINNEAPOLIS, MINN  
MILK BOTTLE AND HAMMER SET  
01/12/72  
SMALL OBJECTS EXPOSED

## 1517 BABY RATTLES.

SANITORY INC  
PALISADES PARK, NJ  
"WHIRLEE" SUCTION RATTLE #610 (OLD STYLE)  
03/20/72  
SMALL OBJECTS

SANITORY INC  
PALISADES PARK, NJ  
JINGLE BELLS #764  
07/13/71  
SMALL OBJECTS

SANITORY INC  
PALISADES PARK, NJ  
RATTLES #5 (BALL ON "Y" SHAPED HANDLE AND 2 BALLS ON RING)  
01/31/72  
SMALL OBJECTS AND SHARP EDGES

SANITORY, INC  
PALISADES PARK, NJ  
BABY RATTLE #156 (MADE IN HONG KONG)  
03/09/72  
SMALL OBJECTS & SHARP EDGES

SANITORY INC  
PALISADES PARK, NJ  
"FILL 'N SPILL" TALKING RATTLE HAMMER AND MILK BOTTLE #700  
06/13/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

SANITORY INC  
PALISADES PARK, NJ  
FLOATEES #122 (FISH & DUCK) MADE-JAPAN  
06/07/72  
SQUEAKER REMOVES

SANITORY INC  
PALISADES PARK, NJ  
BASEBALL BAT, GLOVE & RATTLE BALL #216  
06/29/72  
CAN BE BROKEN EXPOSING SMALL OBJECT

SANITORY INC  
PALISADES PARK, NJ  
MILK BOTTLE & HAMMER SET #701 (HONG KONG)  
01/08/73  
SMALL OBJECTS

SANITORY INC  
PALISADES PARK, NJ  
TELEPHONE RECEIVER RATTLE (2 TONE - PINK & BLUE)  
01/26/73  
SMALL OBJECTS & SHARP EDGES

SANITORY INC  
PALISADES PARK, NJ  
PUPPY RATTLE #115 (NO CODE # APPEARS ON BACK  
OF CARD IN LOWER LEFT HAND CORNER) HONG KONG  
05/24/73  
SHARP EDGES AND SMALL OBJECTS

SANITORY INC  
PALISADES PARK, NJ  
BABY DOLL RATTLE #26104 (HONG KONG)  
(LABELED W T GRANT CO)  
02/07/73  
SMALL PARTS & SHARP EDGES

SANITORY INC  
PALISADES PARK, NJ  
RATTLES #8-542M (HONG KONG) LABELED "W T GRANT CO"  
(1) BALL ON "Y" HANDLE (2) 2 BELLS ON "Y" HANDLE  
(3) 2 BALLS ON "Y" HANDLE W/BALL ON EACH PRONG &  
ATTACHED TO PLASTIC RING (4) BELL W/HANDLE (5) DISC  
ON HANDLE  
02/07/73  
SMALL PARTS & SHARP EDGES

SANITORY INC  
PALISADES PARK, NJ  
MILK BOTTLE & SAFETY HAMMER #701 (HONG KONG)  
12/29/72  
SMALL OBJECTS



## 1517 BABY RATTLES.

SANITORY INC  
PALISADES PARK, NJ  
PLASTIC DOLL RATTLE #182 (HONG KONG)  
01/09/73  
SMALL OBJECTS

SEARS, ROEBUCK & CO  
CHICAGO, ILLINOIS  
"KLATTER BALLS" #2915052 (IMPORTED BY BINKY BABY PRODUCTS CO INC)  
06/22/71  
SMALL OBJECTS

SEARS, ROEBUCK & CO  
CHICAGO, ILLINOIS  
SUCTION CUP RATTLES #2915040  
06/29/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS & SHARP EDGES

SIMPLEX TOYS  
LOS ANGELES, CA  
"EUROPLASTIC" INFANT RATTLE #E-78 (HOLLAND)  
01/11/73  
SMALL OBJECTS & SHARP EDGES

SIMPLEX TOYS  
LOS ANGELES, CA  
"EUROPLASTIC" RATTLE W/BITE-RING E-152 (HOLLAND)  
02/07/73  
SMALL OBJECTS & SHARP EDGES

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
"TODDLER'S TOYS" BABY RATTLES #265  
03/16/72  
SMALL OBJECTS AND/OR SHARP EDGES

