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Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Department of Housing and Urban Development

Section 213.3384 is amended to show that one position of Administrative Aide to the Special Assistant to the Secretary, is expected under Schedule C.

Effective on June 17, 1974, § 213.3384 (a) (31) is amended as set out below.

§ 213.3384 Department of Housing and Urban Development.

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

(31) One Special Assistant to the Secretary and one Administrative Aide to the Special Assistant.

* * * * *

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

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

[FR Doc.74–13774 Filed 6–14–74;8:45 am]

Title 7—Agriculture

CHAPTER II—FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—GENERAL REGULATIONS AND POLICIES—COMMODITY DISTRIBUTION

[Amdt. 26]

PART 250—DONATION OF FOODS FOR USE IN UNITED STATES, ITS TERRITORIES AND POSSESSIONS, AND AREAS UNDER ITS JURISDICTION

Realignment of Regional Boundaries

So that each State within an FNS Region and all residents thereof will be included in the same FNS Region, the Navajo Nation is, effective July 1, 1974, being transferred from the West-Central Region to the Western Region. Therefore, § 250.11 of this part is amended to show the current names and address of offices and the alignment of States, Territories, or Possessions as set out below.

This amendment is of an organizational nature and does not substantially affect the rights or obligations of any member of the public. Accordingly, it is found that notice and public procedure concerning this amendment are impracticable and unnecessary.

§ 250.11 Where to obtain information.

Interested persons desiring information concerning the program may make written request to the following Regional Offices:

Northeast Region, Food and Nutrition Service, USDA, 729 Alexander Road, Princeton, New Jersey 08540, for the following States and the District of Columbia: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, Virgin Islands, Virginia, and West Virginia.

Southeast Region, Food and Nutrition Service, USDA, 1100 Spring Street NW., Atlanta, Georgia 30309, for the following States: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee.

Midwest Region, Food and Nutrition Service, USDA, 536 South Clark Street, Chicago, Illinois 60605, for the following States: Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin.

West-Central Region, Food and Nutrition Service, USDA, 1100 Commerce Street, Room 5–D–22, Dallas, Texas 75202, for the following States: Arkansas, Colorado, Louisiana, Montana, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, and Wyoming.

Western Region, Food and Nutrition Service, USDA, 550 Kearney Street, Room 400, San Francisco, California 94108, for the following States, Territories, or Possessions: Alaska, American Samoa, Arizona, California, Guam, Hawaii, Idaho, Nevada, Oregon, Trust Territory, and Washington.

(Catalog of Federal Domestic Assistance Program No. 10.550, National Archives Reference Services).

This amendment shall become effective July 1, 1974.

Dated: June 11, 1974.

RICHARD L. FELTNER,
Assistant Secretary for Marketing and Consumer Services.

[FR Doc.74–13769 Filed 6–14–74;8:45 am]

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

PART 918—FRESH PEACHES GROWN IN GEORGIA

Expenses and Rates of Assessment

This document authorizes expenses of $10,800 of the Industry Committee under Marketing Order No. 918 for the 1974–75 fiscal period and fixes a rate of assessment of $0.02 per bushel basket of peaches (net weight of 48 pounds), handled in such period to be paid to the Committee by each first handler as his pro rata share of such expenses.

On May 20, 1974, notice of proposed rulemaking was published in the FEDERAL REGISTER (39 FR 17767) regarding proposed expenses and the related rate of assessment for the period March 1, 1974, through February 28, 1975, pursuant to the marketing agreement and Order No. 918 (7 CFR Part 918) regulating the handling of fresh peaches grown in Georgia. This notice allowed interested persons 19 days during which they could submit written data, views, or arguments pertaining to the proposals. None were submitted. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Industry Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 918.212 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and necessary to be incurred by the Industry Committee during the period March 1, 1974, through February 28, 1975, will amount to $10,800.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 918.41, is fixed as $0.02 per bushel basket of peaches (net weight of 48 pounds, or an equivalent of peaches in other containers or in bulk.

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 (7 U.S.C. 553) in that (1) shipments of fresh peaches have already begun; (2) the relevant provisions of said amended marketing agreement and this part require that the rate of assessment fixed for a particular fiscal period shall be applicable to all assessable peaches from the beginning of such period; and (3) the current fiscal period began March 1, 1974, and the rate of assessment herein fixed will automatically apply to all assessable peaches beginning with such date.

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

Dated: June 12, 1974.

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

[FR Doc.74–13766 Filed 6–14–74;8:45 am]

[Avocado Reg. 22]

PART 944—FRUITS; IMPORT REGULATIONS

Trade Requirements for Avocados

Avocado Regulation 22 prescribes during the period June 24, 1974, through

April 30, 1975, the same grade requirement for imported avocados as that applicable, pursuant to Order No. 915 (7 CFR Part 915), to avocados grown in South Florida. The maturity regulation applies the same minimum size or weight requirements to imported avocados of the Pollock, Catalina, and Trapp varieties as are applicable to Florida avocados of the same varieties. All other imported avocados are required to meet minimum size or weight requirements comparable to those effective for similar types grown in Florida as variations in characteristics make application of identical requirements impractical. This import regulation is effective pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

On June 3, 1974, notice of proposed rulemaking was published in the FEDERAL REGISTER (39 FR 19484) inviting written comments on consideration that was being given to a proposed regulation, which would limit the importation of avocados into the United States, during the period June 17, 1974, through April 30, 1975, pursuant to Part 944–Fruits; Import Regulations (7 CFR Part 944). None were received.

It is hereby found that good cause exists for not postponing the effective time of the regulatory provisions of this regulation, as hereinafter set forth, beyond that hereinafter specified (5 U.S.C. 553) in that (a) the requirements of this import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), which makes such requirements mandatory; (b) such regulation imposes the same grade and comparable maturity requirements on imports of avocados as are being made applicable to the shipment of avocados grown in Florida under Avocado Regulation 16, which becomes effective June 17, 1974; (c) such domestic and import regulations should become effective at as near the same time as is reasonably practicable; (d) notice hereof in excess of three days, the minimum prescribed by said section 8e, is given with respect to this import regulation; and (e) such notice is hereby determined, under the circumstances, to be reasonable.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, and other available information, it is hereby found that the grade, size, and maturity restrictions that are the same as or are comparable to those to be in effect pursuant to the said amended marketing agreement and order shall apply to avocados to be imported.

§ 944.14 Avocado Regulation 22.

(a) On and after the effective time of this section, the importation into the United States of any avocados is prohibited unless such avocados are inspected and meet the following requirements:

(1) All avocados imported during the period June 24, 1974, through April 30, 1975, shall grade not less than U.S. No. 3.

(2) Avocados of the Pollock variety shall not be imported (i) prior to July 8, 1974; (ii) from July 8, 1974, through July 21, 1974, unless the individual fruit in each lot of such avocados weighs at least 18 ounces or measures at least 3 11/16 inches in diameter; and (iii) from July 22, 1974, through August 5, 1974, unless the individual fruit in each lot of such avocados weighs at least 16 ounces or measures at least 3 7/16 inches in diameter.

(3) Avocados of the Catalina variety shall not be imported (i) prior to August 19, 1974; (ii) from August 19, 1974, 1974, through September 22, 1974, unless the individual fruit in each lot of such avocados weighs at least 24 ounces; and (iii) from September 23, 1974, through October 7, 1974, unless the individual fruit in each lot of such avocados weighs at least 22 ounces.

(4) Avocados of the Trapp variety shall not be imported (i) prior to August 19, 1974; (ii) from August 19, 1974, through September 1, 1974, unless the individual fruit in each lot of such avocados weighs at least 12 ounces or measures at least 3 10/16 inches in diameter; and (iii) from September 2, 1974, through September 16, 1974, unless the individual fruit in each lot of such avocados weights at least 12 ounces or measures at least 3 7/16 inches in diameter.

(5) Avocados of any variety other than Pollock, Catalina, and Trapp varieties, of the West Indian varieties not listed elsewhere in this regulation, shall not be imported (i) prior to July 8, 1974; (ii) from July 8, 1974, through August 4, 1974, unless the individual fruit in each lot of such avocados weighs at least 18 ounces; (iii) from August 5, 1974, through September 8, 1974, unless the individual fruit in each lot of such avocados weighs at least 16 ounces; (iv) from September 9, 1974, through October 6, 1974, unless the individual fruit in each lot of such avocados weighs at least 14 ounces: *Provided*, That any lot of such avocados may be imported without regard to the date or minimum weight requirements of this paragraph if such avocados, when mature, normally change color to any shade of red or purple and any portion of the skin of the individual fruit has changed to the color normal for that fruit when mature.

(6) Avocados of any variety of the Guatemalan type, including hybrid type seedlings, unidentified Guatemalan and and hybrid varieties, and Guatemalan and hybrid varieties not listed elsewhere in the regulation shall not be imported (i) prior to September 23, 1974; (ii) from September 23, 1974, through October 20, 1974, unless the individual fruit in each lot of such avocados weighs at least 15 ounces; and (iii) from October 21, 1974, through December 22, 1974, unless the individual fruit in each lot of such avocados weighs at least 13 ounces.

(7) Notwithstanding the provisions of paragraph (a) (2) through (6) of this section regarding the minimum weight or diameter for individual fruit, not to exceed 10 percent, by count, of the individual fruit, contained in each lot may weigh less than the minimum specified and be less than the specified diameter: *Provided*, That such avocados weigh not over 2 ounces less than the applicable specified weight for the particular variety specified in such subparagraphs. Such tolerances shall be on a lot basis, but not to exceed double such tolerances shall be permitted for an individual container in a lot.