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
SUCTION BABY RATTLE #162  
03/24/72  
SMALL OBJECTS AND/OR SHARP EDGES

## 1517 BABY RATTLES.

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
"TODDLER SET WITH SUCTION CUP, FLIP-N-ROLL" #822  
06/09/71  
SMALL OBJECTS

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
HORSESHOE RATTLE #200  
06/08/71  
SHARP EDGES AND SMALL OBJECTS

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
RATTLE BALLS #907  
07/26/71  
SMALL OBJECTS

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
"SHAKE-N-RATTLE" #921  
08/23/71  
SMALL OBJECTS

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
ASSORTED RATTLES #753  
(HALF BALL-3 RING SHAPE, 3 BALLS-1 RING SHAPE,  
& 4 BALLS DUMBBELL SHAPE)  
11/19/71  
SHARP EDGES AND SMALL OBJECTS

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
ASSORTED RATTLES #751  
(SAUCER WITH HALF BALL SHAPE AND TWO BALLS ON A RING SHAPE)  
11/19/71  
SHARP EDGES AND SMALL OBJECTS

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
HORSE AND DOG SUCTION TOY #417  
01/24/72  
SMALL OBJECTS

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
RATTLES #511 (TRUMPET AND HAMMER SHAPED)  
03/24/72  
SMALL OBJECTS AND/OR SHARP EDGES

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
"TODDLER'S TOYS" BABY RATTLES #418  
03/16/72  
SMALL OBJECTS AND/OR SHARP EDGES

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
"TODDLER'S TOYS" BABY RATTLES #291  
03/24/72  
SMALL OBJECTS AND/OR SHARP EDGES

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
BABY RATTLE #750 (HANDLE WITH A SINGLE DISK)  
04/07/72  
SMALL OBJECTS AND/OR SHARP EDGES

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
SUCTION RATTLE TOYS #660P (BIRD AND TRAIN STYLES)  
09/27/71  
SMALL OBJECTS

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
DOLLY RATTLE #632  
06/09/71  
SMALL OBJECTS

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
"WHIRLEE" SUCTION TOY #660  
06/08/71  
SHARP EDGES AND SMALL OBJECTS

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
PINBALL RATTLE TOY #770 ASST.  
01/12/72  
SHARP EDGES & SMALL OBJECTS EXPOSED

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
"JACK N' JILL" RATTLE #880  
01/12/72  
SHARP EDGES & SMALL OBJECTS EXPOSED

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
"TINKLE FLOWER" RATTLE #990  
01/12/72  
SHARP EDGES & SMALL OBJECTS EXPOSED

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
#751 RATTLE (2 BELLS SHAPE)  
01/12/72  
SHARP EDGES & SMALL OBJECTS EXPOSED

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
#750 RATTLE ASSORTMENT  
01/12/72  
SHARP EDGES & SMALL OBJECTS EXPOSED

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
RATTLE #RKT0 (1 BALL SHAPE)  
01/12/72  
SHARP EDGES & SMALL OBJECTS EXPOSED

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
CLOCK SUCTION TOY #770 ASST  
01/24/72  
SMALL OBJECTS



## 1517 BABY RATTLES.

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
"I. C. U." MIRROR RATTLE #810 (MADE-HONG KONG)  
06/08/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS AND SHARP EDGES

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
RATTLE TEETHER #830 (MADE-HONG KONG)  
06/08/72  
CAN BE BROKEN EXPOSING SMALL PARTS

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
"COLORAMA" RATTLE #143 (MADE-HONG KONG)  
06/08/72  
CAN BE BROKEN EXPOSING SMALL PARTS

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
MUSICAL CHIME RATTLE #530 ("NEW SAFETY DESIGN") MADE-JAPAN  
06/30/72  
CAN BE BROKEN EXPOSING SHARP WIRE & RING

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
BABY RATTLES RK 70 (#752) MADE-HONG KONG  
06/29/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