(b) The Federal or Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, is hereby designated as the governmental inspection service for the purpose of certifying the grade, size, quality, and maturity of avocados that are imported into the United States. Inspection by the Federal or Federal-State Inspection Service with appropriate evidence thereof in the form of an official inspection certificate, issued by the respective service, applicable to the particular shipment of avocados, is required on all imports of avocados. Such inspection and certification services will be available upon application in accordance with the rules and regulations governing inspection and certification of fresh fruits, vegetables, and other products (7 CFR Part 51) but, since inspectors are not located in the immediate vicinity of some of the small ports of entry, such as those in southern California, importers of avocados should make arrangements for inspection, through the applicable one of the following officers, at least the specified number of days prior to the time when the avocados will be imported:

Ports	Office	Advance Notice
All Texas points.	L. M. Denbo, 506 South Nebraska St., San Juan, Tex. 78589 (Phone (512) 787–4091).	1 day.
	or	
	Charles E. Parragon, 300 North Concepcion, El Paso, Tex. 79905 (Phone (915) 543–7723).	Do.
All New York points.	Frank J. McNeal, Room 28A Hunts Point Market, Bronx, N.Y. 10474 (Phone (212) 991–7668 and 7669).	Do.
	or	
	Charles D. Renick, 176 Niagara Frontier Food Terminal, Room 8, Buffalo, N.Y. 14206 (Phone (716) 824–1585).	Do.
All Arizona points.	B. O. Morgan, 225 Terrace Ave., Nogales, Ariz. 85621 (Phone (602) 287–2902).	Do.
All Florida points.	Lloyd W. Boney, 1350 NW. 12th Ave., Room 538, Miami, Fla. 33136 (Phone (305) 324–6116).	Do.
	or	
	Hubert S. Flynt, 775 Warner Lane, Orlando, Fla. 32814 (Phone (305) 894–9511).	Do.
	or	
	Johnnie E. Corbitt, Unit 46, 3335 North Edgewood Ave., Jacksonville, Fla. 32205 (Phone (904) 354–5983).	Do.
All California points.	Daniel P. Thompson, 784 South Central Ave., Room 266, Los Angeles, Calif. 90012 (Phone (213) 622–8756).	3 days.
All Louisiana points.	Pascal J. Lamarca, 5027 Federal Office Bldg., 701 Loyola Ave., New Orleans, La. 70113 (Phone (504) 527–6741 and 6742).	1 day.
All other points	D. S. Matheson, F&V Div., AMS-USDA, Washington, D.C. 20250 (Phone (202) 447–5870).	3 days.

(c) Inspection certificates shall cover only the quantity of avocados that is being imported at a particular port of entry by a particular importer.

(d) The inspection performed, and certificates issued, by the Federal or Federal-State Inspection Service shall be in accordance with the rules and regulations of the Department governing the inspection and certification of fresh fruits, vegetables, and other products (7 CFR Part 51). The cost of any inspection and certification shall be borne by the applicant therefor.

(e) Each inspection certificate issued with respect to any avocados to be imported into the United States shall set forth, among other things:

(1) The date and place of inspection;

(2) The name of the shipper, or applicant;

(3) The commodity inspected;

(4) The quantity of the commodity covered by the certificate;

(5) The principal identifying marks on the container;

(6) The railroad car initials and number, the truck and the trailer license number, the name of the vessel, or other identification of the shipment; and

(7) The following statement, if the facts warrant: Meets U.S. import requirements under Section 8e of the Agricultural Marketing Agreement Act of 1937, as amended.

(f) Notwithstanding any other provisions of this regulation, any importation of avocados which, in the aggregate, does not exceed 55 pounds may be imported without regard to the restrictions specified herein.

(g) It is hereby found that the application of the maturity restrictions being imposed, pursuant to Order No. 915 (7 CFR Part 915), upon avocados grown in South Florida to imported avocados, other than of the Pollock, Catalina, and Trapp varieties, is not practicable because of variations in characteristics between the domestic and imported avocados; and the maturity restrictions applicable to imported avocados other than of the Pollock, Catalina, and Trapp varieties are comparable to those imposed upon the domestic commodity. The quality restrictions for all imported avocados, and the maturity restrictions for imported avocados of the Pollock, Catalina, and Trapp varieties, are the same as those being imposed upon the domestic commodity.

(h) No provisions of this section shall supersede the restrictions or prohibitions on avocados under the Plant Quarantine Act of 1912.

(i) Nothing contained in this section shall be deemed to preclude any importer from reconditioning, prior to importation, any shipment of avocados for the purpose of making it eligible for importation.

(j) The terms relating to grade, as used herein, shall have the same meaning as when used in the United States Standards for Florida Avocados (7 CFR 51.3050–51.3069). "Diameter" shall mean the greatest dimension measured at right angles to a line from the stem to the blossom end of the fruit. "Importation" means release from custody of the United States Bureau of Customs.

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

Dated June 11, 1974, to become effective June 24, 1974.

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

[FR Doc.74–13764 Filed 6–14–74;8:45 am]

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

[Milk Order No. 121]

PART 1121—MILK IN THE SOUTH TEXAS MARKETING AREA

Order Suspending Certain Provisions

This order of suspension is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), and of the order regulating the handling of milk in the South Texas marketing area.

It is hereby found and determined that for the month of July 1974 the following provisions of the order do not tend to effectuate the declared policy of the Act:

In § 1121.16, which defines "fluid milk products," the language "cultured sour cream and sour cream products."

STATEMENT OF CONSIDERATION

This action will continue the present suspension of certain provisions that now results in milk utilized for sour cream and sour cream products being classified as Class II milk rather than Class I milk. The present suspension, which has been in effect since June 1973, expires June 30, 1974.

Continuation of the suspension was requested by a proprietary handler regulated under the South Texas order. The distributing plant of this handler is located in the center of the North Texas order marketing area. Although the handler has a majority of his Class I sales in the South Texas market where he is regulated, most of the remainder of his sales, which include sour cream, is in the North Texas market. The North Texas order classifies milk used in sour cream and sour cream products in the lower-priced class (Class II).

Beginning August 1, 1974, milk used to produce various products, including sour cream and sour cream products, will be classified uniformly under all of the Texas orders. Amendments providing for such uniform classification were issued for 39 orders, including all Texas orders except South Texas, on April 29, 1974 (39 15404, 15762, 15997, and 16232) and for the South Texas order on May 22, 1974 (39 FR 18448).

In view of the inequitable competitive situation that again would prevail should the present suspension lapse after June 30, and inasmuch as it has been found appropriate on the basis of extensive hearings to classify milk uniformly under the Texas orders, the continued suspension of sour cream and sour cream products from the fluid milk products definition is appropriate until the classification amendments become effective on August 1. Such action will provide during the interim period the same classification of sour cream and sour cream products, and thus comparable pricing, under both the North Texas and South Texas orders.

It is hereby found and determined that thirty days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area;

(b) This suspension does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) A similar suspension has been in effect since June 1973 but will expire June 30, 1974. On August 1, 1974, uniform classification provisions will become effective under all Texas orders. Such provisions will result under each order in the same classification of milk used to produce sour cream and sour cream mixtures. Interim action is appropriate pending the effective date of related order amendments.

Therefore, good cause exists for making this order effective July 1, 1974.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended for the month of July 1974.

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

Effective date: July 1, 1974.

Signed at Washington, D.C., on June 11, 1974.

RICHARD L. FELTNER,
Assistant Secretary for Marketing and Consumer Services.

[FR Doc.74–13768 Filed 6–14–74;8:45 am]

Title 8—Aliens and Nationality

CHAPTER I—IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE

PART 242—PROCEEDINGS TO DETERMINE DEPORTABILITY OF ALIENS IN THE UNITED STATES: APPREHENSION, CUSTODY, HEARING, AND APPEAL

Authority to Issue and Cancel Orders To Show Cause; Authority To Issue Warrants of Arrest

Correction

In FR Doc.74–13187 appearing at page 20367 of the issue for Monday, June 10, 1974, the following changes should be made:

1. In § 242.2(a), the second word "the" in the 35th line should read "he".

2. In § 242.7 the word "and" in the second line should read "any".

Title 10—Energy

CHAPTER I—ATOMIC ENERGY COMMISSION

PART 71—PACKAGING OF RADIOACTIVE MATERIAL FOR TRANSPORT AND TRANSPORTATION OF RADIOACTIVE MATERIALS UNDER CERTAIN CONDITIONS

Form for Shipping Plutonium

On August 1, 1973, the Commission published in the FEDERAL REGISTER a notice of proposed rulemaking (38 FR 20482) that would have required that all plutonium in excess of twenty curies per package be shipped as a solid material contained within a "special form" capsule placed within a package meeting the conditions for normal form material. The effective date proposed was three years after adoption of the amendment. All interested persons were invited to submit written comments and suggestions for consideration in connection with the proposed amendment within 60 days after publication of the notice of proposed rulemaking in the FEDERAL REGISTER. After careful consideration of the comments received and other factors involved, the Commission has adopted the amendments as published for comment with the following changes:

(1) The proposed requirement that the inner containment vessel meet the "special form" capsule requirement has been replaced with a requirement that the inner containment vessel must maintain its integrity after the entire package has been subjected to the normal and accident test conditions prescribed by Part 71. The effect of the amended provisions is still to require double containment of the contents. A number of commenters expressed the view that while double containment of plutonium is an important safety objective, a requirement that the inner container meet the stringent performance specifications required of a "special form" capsule was unnecessary. The Commission considers it most important that solid form plutonium be doubly contained and that both barriers in the packaging maintain their integrity under normal and accident test conditions. The present packaging required for normal form material provides the outer barrier. In specifying the "inner barrier" in the proposed rule, the Commission proposed a form of encapsulation that was already defined in Part 71, with corresponding performance specifications. Since the inner containment requirements are intended to take into account the fact that the plutonium may not be in a "nonrespirable" form, the Commission has concluded that if it can be demonstrated that the inner container will maintain its integrity in the packaging after the package is subjected to the normal and accident test conditions, sufficient protection will be afforded.

(2) Solid plutonium in the following forms has been exempted from the double containment requirements: (a) Reactor fuel elements; (b) metal or metal alloy; and (c) other plutonium bearing solids that the Commission determines suitable for such exemption. Since the double containment provision compensates for the fact that the plutonium may not be in a "nonrespirable" form, solid forms of plutonium that are essentially nonrespirable should be exempted from the double containment requirement. Therefore, it appears appropriate to exempt from the double containment requirements reactor fuel elements, metal or metal alloy, and other plutonium bearing solids that the Commission determines suitable for such exemption. The latter category provides a means for the Commission to evaluate, on a case-by-case basis, requests for exemption of other solid material where the quantity and form of the material permits a determination that double containment is unnecessary.

(3) The implementation period has been extended from three to four years. Many comments suggested that the proposed three-year implementation period was not long enough, considering the necessary plant design effort, licensing, and construction of required facility modifications necessary to meet the requirements. Additional time was requested. The Commission believes that the increases in the amounts of plutonium to be shipped and the changing characteristics of plutonium will not change significantly in the next four years when compared to years beyond 1978. The four-year period for compliance should give the nuclear industry a sufficient period for implementation.

The Commission has determined, pursuant to guidelines of the Council on Environmental Quality, that this rulemaking action will not significantly affect the quality of the human environment and, accordingly, makes this Negative Declaration on environmental impact. The stac's environmental Impact Appraisal supporting this declaration is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C.

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 1, Code of Federal Regulations, Part 71, are published as a document subject to codification.

1. A new § 71.42 is added to read as follows:

§ 71.42 Special requirements for plutonium shipments after June 17, 1978.

(a) Notwithstanding the exemption in § 71.9, plutonium in excess of twenty (20) curies per package shall be shipped as a solid.

(b) Plutonium in excess of twenty (20) curies per package shall be packaged in a separate inner container placed within outer packaging that meets the requirements of Subpart C for packaging of material in normal form. The separate inner container shall not release plutonium when the entire package is subjected to the normal and accident test conditions specified in Appendices A and B. Solid plutonium in the following forms is exempt from the requirements of this paragraph:

(1) Reactor fuel elements;

(2) Metal or metal alloy; or

(3) Other plutonium bearing solids that the Commission determines should be exempt from the requirements of this section.

(c) Authority in AEC licenses issued pursuant to this part for delivery of plutonium to a carrier for transport under conditions which do not meet the limitations of paragraphs (a) and (b) of this section shall expire on June 17, 1978.

Effective date. The requirements of this part are effective on July 17, 1974.

Dated at Germantown, Maryland this 11th day of June 1974.

For the Atomic Energy Commission.

PAUL C. BENDER,
Secretary of the Commission.

[FR Doc.74-13775 Filed 6-14-74;8:45 am]

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. T]

PART 220—CREDIT BY BROKERS AND DEALERS

Credit in Connection With Investment Contracts; Postponement of Effective Date

1. On page 34988 of the FEDERAL REGISTER of December 21, 1973, the Board of Governors announced the addition, pursuant to the authority of section 7 of the Securities and Exchange Act of 1934 (15 U.S.C. § 78g), of a new paragraph (1) to § 220.6 of Regulation T. The effective date of the amendment was to be June 21, 1974.

2. The Securities and Exchange Commission has announced on June 7, 1974, proposed amendments to its regulations that would exempt from section 7 of Securities and Exchange Act of 1934 some of the investment contracts which would be affected by the addition of paragraph (1) to § 220.6 of Regulation T. In order to provide the Commission with adequate time for review of comments received on its proposal, the Board of Governors hereby announces that the effective date of paragraph (1) of § 220.6 is postponed until January 2, 1975.

By order of the Board of Governors, June 7, 1974.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.74-13757 Filed 6-14-74;8:45 am]

CHAPTER VI—FARM CREDIT ADMINISTRATION

PART 615—FUNDING AND FISCAL AFFAIRS

Banks for Cooperatives Earnings

The Farm Credit Administration, by its Federal Farm Credit Board, took final action on an amendment to its

regulations and authorized its issuance effective June 4, 1974. This amendment clarifies how the amount that may be placed in an unallocated surplus account by a bank for cooperatives is to be determined. Because this amendment has been discussed with the banks involved and there is a need for it to be made effective for the closing of books as of June 30, 1974, it is found that notice of proposed rulemaking provided for in 5 U.S.C. 553 is unnecessary, and any delay in the issuance of this amendment is not in the public interest.

Chapter VI of Title 12 of the Code of Federal Regulations is amended by revising § 615.5370 to read as follows:

§ 615.5370 Banks for cooperatives earnings.

(a) Whenever at the end of any fiscal year a bank shall have no outstanding capital stock held by the Governor the net savings shall first be applied to the restoration of the amount of the impairment, if any, of capital stock, as determined by the bank board. Any remaining net savings or losses shall be distributed as authorized by the bank board. Twenty-five percent or less of such remaining net savings derived from business done with or for patrons may be used to maintain an allocated surplus account. Not more than 10 percent of net savings derived from business done with or for patrons, plus the total amount of any net earnings derived from nonpatronage (including nonmember) sources, may be used to create or maintain an unallocated surplus or unallocated reserve account. The amount so determined shall first be reduced by related income taxes. For purposes of this regulation all net savings shall be deemed to be from patronage sources unless otherwise determined by the bank. Cash patronage refunds shall not exceed 25 percent of the total amount of net savings allocated or paid to patrons except with Farm Credit Administration approval. Patronage refunds not paid in cash or allocated in surplus shall be paid in capital stock as determined by the bank board. A net loss in any fiscal year shall be absorbed on the basis determined by the bank board. Any costs or expenses attributable to a prior year shall not be charged to reserves, surplus, or patronage allocations without the approval of the Farm Credit Administration.

(b) Whenever at the end of any fiscal year a bank shall have stock outstanding held by the Governor, net savings shall be distributed in accordance with section 3.11 (a) of the Act.

(c) The phrase "service fees" as used in section 3.11 (c) of the Act are loan service fees and not income related to "technical assistance and financially related services" referred to in section 3.7 of the Act. If net savings from "technical assistance and financially related services" becomes more than incidental, such net savings shall be distributed as patronage to borrowers using such services.

E. A. JAENKE,
Governor,
Farm Credit Administration.

[FR Doc.74-13780 Filed 6-14-74;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 73-CE-4-AD; Amdt. 39-1877]

PART 39—AIRWORTHINESS DIRECTIVES

Cessna Model 500 Airplanes

Amendment 39-1623, AD 73-9-1 (38 FR 9990) applicable to Cessna Model 500 airplanes, is an Airworthiness Directive (AD) which was issued as a result of the manufacturer's notification that some understrength elevator torque tube inboard hinge end cap—pivot studs (P/N 5534120-8) had been installed on some of these model airplanes. The AD requires that on certain serial numbers of the Cessna Model 500 airplanes that these aircraft not exceed a maximum operation speed of .69 mach. It also requires, prior to each flight, a preflight check and within 5 hours' time in service after the effective date of the AD an inspection of the suspect part for thickness in accordance with Cessna Service Bulletin SB 55-2 and replacement thereof if not within acceptable tolerances (.084 or less). The manufacturer has now advised the agency that on Cessna Model 500 aircraft all torque tubes with an end cap thickness of less than .085 have been replaced. Since total compliance with AD 73-9-1 has now been achieved the need for this AD is obviated. Therefore, action is taken herein to rescind AD 73-9-1.

Since this amendment relieves a restriction and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than thirty (30) days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89 (31 FR 13697), Section 39.13 of Part 39 of the Federal Aviation Regulations is amended by rescinding AD 73-9-1, Amendment 39-1623 (38 FR 9990).

This amendment becomes effective June 21, 1974.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 and 1423); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Kansas City, Missouri, on June 6, 1974.

A. L. COULTER,
Director, Central Region.

[FR Doc.74-13743 Filed 6-14-74;8:45 am]

[Airspace Docket No. 74-GL-5]

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

Designation of Transition Area

On pages 12768 and 12769 of the FEDERAL REGISTER dated April 8, 1974, the Federal Aviation Administration published a Notice of Proposed Rule Making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Camp McCoy, Wisconsin.

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

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

This amendment shall be effective 0901 G.m.t., August 15, 1974.

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

Issued in Des Plaines, Illinois on June 4, 1974.

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

In § 71.181 (39 FR 440), the following transition area is added:

CAMP MCCOY, WISCONSIN

That airspace extending upward from 700 feet above the surface within an 11 mile radius of the McCoy Army Air Field (latitude 43°57'15" N., longitude 90°44'15" W.), excluding that portion that overlies the La Crosse, Wisconsin transition area.

[FR Doc.74-13744 Filed 6-14-74;8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-862, Amdt. 23]

PART 288—EXEMPTION OF AIR CARRIERS FOR MILITARY TRANSPORTATION

Surcharge to Applicable Rates for Certain Foreign and Overseas Air Transportation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., June 11, 1974.

By ER-839, March 8, 1974, the Board amended Part 288 of its Economic Regulations (14 CFR Part 288) by providing a surcharge to the rates applicable to certain foreign and overseas air transportation services performed by air carriers for the Department of Defense. The surcharge was intended to compensate the carriers for the increased cost of commercial fuel expended in long-range foreign and overseas military charter operations. By ER-860, May 24, 1974, the Board adopted a procedure whereby the fuel surcharge rate would

be opened "automatically" on the first day of each month for a period necessary to receive and analyze reported fuel price data, after which the rate would be revised, either up or down, to reflect the more recent prices, and then retroactively applied from the first of the month.