STAHLWOOD TOY MFG CO  
NEW YORK, NY  
"SMARTER KAT" RATTLES #614B (HONG KONG)  
01/09/73  
SMALL OBJECTS & SHARP EDGES

STAHLWOOD TOY MFG CO  
NEW YORK, NY  
SANTA'S STOCKING #714 (HONG KONG)  
01/09/73  
SMALL OBJECTS & SHARP EDGES

## 1517 BABY RATTLES.

STAR MFG CO  
LEOMINSTER, MASS  
RATTLE #3/101 (4 BALLS & 2 BELLS SHAPE)  
01/12/72  
SHARP EDGES & SMALL OBJECTS

STAR MFG CO  
LEOMINSTER, MASS  
PLASTIC RATTLE #3-21 (YELLOW/WHITE W/ PINK RABBIT)  
09/27/72  
SHARP POINTS & SMALL OBJECTS

STAR MFG CO  
LEOMINSTER, MASS  
PLASTIC RATTLE #1-1 (YELLOW/WHITE W/ WHITE STEM)  
09/27/72  
SHARP EDGES & SMALL OBJECT

STAR MFG CO  
LEOMINSTER, MASS  
SUCTION RATTLE W/FACE #3-139  
01/08/73  
SHARP EDGES

STAR MFG CO  
LEOMINSTER, MASS  
TOY ASSORTMENT #3-150 (2 RATTLES & SQUEEZE TOY)  
01/09/73  
SHARP EDGES & SMALL OBJECTS

STAR MFG CO  
LEOMINSTER, MASS  
TOY SET #3-603 (BAT, GLOVE, & BALL)  
03/13/73  
SMALL PARTS & SHARP EDGES (BALL)

SUGIHARA TRADING OF CALIFORNIA INC  
LOS ANGELES, CA  
"KLATTER BALLS" #4530  
01/26/72  
SMALL OBJECT

STAHLWOOD TOY MFG CO  
NEW YORK, NY  
MUSICAL FLOAT TOYS #725 (BOAT & TURTLE) HONG KONG  
01/09/73  
SMALL OBJECTS & SHARP EDGES

STAHLWOOD TOY MFG CO  
NEW YORK, NY  
RATTLE (RING W/SPOKES - 1/2 BALL IN CENTER) HONG KONG  
03/13/73  
SHARP EDGES & SMALL PARTS

STAHLWOOD TOY MFG CO  
NEW YORK, NY  
RATTLE (CYLINDER W/ 3 RINGS & 1/2 BALL) HONG KONG  
03/13/73  
SHARP EDGES & SMALL PARTS

STAR MFG CO  
LEOMINSTER, MASS  
"TOODLY TOY" ASSORTMENT PACKAGE#3-89-40  
CONTAINS ABC CHAIN RATTLE #5/517, PLAY BELLS #6/497, & BABY  
RATTLE (MADE IN HONG KONG)  
04/07/72  
SHARP EDGES AND SMALL OBJECTS-#6/497 AND BABY RATTLE

STAR MFG CO  
LEOMINSTER, MASS  
STAR MUSICAL RATTLE  
12/21/70  
SHARP PRONGS

STAR MFG CO  
LEOMINSTER, MASS  
RATTLE #3/195 (DISK SHAPE & BALL SHAPE)  
01/12/72  
SHARP EDGES & SMALL OBJECTS

STAR MFG CO  
LEOMINSTER, MASS  
RATTLE #3/196 (2 BELLS & 2 BALLS SHAPE)  
01/12/72  
SHARP EDGES AND SMALL OBJECTS

SUGIHARA TRADING OF CALIFORNIA INC  
LOS ANGELES, CA  
PLASTIC RATTLES #1739 (MADE-HONG KONG)  
06/08/72  
CAN BE BROKEN EXPOSING SMALL PARTS

THOR IMPORT CO  
DALLAS, TEXAS  
BEAD-O-MATIC SORTER #942T/500 (MADE-HONG KONG)  
06/28/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS

THOR IMPORT CO  
DALLAS, TEXAS  
BABY IN BATHTUB MUSICAL ROLY POLY RATTLE (MADE-JAPAN)  
06/28/72  
CAN BE BROKEN EXPOSING SMALL OBJECTS & SHARP EDGES

TIDY TIES CORP  
MONROE, LA  
PLASTIC CLOWN RATTLE WITH BELL #618  
03/23/72  
SMALL OBJECTS

TIDY TIES CORP  
MONROE, LA  
BABY RATTLE #3031 (3 BIG & 5 SMALL BALLS) (MADE -HONG KONG)  
03/23/72  
SMALL OBJECTS

TIDY TIES CORP  
MONROE, LA  
"TIDY" SUCTION RATTLES #609A (WITH AND WITHOUT EARS)  
01/24/72  
SMALL OBJECTS AND SHARP EDGES