Appendix B[1] sets forth the computation of the cost impact on operations for the base year ended September 30, 1973, of commercial fuel prices as of April 1, which is the first month for which the review is being made. On the basis of these results, we will amend the surcharge to increase the rate from the current 7.96 to 11.65 percent of the existing interim rates retroactive to April 1, 1974. This rate will continue as a temporary rate on and after May 1, until review of commercial fuel prices as of that date is completed.

In its comments in response to notice of rule making EDR–265, in which the monthly fuel surcharge review was proposed, Pan American World Airways, Inc. (Pan American) raised questions concerning two aspects of the methodology used to determine the surcharge rate which we deferred for consideration herein. First, Pan American suggests that since the surcharge is intended to reflect fuel prices for a current month, the rate should be based upon the average price of fuel actually used during the month rather than on the prices in effect on the first day of the month. And, second, the carrier objects to our procedure which substitutes the most recent reported fuel prices at stations operated during the base period rather than using the prices in effect at the stations actually operated during the month under review. We have considered the carrier's comments, but are not persuaded to base the fuel surcharge rate upon the average price of fuel actually consumed during the month in MAC operations. However, we have determined to revise somewhat our own methodology. As indicated, the previous commercial fuel surcharge rates have been determined by substituting the most recent reported fuel price at stations operated during the year ended September 30, 1973, for the average prices in effect during that period. This methodology tends to understate the current fuel prices in effect by reflecting obsolete prices in the current month for stations no longer served. In calculating the current prices for purposes of the instant amendment, we have taken into account only those stations served in both the base period and the current period. The methodology employed consists of (1) determining the current average commercial fuel price at stations operated on the first of the month that also had base year operations, and (2) multiplying the base year fuel costs by the average rate of price increase in item (1) to determine the base year fuel costs at present price levels. See Appendix A.[2] We will not adopt Pan American's approach because it would substantially increase the time required to adjust the fuel surcharge to reflect current prices. We are not persuaded that the Pan American approach would, over the long run, provide sufficiently greater accuracy as to justify the longer periods of retroactivity which would result.

In consideration of the foregoing, the Board hereby amends Part 288 of its Economic Regulations (14 CFR Part 288) effective April 1, 1974, as follows:

Amend § 288.7(a)(1) by amending the second proviso of the paragraph following the tables to read as follows:

§ 288.7 Reasonable level of compensation.

* * * * *

(a) * * *

(1) * * *; *And, provided further,* That (i) effective April 1 through April 30, 1974, the total minimum compensation for transportation with regular turbojet, widebody jet and DC–8F–61–63 aircraft, pursuant to the rates specified above in this paragraph (1), shall be further increased by a surcharge of 11.65 percent, and (ii) on and after May 1, 1974, the total minimum compensation for transportation with regular turbojet, widebody jet, and DC–8F–61–63 aircraft, pursuant to the rates specified above in this paragraph (1) shall include a temporary surcharge of 11.65 percent, subject to amendment (upward or downward) upon final determination by the Board.

* * * * *

(Secs. 204, 403 and 416 of the Federal Aviation Act of 1958, as amended; 72 Stat. 743, 758 and 771, as amended (49 U.S.C. 1324, 1373 and 1386.))

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND, *Secretary.*

[FR Doc.74–13811 Filed 6–14–74;8:45 am]

[Reg. ER–861, Amdt. 22]

PART 288—EXEMPTION OF AIR CARRIERS FOR MILITARY TRANSPORTATION

Category A and Z Military Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., June 11, 1974.

By notice of proposed rulemaking EDR–267/PSDR–38, dated April 10, 1974, the Board gave notice that it had under consideration amendments to Part 288 of its Economic Regulations (14 CFR Part 288) and Part 399 of its Statements of General Policy (14 CFR Part 399) with respect to Category A and Z military rates, applicable to military traffic carried on scheduled flights between commercial terminals, to provide for a 7.64 percent surcharge on existing interim rates, to be effective prospectively from the date of adoption through June 30, 1974. The proposed surcharge was intended to cover added operating costs resulting from increased fuel prices. It was based upon a similar proposed increase in international long-range Category B military charter rates since historically the Category A and Z rates have been derived from the long-range Category B one-way charter rate determinations.[3] The proposed Category B rate increase was to be based upon commercial fuel price increases as of February 1, 1974, compared with base period prices for the year ended September 30, 1973.[4] However, whereas the Board proposed to reopen monthly the Category B commercial fuel surcharge, and to revise the rate either up or down based upon prices in effect on the first of each month, the Board tentatively found that such a procedure could not be practically applied to the individually ticketed or waybilled Category A and Z services.

Comments in response to the notice were filed by Pan American World Airways, Inc. (Pan American) and Trans World Airlines, Inc. (TWA).

Upon consideration of the comments, the Board has determined to adopt the proposed rules with the following modifications: (1) Instead of basing the surcharge rate upon February 1 prices, we will utilize the April 1 prices from our monthly review of the Category B commercial fuel surcharge; (2) we will apply the same monthly review procedure adopted for the long-range Category B rates to the Category A rates; and (3) we will not require that tariffs implementing the surcharge with respect to Category Z rates bear any expiration date.

In determining to propose a 7.64 percent surcharge rate, we had relied upon the most recent available commercial fuel prices for Category B long-range foreign and overseas MAC charters. Both Pan American and TWA contend that the proposed rate, which was based upon February 1 fuel prices, understates the impact of continuing fuel price increases on the cost of performing Category A and Z services. In the interval since the issuance of the notice, we have received the results of our April 1 fuel price review for Category B services. This review indicates that a surcharge of 11.65 percent is now necessary to compensate for further increases in fuel prices.[5] Therefore, consistent with our policy of giving due consideration to the most recent available information,[6] we find that it is appropriate to adopt an 11.65 percent surcharge for Category A and Z rates rather than the 7.64 percent surcharge proposed. The surcharge will be on a temporary basis for Category A services, subject to adjustment after review of the June 1 fuel price reports.

We do not find it appropriate to make the Category A surcharge effective retroactively as proposed by Pan American.[7]

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[1] Appendices filed as part of the original document.

[1] See EDR–265, dated March 27, 1974.

[2] The proposed increase was finalized by ER–860.

[3] See ER–862.

[4] See *e.g.*, ER–839 adopted March 8, 1974.

[5] More specifically, Pan American contends that the 7.64 percent surcharge proposed in EDR–265 for application to Category B rates should also be applied to Category A rates. Thus, Pan American proposes that Category A rates be increased by 7.64 percent effective March 27, 1974, and be periodically adjusted on the same basis as Category B rates. In addition, Pan American contends that it would also be appropriate to apply the 5.15 percent surcharge imposed on Category B rates effective January 22, 1974, by ER–839, to the Category A rates.

In general, the Board's consistent ratemaking practice with respect to military rates has been that the rates established are not subject to retroactive application to a date prior to Board action specifically "reopening" the particular rate. In the present case, the Category A rates were not "opened" until the issuance of EDR–267/PSDR–38.

Nor in this instance are we persuaded to revise the rates retroactively to the date of the notice since in EDR–267/PSDR–38 we indicated clearly our intention of applying any rate adjustments prospectively only, and the Department of Defense may well have relied on such assurances in making its procurement decisions. Accordingly, we cannot find that a retroactive application of the Category A surcharge would be appropriate.

We originally did not propose adoption of the automatic monthly reopening of the fuel surcharge rate to permit retroactive adjustments reflecting more recent fuel prices on the basis that such a procedure practically could not be applied to the individually ticketed or waybilled Category A and Z services. Of particular concern was the fact that Category Z rates are embodied in tariffs, which can only be changed on a prospective basis. In its comment, Pan American contends that there is no practical reason why the automatic monthly reopening procedure cannot be applied to Category A rates.

We continue to believe that monthly review of the Category Z surcharge rate is not practical, since tariffs may not be retroactively amended. However, we are persuaded to adopt the procedure for the Category A rates. Unlike Category Z services, Category A services are performed pursuant to contracts with the Department of Defense, and with Category B services, are covered by the tariff filing exemption of Part 288. Furthermore, adoption of the monthly fuel surcharge reopening for Category A rates should serve during this period of extreme fuel price volatility to keep those rates more closely tied to the cost of the services provided.

As originally proposed, the Category A and Z surcharges were to be effective prospectively from the date of adoption through June 30, 1974. In its comment, Pan American objects to the requirement of an expiration date. The carrier is concerned about the possibility that a new surcharge will not be promulgated sufficiently in advance of July 1 to permit the carriers to have new tariffs in effect no later than July 1. Our original proposal was intended to provide a point at which the surcharge rate could be reviewed in the light of subsequent fuel price developments. However, periodic review can be accomplished without having to require any fixed expiration date. Accordingly, and in light of the considerations advanced by Pan American, we have determined to eliminate the requirement for an expiration date.

Finally, an additional matter not raised in our notice of rule making is now ripe for resolution. In ER–819, dated August 28, 1973, we made certain retroactive increases in rates applicable to various air transportation services performed pursuant to contracts with the Department of Defense. The period for which the rates were increased included the interval from June 13 through August 12, 1973, during which time the Phase III price freeze was in effect. At the time, the Department of Defense questioned whether or not the increased rates could be effective for the period of the freeze. The Board, noting that the Cost of Living Council had permitted retroactive increases in the rates for Logair/Quicktrans military charters under similar circumstances during the 1971 Phase I freeze, indicated that it had requested a ruling from the Council with respect to the applicability of the Phase III freeze to the rate increases. The Board determined, however, not to apply the increased rates during the freeze period, subject to adjustment if the ruling so permitted. By letter dated April 16, 1974, the Council informed the Board that the earlier ruling may be applied to the 1973 freeze. Accordingly, we are herewith making the appropriate adjustments to Part 288 to implement the increased rates during the period of the freeze.