TIDY TIES CORP  
MONROE, LA  
"TIDY NURSERY TOYS" TEETHER RATTLE  
01/12/72  
SHARP EDGES AND SMALL OBJECTS EXPOSED



## 1517 BABY RATTLES.

## TIDY TIES CORP

MONROE, LA  
 PLASTIC TEETHER RATTLE WITH 2" RING 3/8"  
 PLASTIC SPHERE, HALF OF WHICH CONTAINS  
 LOOSE OBJECTS AND HALF OF WHICH CONTAINS  
 A DECORATIVE OBJECT SUCH AS A FLOWER OR FISH  
 (HONG KONG)  
 08/01/73  
 SMALL OBJECTS AND SHARP EDGES

## TOYS R US

NILES, ILL  
 SEE-THRU-BEAD-O-MATIC SORTER (HONG KONG)  
 12/26/72  
 SMALL OBJECTS & SHARP EDGES

## TRIDENT IMPORTS

SEATTLE, WASH  
 SEE-THRU BEAD-O-MATIC SORT  
 04/30/73  
 SMALL OBJECTS AND SHARP EDGES

## WESTERN PUBLISHING CO

RACINE, WIS  
 "SEARS GOLDEN WONDER OF GROWING PLAYTHINGS" #49 44553  
 ("SEE ME", "LOLLISPOON", "TUMBLE TUBE", & "TODDLE ROLLER")  
 06/06/72  
 "TUMBLE TUBE" CAN BE BROKEN EXPOSING SMALL OBJECTS

## WILLIS IMPORT INC

FARMINGDALE, NY  
 BEAD-SORTER  
 01/09/73  
 SHARP EDGES & SMALL PARTS

## I. B. WOLFSET AND CO INC

NEW YORK, NY  
 CHIME RATTLE #428  
 11/19/71  
 SHARP PRONGS AND WIRE PLUS SMALL OBJECTS

## F. W. WOOLWORTH CO

NEW YORK, NY  
 HOLLOW HAMMER WITH GREEN HANDLE & PINK HEAD CONTAINING BEADS  
 03/24/72  
 SMALL OBJECTS

## F. W. WOOLWORTH CO

NEW YORK, NY  
 "PATA CAKE" BABY RATTLE  
 04/23/71  
 SHARP PRONGS

## F. W. WOOLWORTH CO

NEW YORK, NY  
 "PATA CAKE" BABY RATTLE (NEW DESIGN)  
 08/18/71  
 SHARP WIRE AND SMALL OBJECT

## F. W. WOOLWORTH CO

NEW YORK, NY  
 TOY PLASTIC HAMMER, #6658  
 01/31/72  
 SMALL OBJECTS

## F. W. WOOLWORTH CO

NEW YORK, NY  
 "PATA CAKE RATTLES" #3/315 (1) CLEAR CONVEX COVER W/ BELT  
 AND BUCKLE HANDLE (2) EGG SHAPE W/ SOPRANO CLEF HANDLE  
 04/20/72  
 CAN BE BROKEN EXPOSING SMALL OBJECTS AND SHARP EDGES

## F. W. WOOLWORTH CO

NEW YORK, NY  
 "NURSERY BELLS" #5720 (LABELED "PATA CAKE RATTLES")  
 04/20/72  
 CAN BE BROKEN EXPOSING SMALL OBJECTS

## F W WOOLWORTH CO

NEW YORK, NY  
 "BABY DOLL" RATTLE TOY (HONG KONG)  
 (SOME LABELED "T-14")  
 12/14/72  
 SHARP EDGES

## F W WOOLWORTH CO

NEW YORK, NY  
 SUCTION RATTLE (4 ANIMAL FIGURES ON DISC) HONG KONG  
 01/11/73  
 SMALL OBJECTS

## 1517 BABY RATTLES.

## F W WOOLWORTH CO

NEW YORK, NY  
 CLOWN'S HEAD RATTLE #3/842A-E (HONG KONG)  
 02/09/73  
 SMALL PARTS

## ZAYRE CORP

FRAMINGHAM, MASS  
 PAUL AND PAUL RATTLE DOLLS #8206 (MADE-HONG KONG)  
 06/06/72  
 CAN BE BROKEN EXPOSING SHARP EDGES & SMALL PARTS



## 1520 BABY EXERCIZERS.

RELIANCE PRODUCTS CORP  
WOONSOCKET, RI  
"ACTION BABY" PONIES EXERCISER #860  
01/12/72  
SHARP EDGES & SMALL PIECES EXPOSED

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
CRADLE TRAINS #600 BABY EXERCISER  
12/13/71  
SMALL OBJECTS

STAHLWOOD TOY MFG CO INC  
NEW YORK, NY  
CRADLE EXERCISERS #22 BELLS & #358 LAMBS  
01/12/71  
SHARP EDGES & SMALL OBJECTS EXPOSED

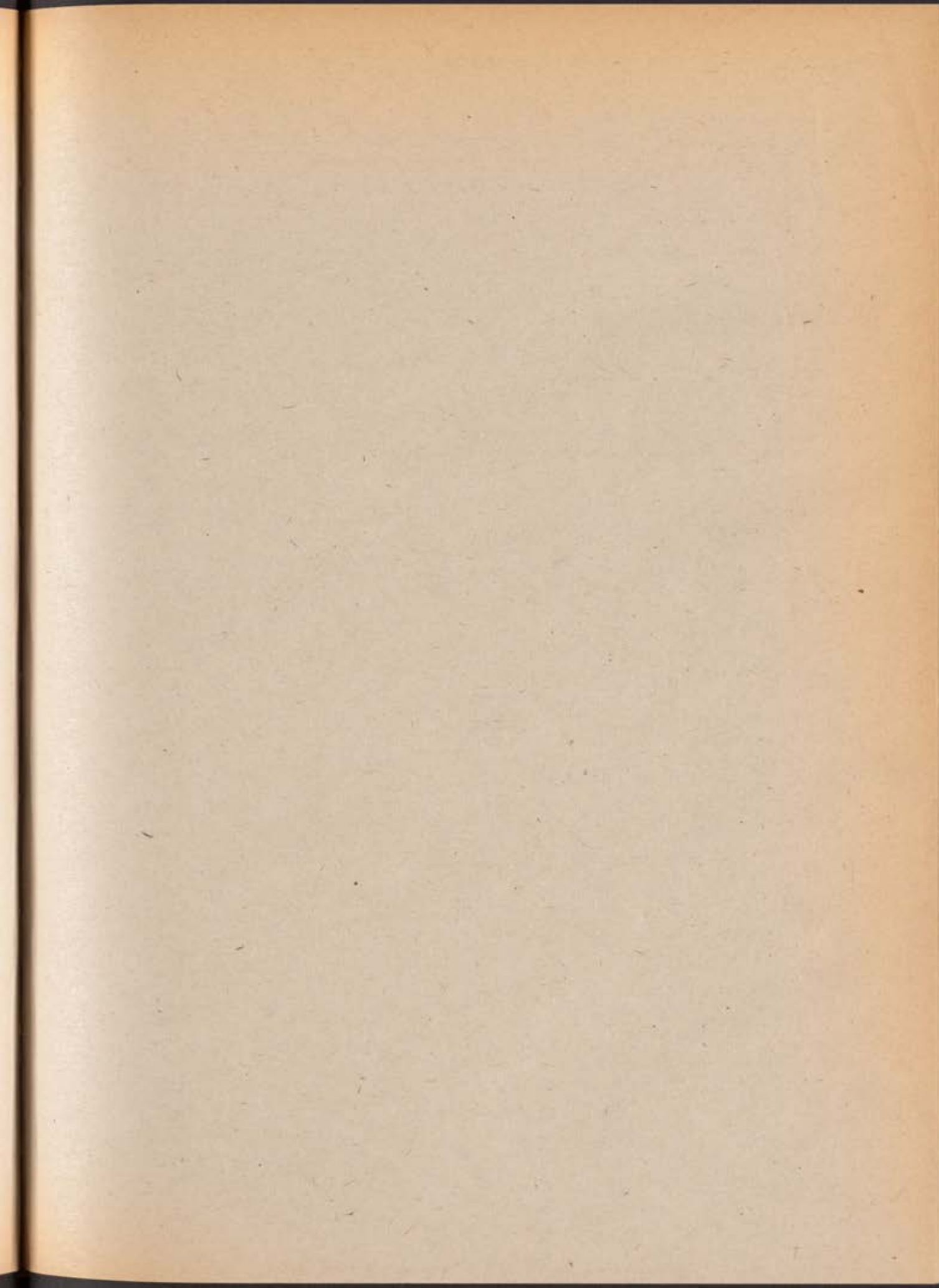
SUPER TOYS INC  
DETROIT, MI  
BUSY GYM #0304 (HONG KONG)  
02/07/73  
SMALL PARTS