In view of the carriers' need for prompt rate relief, we find good cause exists to make the amendments effective on less than thirty (30) days' notice.

Accordingly, the Civil Aeronautics Board hereby amends Part 288 of its Economic Regulations (14 CFR Part 288) effective June 11, 1974, as follows:

1. Amend § 288.7(a)(1) by amending the heading of the table presently entitled "Amended Rates Effective July 1, 1972–June 12, 1973 and August 13, 1973–August 27, 1973," and by deleting the table entitled "Performed with turbine-powered aircraft (For the period June 13–August 12, 1973)," the heading as amended to read as follows:

Amended rates effective July 1, 1972–August 27, 1973.

2. Amend § 288.7(d) to read as follows:

§ 288.7 Reasonable level of compensation.

* * * * *

(d) For Category A transportation:

(1) Passengers:

(i) For services performed between July 1, 1972 and August 27, 1973, 3.778 cents per passenger-mile.

(ii) For services performed on and after August 28, 1973, 3.842 cents per passenger-mile.

(2) Cargo:

(i) For services performed between July 1, 1972 and August 27, 1973, 15.276 cents per ton-mile.

(ii) For services performed on and after August 28, 1973, 15.534 cents per ton-mile.

Provided, however, That effective June 11, 1974, the total minimum compensation specified in paragraphs (1) and (2) above shall include a temporary surcharge of 11.65 percent, subject to amendment (upward or downward) upon final determination by the Board.

* * * * *

(Sections 204, 403, and 416 of the Federal Aviation Act of 1958, as amended; 72 Stat. 743, 758, and 771, as amended (49 U.S.C. 1324, 1373 and 1386.))

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND, *Secretary.*

[FR Doc.74–13810 Filed 6–14–74;8:45 am]

SUBCHAPTER F—POLICY STATEMENTS

[Reg. PS–55; Amdt. 34]

PART 399—STATEMENTS OF GENERAL POLICY

Category Z Military Transportation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., June 11, 1974.

By Notice of Proposed Rule Making EDR–267/PSDR–38, dated April 10, 1974, the Board gave notice that it had under consideration, *inter alia,* proposed amendments to Part 399 of its Statements of General Policy (14 CFR Part 399), providing a surcharge of 7.64 percent to the existing interim rates for Category Z individually ticketed military transportation to be effective prospectively from the date of adoption through June 30, 1974. For the reasons set forth in ER–861, issued contemporaneously herewith, the Board has decided to adopt the proposed rules with the following modifications: (1) instead of basing the surcharge rate upon February 1 fuel prices, we will utilize April 1 prices from our monthly review of the Category B commercial fuel surcharge; and (2) we will not require that tariffs implementing the surcharge bear on expiration date.

Accordingly, the Civil Aeronautics Board hereby amends Part 399 of its Statements of General Policy (14 CFR Part 399) effective June 11, 1974, as follows:

Amend § 399.16(b) by adding thereto a proviso, the section as amended to read as follows:

§ 399.16 Military exemptions.

* * * * *

(b) The minimum charges considered fair and reasonable for the transportation of Category Z individually ticketed passengers in foreign and overseas air transportation and in air transportation between the 48 contiguous states, on the one hand, and Hawaii or Alaska, on the other hand, effective on and after August 28, 1973, will be 3.842 cents per passenger-mile applied to the shortest mileage between the commercial air carrier points as set forth in the current IATA Mileage Manual to compute point-to-point passenger fares: *Provided, however,* That effective June 11, 1974, the total minimum compensation shall be increased by a surcharge of 11.65 percent.

(Sec. 204, 403 and 416 of the Federal Aviation Act of 1958, as amended; 72 Stat. 743, 758 and 771, as amended (49 U.S.C. 1324, 1373 and 1386))

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.74-13812 Filed 6-14-74;8:45 am]

Title 29—Labor

SUBTITLE A—OFFICE OF THE SECRETARY

PART 60—IMMIGRATION; IMMIGRANT LABOR CERTIFICATION

Removal of D.C. Manpower Administration Immigration Responsibilities to Philadelphia

On July 1, 1974, the Manpower Administration of the U.S. Department of Labor is terminating its area office in the District of Columbia. Various of the functions of that office will, pursuant to the requirements of P.L. 93-198, District of Columbia Self Government and Government Reorganization Act, be transferred to the government of the District of Columbia; other functions including the Federal immigrant labor certification responsibilities are being transferred to the Manpower Administration's Regional Office in Philadelphia, Pennsylvania. This rulemaking amends the Department's immigrant labor certification regulations at 29 CFR Part 60 to reflect the closure of the D.C. area office and the above-mentioned absorption of that office's immigrant labor certification responsibilities by the Regional Office for that region.

In addition to the above, the regulations are also being revised to reflect a change in the title of "Regional Manpower Administrator" which has been changed to "Assistant Regional Director for Manpower."

This rulemaking is limited to procedural matters which do not require public participation or publication 30 days before its effective date. This rulemaking does not change the procedure which is used in the filing of requests for immigrant labor certifications; it merely modifies the governmental processing of such requests for the D.C. area. Requests for review of denials of certification issued by the D.C. Manpower Administration Certifying Officer may continue to be mailed to the address set forth on the denial form; such requests will be administratively forwarded to the appropriate Reviewing Officer.

In light of the above, 29 CFR Part 60 is amended as follows:

§ 60.1 [Amended]

1. Paragraph (d) of § 60.1 is amended as follows:

a. By deleting in the second sentence the designation "Regional Manpower Administrator" and substituting the following: Assistant Regional Director for Manpower.

b. By deleting the list of States after the designation of Region III and substituting the following: (Delaware, District of Columbia, Maryland, Pennsylvania, Virginia and West Virginia).

c. By deleting the designation "D.C." and the address and geographical listing set forth for that designation.

2. Section 60.4 is amended as follows:

a. Paragraph (b) is amended by deleting the words "Regional Manpower Administrator (or the Administrator for the District of Columbia)" and substituting the following: Assistant Regional Director for Manpower.

b. Paragraphs (a) and (c) are revised to read as follows:

§ 60.4 Certification determinations and review.

(a) Department of Labor determinations pursuant to paragraphs (b) and (c) of § 60.3 shall be made by the Certifying Officer appointed by the Assistant Regional Director for Manpower of the Department of Labor for the area wherein the employment is to occur.

* * * * *

(c) The Assistant Regional Director for Manpower or his designated representative, who shall not have participated in the initial determination, shall carry out the review. Upon review, the Assistant Regional Director for Manpower or his designated representative may order the issuance of a certification or may affirm the denial. The determination of the Assistant Regional Director for Manpower shall be final.

* * * * *

Effective date. This revision becomes effective on July 1, 1974.

Signed at Washington, D.C., this 12th day of June 1974.

WILLIAM H. KOLBERG,
Assistant Secretary for Manpower.

[FR Doc.74-13788 Filed 6-14-74;8:45 am]

Title 31—Money and Finance: Treasury

CHAPTER II—FISCAL SERVICE, DEPARTMENT OF THE TREASURY

MISCELLANEOUS AMENDMENTS TO CHAPTER

The Department of the Treasury finds it necessary to amend its regulations in Subtitle B, Chapter II, in order to make them conform to the reorganization of the Fiscal Service as mandated by Treasury Department Orders No. 229 and 229-1, appearing at 39 FR 2280 and 39 FR 10454 respectively. In particular, the amendments delete references to the Bureau of Accounts, the Commissioner of the Bureau of Accounts, the Office of the Treasurer of the United States and to the Treasurer of the United States, and add in lieu thereof, references to the Bureau of Government Financial Operations, the Commissioner of the Bureau of Government Financial Operations, the United States Treasury and to the Bureau of the Public Debt, as the case may be. In addition, Part 208 is deleted as its underlying substantive regulation, Treasury Department Circular 195, is outdated and inaccurate in many respects and will be revised and released, in Part IV of the Treasury Fiscal Requirements Manual, without being codified in 31 CFR. The other amendments herein are wholly editorial in nature in that they mostly amend office titles, mailing addresses, part designations, and references to the amended designations, to conform to the requirements of the reorganization. Of the latter amendments, the relevant portion of § 351.2(a)(1) has been incorporated into § 270.2(a)(1), and the remainder of Part 351 is deleted. Parts 359, 360, 365, and 368 are redesignated as Parts 235, 240, 245, and 248 respectively.

The Department finds that notice to the public, of these amendments, is not necessary under 5 U.S.C. 553 as the amendments are wholly intra-Departmental. Therefore, Title 31 of the Code of Federal Regulations, Subtitle B, Chapter II, is amended as follows:

Chapter II; Subchapter A:

Subchapter A is retitled "Bureau of Government Financial Operations"

Part 202 (footnote 1): Amend "Treasurer of the United States" to read "United States Treasury".

In § 202.3(a): Amend "Treasurer of the United States," to read "United States Treasury,".

In § 202.3(b)(1) (ii) & (iii): Amend "Treasurer of the United States;" to read "United States Treasury;".

In § 202.3(b)(2): Amend "Bureau of Accounts)," to read "Bureau of Government Financial Operations),".

In § 202.6(c)(2): Amend "the Treasurer of the United States, Securities Division," to read "the United States Treasury," and "or the Treasurer of the United States" to read "or the United States Treasury".

In § 202.6(d): Amend (in 2 places) "or the Treasurer of the United States," to read "or the United States Treasury,".

In § 203.7(a)(2): Amend "and the Treasurer of the United States;" to read "and the United States Treasury;".

In § 205.5(c): Amend "or the Cash Division, Office of the Treasurer of the United States," to read "or the Division of Cash Services, Bureau of Government Financial Operations.".

In § 205.10: Amend "Commissioner of Accounts" to read "Commissioner of the Bureau of Government Financial Operations".

In § 205.11: Amend "Commissioner of Accounts." to read "Commissioner of the Bureau of Government Financial Operations.".

Part 208 is deleted: Treasury Department Circular No. 195, the substantive regulation, is outdated and inaccurate in many respects and will be revised and released in Part IV of the Treasury Fiscal Requirements Manual. The new material will have no public or policy impact and need not be codified in 31 CFR.

In § 209.10(a): Amend "Checks Drawn on the Treasurer of the United States, in particular 31 CFR 360.8." to read "Checks Drawn on the United States Treasury, in particular 31 CFR 240.8.".

In § 209.12: Amend "Commissioner of Accounts." to read "Commissioner of the Bureau of Government Financial Operations.".

In § 211.3(a): Amend "Bureau of Accounts, Investments Branch," to read "Bureau of Government Financial Operations,".

In § 211.3(b): Amend "of the Treasurer of the United States" to read "of the United States Treasury".

In § 211.4: Amend "Bureau of Accounts, Investments Branch," to read "Bureau of Government Financial Operations," and "The Bureau of Accounts will" to read "The Bureau of Government Financial Operations will".

In § 223.2: Amend "(Chief Auditor), Bureau of Accounts," to read "for Auditing, Bureau of Government Financial Operations,".

In § 223.3: Amend "(Chief Auditor)" to read "for Auditing".

In § 223.12(a): Amend "(Chief Auditor)" to read "for Auditing".

In § 223.12(c): Amend "(Chief Auditor)" to read "for Auditing".

In a document amending Part 223 published Friday, August 24, 1973 (38 FR 22779), amendatory language redesignating § 223.19 as § 223.22 was inadvertently omitted. To clarify, redesignated § 223.22 is set forth in full together with changes promulgated by this document:

§ 223.22 Schedule of fees.

Fees shall be imposed and collected for the following services performed by the Treasury Department, whether the action requested is granted or denied, effective with requests submitted as of January 20, 1972. The payee of the check or other instrument shall be the Bureau of Government Financial Operations, Treasury Department.

(a) For examining a company's application for a certificate of authority as an acceptable surety on Federal bonds or as an acceptable reinsuring company on such bonds: $550 (see § 223.2).

(b) For examining a company's application for recognition as an admitted reinsurer (except on excess risks running to the United States) of surety companies doing business with the United States: $50 (see § 223.12 (a) and (b)).

(c) For determining the continuing qualifications for annual renewal of a company's certificate of authority: $365 (see § 223.3).

(d) For determining the continuing qualifications for annual renewal of a company's authority as an admitted reinsurer: $25 (see § 223.12(c)).

Part 225 (footnote 1): Amend "Bureau of Accounts," to read "Bureau of Government Financial Operations,".

In § 225.8: Amend (in 2 places) "Treasurer of the United States" to read "United States Treasury".

In § 250.2: Amend "Investments Branch, Bureau of Accounts," to read "Bureau of Government Financial Operations,".

In § 250.3(a): Amend "Investments Branch, Bureau of Accounts," to read "Bureau of Government Financial Operations,".

In § 250.4(b)(1): Amend "Investments Branch." to read "Bureau of Government Financial Operations.".

In § 250.4(f): Amend "Investments Branch, Bureau of Accounts," to read "Bureau of Government Financial Operations,".

In § 250.5: Amend "on the Treasurer of the United States." to read "on the United States Treasury.".

In § 250.6: Amend "Office of the Treasurer of the United States," to read "Bureau of Government Financial Operations,".

In § 251.1: Amend "Bureau of Accounts" to read "Bureau of Government Financial Operations".

In § 251.4: Amend "Investments Branch, Bureau of Accounts," to read "Bureau of Government Financial Operations,".

In § 254.1(b): Amend "Commissioner of Accounts," to read "Commissioner of the Bureau of Government Financial Operations,".

In § 254.3(b): Amend "Commissioner of Accounts," to read "Commissioner of the Bureau of Government Financial Operations,".

In § 254.3(c): Amend "Treasurer of the United States." to read "United States Treasury.".

In § 254.4: Amend "Office of the Treasurer of the United States." to read "Bureau of Government Financial Operations.".

In § 256.2: Amend "Bureau of Accounts," to read "Bureau of Government Financial Operations,".

In § 257.2(a): Amend "Investments Branch, Bureau of Accounts," to read "Bureau of Government Financial Operations," and "Form No. 607" to read "Form No. 5118".

In § 257.2 (footnote 1): Amend "Post Office Department" to read "Postal Service" and "Investments Branch" to read "Bureau of Government Financial Operations".

In § 261.7(a): Amend "Division of Deposits." to read "Bureau of Government Financial Operations.".

In § 270.1: Amend "Bureau of Accounts" to read "Bureau of Government Financial Operations".

In § 270.2(a): Amend "Bureau of Accounts" to read "Bureau of Government Financial Operations".

In § 270.2(a)(1) is revised to read:

(1) Final opinions, as well as orders, made in the adjudication of cases. These will include final dispositions of claims on Government checks and claims for the redemption of mutilated currency of the United States which are of a precedential nature. Generally, however, the Bureau of Government Financial Operations does not issue orders in the adjudication of cases.

In § 270.2(a)(3): Amend "Bureau of Accounts' " to read "Bureau of Government Financial Operations' ".

In § 270.3(a): Amend "Commissioner of Accounts," to read "Commissioner of the Bureau of Government Financial Operations," and "Operating Facilities Officer," to read "Director, Division of Facilities Management,".

In § 270.3(b): Amend "Commissioner of Accounts," to read "Commissioner of the Bureau of Government Financial Operations,".

In § 270.4: Amend "Bureau of Accounts" to read "Bureau of Government Financial Operations".

In § 281.4: Amend "Treasurer of the United States" to read "United States Treasury".

In § 281.5(c): Amend "Treasurer of the United States" to read "United States Treasury".

In § 281.6: Amend (in 2 places) "Treasurer of the United States," to read "United States Treasury,".

In § 290.3: Amend "Bureau of Accounts," to read "Bureau of Government Financial Operations,".

In § 290.6: Amend "Treasurer of the United States" to read "Bureau of Government Financial Operations" and "Bureau of Accounts," to read "Bureau of Government Financial Operations,".

Chapter II: Subchapter B:

In § 306.1(a): Amend "Treasurer of the United States." to read "Bureau of the Public Debt.".

In § 306.1(b): Delete "or (3) the Office of the Treasurer of the United States, Securities Division, Washington, D.C. 20222,".

In § 306.2: Delete paragraph (r).

In § 306.2: Redesignate paragraph (s) as paragraph (r).

In § 306.12: Delete "or the Treasurer's Office".

In § 306.25(a): Amend "or the Treasurer's Office, and bearer securities to a Federal Reserve bank or branch or the Treasurer's Office,[4] " to read "and bearer securities to a Federal Reserve bank or branch.[4] ".

In § 306.26(a): Amend "Treasurer of the United States" to read "United States Treasury".

§ 306.28(a) (footnote 5): Amend ", the Bureau of the Public Debt or the Treasurer's Office." to read "or, the Bureau of the Public Debt.".

In § 306.37(a): Amend "Treasurer of the United States" to read "United States Treasury".

In § 306.37(c): Amend "(Part 360 of this chapter)." to read "(Part 240 of this chapter).".

In § 306.37(d): Amend "the Office of the Treasurer of the United States, Check Claims Division, Washington, D.C. 20227," to read "the Bureau of Government Financial Operations, Washington, D.C. 20226,".

In § 306.38: Amend "Treasurer's Office.[5] " to read "Bureau of the Public Debt.[5] ".

In § 306.40(a): Delete ", or the Treasurer of the United States".

In § 306.43: Amend "a Federal Reserve bank or branch, or the Treasurer of the United States," to read "or a Federal Reserve bank or branch,".

In § 306.45(d): Amend "any Federal Reserve bank or branch, or the Treasurer of the United States," to read "or any Federal Reserve bank or branch,".

Section 306.122 is revised to read as follows:

§ 306.122 Servicing book-entry Treasury securities; payment of interest, payment at maturity or upon call.

Interest becoming due on book-entry Treasury securities shall be charged in

the "account of the United States Treasury" on the interest-due date and remitted or credited in accordance with the depositor's instructions. Such securities shall be redeemed and charged in the account on the date of maturity or call, and the redemption proceeds, principal and interest, shall be disposed of in accordance with the depositor's instructions.

In § 308.2: Amend "20220," to read "20226,".

In § 309.2: Amend "Treasurer of the United States," to read "Bureau of the Public Debt,".

In § 309.4: Amend "Office of the Treasurer of the United States, Washington." to read "Bureau of the Public Debt, Washington, D.C. 20226.".

In § 309.5(b): Amend "Office of the Treasurer of the United States, Washington, D.C. 20220," to read "Bureau of the Public Debt, Washington, D.C. 20226,".

In § 315.1(b): Amend "536 South Clark Street, Chicago, Ill. 60605," to read "P.O. Box 509, Parkersburg, West Virginia 26101,".

In § 315.1: Delete "or (c) the Office of the Treasurer of the United States, Securities Division, Washington, D.C. 20222,".

In § 315.2(l): Delete "the Office of the Treasurer of the United States, Securities Division,".