## 1525 PACIFIERS, TEETHING RINGS

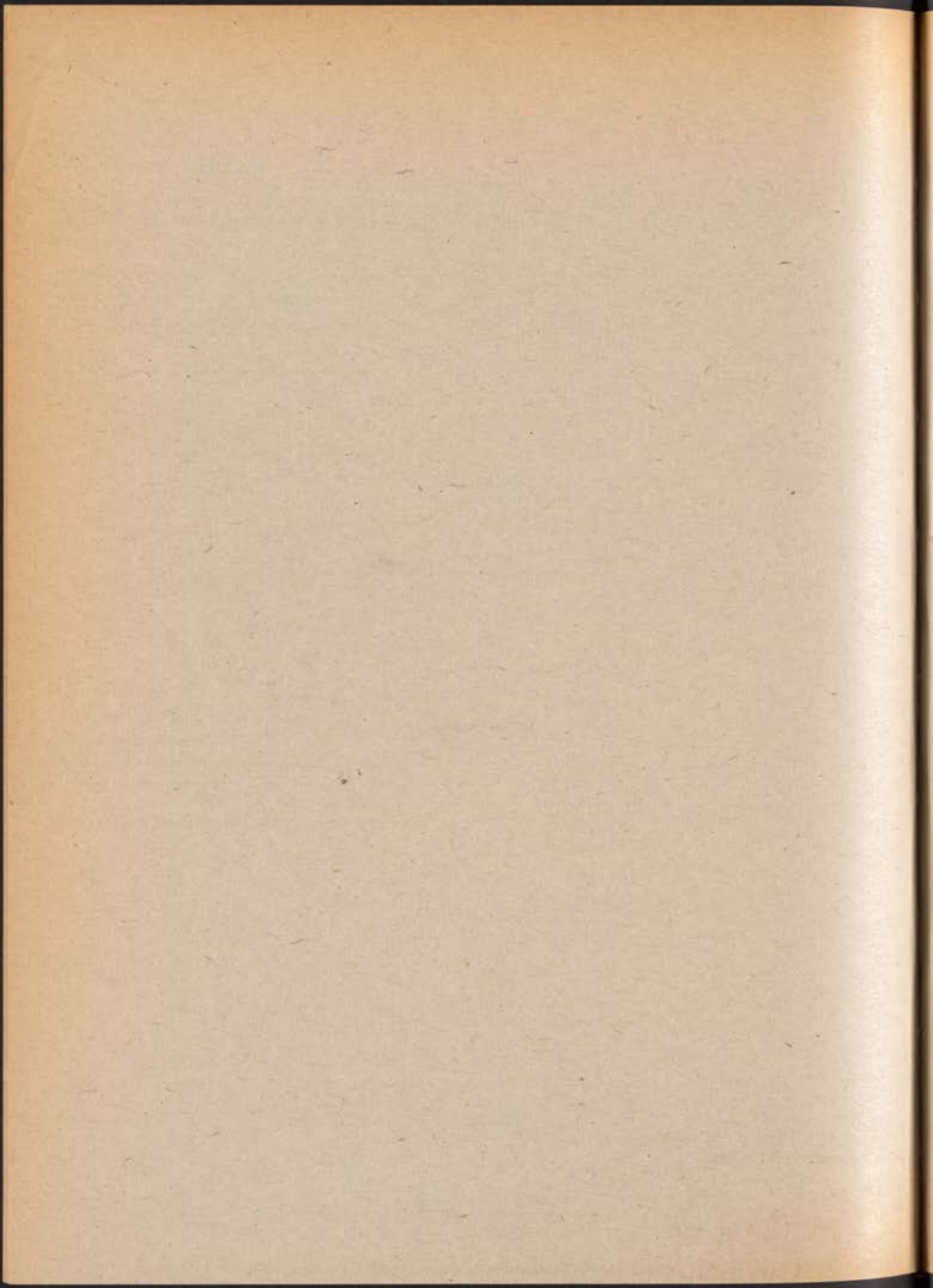
LEONARD A OSTRER & SONS INC  
SEATTLE, WASH  
BABY TEETHING RING #3860 (HONG KONG)  
11/06/72  
SHARP EDGES & SMALL OBJECTS