In § 315.7(f): In the heading amend "*Treasurer of the United States*" to read "*United States Treasury*" and in the text "Treasurer of the United States" to read "United States Treasury".

In § 315.32(g): Amend "Office of the Treasurer of the United States" to read "Bureau of Government Financial Operations" and "(31 CFR, Part 360)." to read "(31 CFR, Part 240).".

In § 315.38(a): Delete ", or (3) the Office of the Treasurer of the United States, Securities Division" and insert the word "or" before subparagraph (2).

In § 315.42(h): Delete "the Treasurer of the United States,".

In § 315.45(a): Delete ", or (3) the Office of the Treasurer of the United States, Securities Division" and insert the word "or" before subparagraph (2).

In § 315.46: Delete "the Office of the Treasurer of the United States, Securities Division,".

In § 315.47: Delete "or (c) the Office of the Treasurer of the United States, Securities Division,".

In § 315.61(a)(4): Add "or the United States Treasury" after the words "Treasurer of the United States".

In § 315.66(e): Add after "United States" the words "or the United States Treasury".

In § 316.10: The heading of paragraph (b) is revised to read:

(b) *Federal Reserve Banks and Branches and United States Treasury.*

In § 321.11: Amend "or the Office of the Treasurer of the United States Securities Division, Washington, D.C. 20220." to read "or the Bureau of the Public Debt, P.O. Box 509, Parkersburg, West Virginia 26101.".

In Memorandum Instructions (at end of Part 321):

In Instruction No. 14(a): Amend "Treasurer of the United States." to read "United States Treasury.".

In Instruction No. 14(b): Amend "Treasurer of the United States" to read "United States Treasury".

Section 322.0 is revised to read as follows:

§ 322.0 Applicability of regulations.

The regulations in this part govern the manner of accounting for losses to the United States of America resulting from the redemption of U.S. Savings Bonds and U.S. Savings Notes (Freedom Shares) (a) by any bank or other financial institution duly qualified as a paying agent under Treasury Department Circular No. 750, or any revision thereof (Part 321 of this chapter), and (b) by any Federal Reserve Bank or Branch, as fiscal agent of the United States.

Section 322.1 is revised to read as follows:

§ 322.1 Report of erroneous payment.

(a) *By qualified paying agent.* Upon discovery of an erroneous or unauthorized payment by a qualified paying agent, immediate report thereof should be made to the Federal Reserve Bank of the district. The payments so reported to, or otherwise discovered by, a Federal Reserve Bank, shall be adjusted, so far as possible, between the Federal Reserve Bank and the paying agent concerned. If no such adjustment is possible, or if the error in payment is discovered after the account of the United States Treasury has been charged, an immediate report thereof shall be made by the Federal Reserve Bank to the Bureau of the Public Debt, P.O. Box 509, Parkersburg, West Virginia 26101.

(b) *By Bureau of the Public Debt and Federal Reserve Bank or Branch.* Upon discovery of an erroneous or unauthorized payment by the United States Treasury or by a Federal Reserve Bank or Branch, immediate report thereof shall be made by such agency to the Bureau of the Public Debt, P.O. Box 509, Parkersburg, West Virginia 26101.

In § 322.3: Delete "Treasurer of the United States, the".

In § 322.4: Delete "the Treasurer of the United States, or".

In § 328.3(a): Amend "Treasurer of the United States," to read "Bureau of the Public Debt,".

In § 328.3(b): Amend "Treasurer of the United States," to read "Bureau of the Public Debt,".

In § 328.6(a): Amend "Treasurer of the United States, the words 'Treasurer of the United States' should be used in lieu of the words * * * " to read "Bureau of the Public Debt, the words 'United States Treasury' should be used in lieu of the words * * *".

In § 328.7: Amend "Treasurer of the United States" to read "Bureau of the Public Debt".

Part 330 Memorandum of Instructions (at end of Part 330):

In Instruction No. 9(i): Amend "Treasurer of the United States." to read "United States Treasury.".

In Instruction No. 11(b): Amend "Treasurer of the United States." to read "United States Treasury.".

In § 332.10(c): Amend "536 South Clark Street, Chicago, Illinois 60605." to read "P.O. Box 509, Parkersburg, West Virginia 26101.".

In § 337.1: Amend "Division of Loans and Currency," to read "Division of Securities Operations,".

In § 337.3: Amend "Division of Loans and Currency," to read "Division of Securities Operations,".

In § 337.6: Amend "Division of Loans and Currency," to read "Division of Securities Operations,".

Part 339 (footnote 4): Amend "or the Securities Division, Office of the Treasurer of the United States, Washington, D.C. 20220," to read "or the Bureau of the Public Debt, Washington D.C. 20226,".

Part 339 (footnote 5): Amend "Office of the Treasurer of the United States," to read "Bureau of the Public Debt," and "Treasurer of the United States," to read "United States Treasury,".

In § 340.2: Amend "$51,000," to read "$1,000,".

In § 341.3(a): Amend "Office of the Treasurer of the United States, Washington, D.C. 20220." to read "Bureau of the Public Debt, Washington, D.C. 20226." and "Treasurer's Office" to read "Bureau of the Public Debt".

In § 341.3(b): Amend "Treasurer of the United States," to read "United States Treasury,".

In § 341.8(b) in the paragraph following item No. 9.: Delete "Division of Loans and Currency," and amend "Office of the Treasurer of the United States." to read "Bureau of the Public Debt.".

In § 341.8(c)(1)(a): Amend "Office of the Treasurer of the United States, Washington, D.C. 20220." to read "Bureau of the Public Debt, Washington, D.C. 20226."

In § 341.8(c)(2)(a): Amend "Office of the Treasurer of the United States." to read "Bureau of the Public Debt."

In § 341.8(c)(2)(b) (footnote 1): Delete "Division of Loans and Currency,".

In § 341.9(a) in the paragraph following item No. 5.: Amend "Office of the Treasurer of the United States, Washington D.C. 20220." to read "Bureau of the Public Debt, Washington, D.C. 20226." and delete "Division of Loans and Currency, Washington, D.C. 20226.".

In § 341.9(b)(2): Amend "Treasurer of the United States, Washington, D.C. 20220." to read "Bureau of the Public Debt, Washington, D.C. 20226.".

In § 341.10(a): Amend "office of the Treasurer of the United States, Washington, D.C. 20220," to read "Bureau of the Public Debt, Washington, D.C. 20226,".

In § 341.10(b): Amend "Office of the Treasurer of the United States, Washington, D.C. 20220." to read "Bureau of the Public Debt, Washington, D.C. 20226.".

In § 341.12: Delete "Division of Loans and Currency,".

In § 341.14(e): Amend "Chief of the Division of Loans and Currency," to read "Chief of the Division of Securities Operations,".

In § 341.15(a): Amend "Office of the Treasurer of the United States." to read "Bureau of the Public Debt.".

In § 342.2(e): Amend "Treasurer of the United States, Securities Division, Washington, D.C. 20220." to read "Bureau of the Public Debt, Washington, D.C. 20226.".

In § 342.3(a): Amend "Office of the Treasurer of the United States, Securities Division, Washington, D.C. 20220." to read "Bureau of the Public Debt, Washington, D.C. 20226.".

In § 342.6(a): Amend "Office of the Treasurer of the United States, Securities Division, Washington, D.C. 20220," to read "Bureau of the Public Debt, Washington, D.C. 20226,".

In § 343.1(c): Amend "Office of the Treasurer of the United States" to read "Bureau of the Public Debt".

In § 343.2(a): Amend "Office of the Treasurer of the United States, Securities Division, Washington, D.C. 20220," to read "Bureau of the Public Debt, Washington, D.C. 20226," and "Office of the Treasurer" to read "Bureau of the Public Debt".

In § 343.2(b): Amend "Office of the Treasurer" to read "Bureau of the Public Debt".

In § 343.3: Delete "Division of Loans and Currency,".

In § 343.5(a): Delete "Division of Loans and Currency,".

In § 343.6(a): Delete "Division of Loans and Currency,".

Chapter II; Subchapter C:

Subchapter C heading is deleted.

Part 351 is deleted. Relevant sections from this Part have been incorporated into 270.2(a)(1).

Part 359 is redesignated as Part 235 and as redesignated is amended as follows:

The heading of Part 235 is revised to read:

PART 235—SETTLEMENTS BY THE COMMISSIONER OF THE BUREAU OF GOVERNMENT FINANCIAL OPERATIONS, IN ADVANCE OF RECLAMATION, WITH PAYEES OR SPECIAL ENDORSEES OF LOST OR STOLEN CHECKS, WHICH HAVE BEEN PAID ON FORGED INDORSEMENTS

In § 235.0: Amend "Treasurer of the United States" to read "Commissioner of the Bureau of Government Financial Operations".

In § 235.1: Amend "The Treasurer of the United States" to read "The Commissioner of the Bureau of Government Financial Operations".

In § 235.1(b): Amend "Treasurer" to read "Commissioner".

In § 235.1 (note following 359.1(b)): Amend "Treasurer of the United States" to read "United States Treasury".

In § 235.2: Amend "The Treasurer of the United States" to read "The Commissioner of the Bureau of Government Financial Operations" and "Treasurer" to read "Commissioner".

In § 235.2(b): Amend "Treasurer" to read "United States Treasury".

In § 235.3: Amend "Treasurer of the United States" to read "Commissioner of the Bureau of Government Financial Operations".

Part 360 is redesignated as Part 240 and as redesignated is amended as follows:

The heading of Part 240 is revised to read:

PART 240—INDORSEMENT AND PAYMENT OF CHECKS DRAWN ON THE UNITED STATES TREASURY[1]

In § 240 (footnote 1): Amend "Treasurer of the United States" to read "United States Treasury".