[FR Doc.73-22571 Filed 10-26-73;8:45 am]

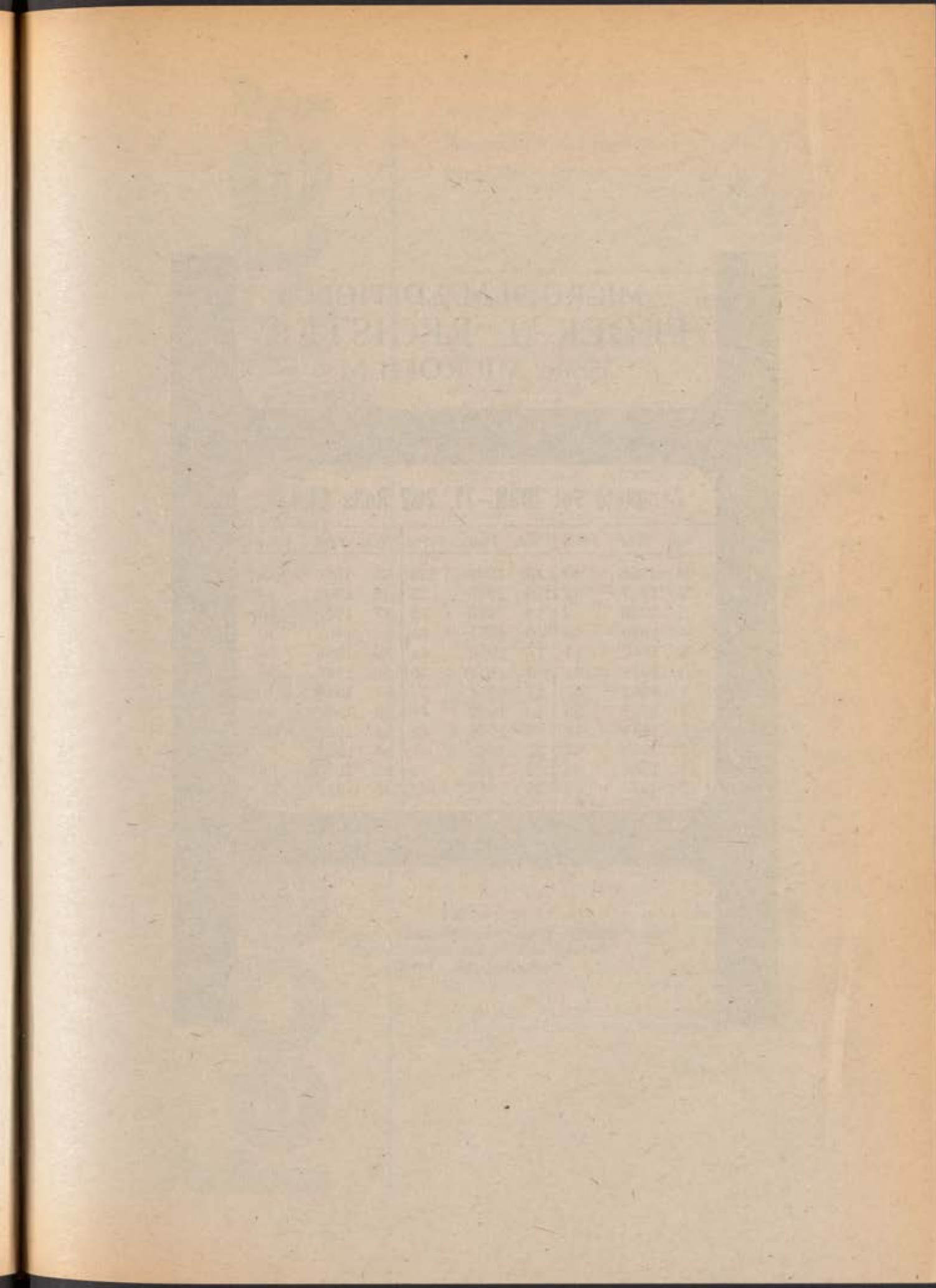














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