In § 240.1: Amend "Treasurer of the United States." to read "United States Treasury.".

Sections 240.2 through 240.6 are revised to read as follows:

§ 240.2 Definitions.

As used in this part, the term:

"Check" or "checks" means a check or checks drawn on the United States Treasury.

"Federal Reserve Bank" means a Federal Reserve Bank or branch thereof.

"Financial organization" means any bank, savings bank, savings and loan association or similar institution, or Federal or State chartered credit union.

"Person" or "persons" means an individual or individuals, or an organization or organizations, whether incorporated or not, including all forms of banking institutions.

"Presenting bank" means (a) a bank or depositor which presents checks to, and receives credit therefor from, a Federal Reserve Bank, or (b) a depositary which is authorized to charge checks to the General Account of the United States Treasury and present them directly to the Treasury for payment, or (c) a bank which, under special arrangements with the Treasury, presents checks directly to the Treasury for payment.

"Reclamation" means the action taken by the Treasury to obtain refund of the amounts of paid checks.

"Treasury" means the United States Treasury.

"U.S. securities" means securities of the United States and securities of Federal agencies and wholly or partially Government-owned corporations for which the Treasury acts as transfer agent.

§ 240.3 Generally.

All checks heretofore or hereafter drawn on the United States Treasury are payable without limitation of time. The Treasury shall have the usual right of a drawee to examine checks presented for payment and refuse payment of any checks, and shall have a reasonable time to make such examination. Checks shall be deemed to be paid by the United States Treasury only after first examination has been fully completed. If the Treasury is on notice of a doubtful question of law or fact when a check is presented for payment, payment will be deferred pending settlement by the General Accounting Office.

§ 240.4 Guaranty of indorsements.

The presenting bank and the indorsers of a check presented to the Treasury for payment are deemed to guarantee to the Treasury that all prior indorsements are genuine, whether or not an express guaranty is placed on the check. When the first indorsement has been made by one other than the payee personally, the presenting bank and the indorsers are deemed to guarantee to the Treasury, in addition to other warranties, that the person who so indorsed had unqualified capacity and authority to indorse the check in behalf of the payee.

§ 240.5 Reclamation of amounts of paid checks.

The Treasury shall have the right to demand refund from the presenting bank of the amount of a paid check if after payment the check is found to bear a forged or unauthorized indorsement or an indorsement by another for a deceased payee where the right to the proceeds of such check terminated upon the death of the payee, or to contain any other material defect or alteration which was not discovered upon first examination. If refund is not made, the Treasury shall take such action against the proper parties as may be necessary to protect the interests of the United States.

§ 240.6 Processing of checks.

(a) *Federal Reserve Banks.* (1) Federal Reserve Banks shall make arrangement to cash checks for Government disbursing officers when such checks are drawn by the disbursing officers to their own order. Federal Reserve Banks may ascertain from the Treasury that the balances to the credit of the disbursing officers are sufficient and thereafter payment of such checks shall not be refused except for alteration or forged signature of the drawer.

(2) Federal Reserve Banks shall not be expected to cash Government checks presented direct to them by the general public.

(3) As a depository of public funds each Federal Reserve Bank shall (i) receive checks from its member banks, nonmember clearing banks, or other depositors, when indorsed by such banks or depositors who guarantee all prior indorsements thereon, (ii) give immediate credit therefor in accordance with their current Time Schedules and charge the amount of the checks cashed or otherwise received to the account of the Treasury, subject to examination and payment by the United States Treasury, and (iii) forward the checks to the Treasury. The Treasury shall return to the forwarding Federal Reserve Bank a photocopy of any check the payment of which is refused upon first examination. Federal Reserve Banks shall give immediate credit therefor in the United States Treasury's account, thereby reversing the previous charge to the account for such check.

(b) *Depositaries outside of the mainland of the United States.* Banks outside of the mainland of the United States designated as depositaries of public money and permitted to charge checks to the General Account of the United States Treasury shall be governed by the operating instructions contained in the letter of authorization to them from the Fiscal Assistant Secretary and shall assume the obligations of presenting banks set forth in §§ 240.4 and 240.5. Checks charged to the General Account of the United States Treasury shall be shipped to the Treasury with the daily transcript of account in which they are charged. The Treasury shall return to the presenting depositary bank a photocopy of any check the payment of which is refused. The depositary bank shall give immediate credit therefor in the General Account of the United States Treasury, thereby reversing the previous charge to the Account for such check.

(c) *Banks processing checks under special arrangements.* Certain banks in the Washington, D.C., area are authorized under special arrangements to present checks directly to the Treasury for payment. The terms of such arrangements shall apply to such checks so presented. As to matters not specifically covered by such arrangements, the provisions of this part shall apply. The Treasury shall return to the presenting bank a photocopy of any check the payment of which is refused. That bank shall refund the amount of each such check to the Treasury before the close of the next business day. If refund is not made, the Treasury shall deduct the amount from any amount that is due or may become due to the presenting bank.

In § 240.8(b): Amend "Treasurer" to read "Treasury".

Section 240.9(a) is revised to read as follows:

§ 240.9 Checks issued to incompetent payees.

(a) *Classes of checks which may be indorsed by guardian or fiduciary.* Where the payee of a check of any class listed in § 240.10(a) has been declared incompetent:

(1) If the check is indorsed by a legal guardian or other fiduciary and presented for payment by a bank, it will be paid by the United States Treasury without submission to the Treasury of documentary proof of the authority of the guardian or other fiduciary.

(2) If a guardian has not been or will not be appointed, and if the check (i) was issued in payment of goods and services, tax refunds or redemption of currency, it shall be forwarded for advice to the Bureau of Government Financial Operations, Division of Check Claims, Washington, D.C. 20226, or (ii) was issued in payment of principal or interest on U.S. securities, it shall be forwarded to the Bureau of the Public Debt, Division of Loans and Currency, Washington, D.C. 20226, with a full explanation of the circumstances.

* * * * *

In § 240.10(a): Amend "Treasurer" to read "United States Treasury".

In § 240.12(d): Amend "Treasurer" to read "United States Treasury".

In § 240.12(e): Amend "Treasurer" to read "Treasury".

Part 240 appendix:

In *Standard Form 231:* Amend "Treasurer of the United States," to read "United States Treasury,".

In *Standard Form 232:* Amend "Treasurer." to read "United States Treasury."

Part 365 is redesignated as Part 245 and as redesignated is amended as follows:

The heading of Part 245 is revised to read:

PART 245—ISSUE OF SUBSTITUTES OF LOST, DESTROYED, MUTILATED AND DEFACED CHECKS DRAWN ON THE UNITED STATES TREASURY

In § 245.1: Amend "Treasurer of the United States," to read "United States Treasury,".

Sections 245.2 and 245.3 are revised to read as follows:

§ 245.2 Advice of nonreceipt or loss.

(a) In the event of the nonreceipt, loss, or destruction of a check drawn on the United States Treasury, or the mutilation or defacement of such a check to an extent which renders it nonnegotiable, the owner, better to protect his interest, should immediately notify the drawer, describing the check, stating the purpose for which it was issued, giving, if possible, its date, number and amount, and requesting that payment be stopped. If the name or address of the drawer is not known the request for stoppage of payment should be sent to the Commissioner of the Bureau of Government Financial Operations, stating the purpose for which the check was issued, the name of the department or agency authorizing the payment and if possible, the date, number and amount of the check. In cases involving mutilated or defaced checks, the owner should enclose the mutilated or defaced check with his communication to the drawer or Commissioner.

(b) Upon receipt of advice from an owner as to the nonreceipt, loss, destruction, mutilation, or defacement of a check, the drawer will, if appropriate, transmit the owner's letter (together with the mutilated or defaced check in cases involving such checks) to the Commissioner of the Bureau of Government Financial Operations, Washington, D.C. 20226, or other bank through which the check is payable, as the case may be, together with a request by the drawer for stoppage of payment which includes a certification as to the accuracy of the check description and that it was properly issued.

(c) If the check, which is the basis of the owner's claim, is determined to be outstanding, the Commissioner's Office will furnish the claimant an appropriate application form for obtaining a substitute check. However, the execution of an application will not be required in the event the original written statement submitted by the claimant substantially meets the requirements of the prescribed application form.

§ 245.3 Request for substitute check; requirements for undertaking of indemnity; execution of applications in foreign countries.

(a) An undertaking of indemnity on Form 2244 or Form 2244b in penal sum equal to the amount of the check or, in an appropriate case, an application, on Form 2244a, or an application substantially containing the same information as Form 2244a, must be executed by the claimant, as may be required by the Commissioner of the Bureau of Government Financial Operations, and submitted to the Commissioner of the Bureau of Government Financial Operations, Washington, D.C. 20226.

(b) Unless the Commissioner of the Bureau of Government Financial Operations deems that an undertaking of indemnity is essential in the public interest, no undertaking of indemnity shall be required in the following classes of cases:

(1) If the Commissioner of the Bureau of Government Financial Operations is satisfied that the loss, theft, destruction, mutilation, or defacement occurred without fault of the owner or holder and while the check was in the custody or control of the United States or of a person duly authorized as an agent of the United States, including the Postal Service when carrying mail for an officer, employee, agent, or agency of the United States when performing services in connection with an official function of the United States, but not including the Postal Service when otherwise acting solely in its capacity as a public carrier of the mail, or while it was in the course of shipment effected pursuant to and in accordance with regulations issued under the provisions of the Government Losses in Shipment Act, as amended;

(2) If substantially the entire check is presented and surrendered by the owner or holder and the Commissioner of the Bureau of Government Financial Operations is satisfied as to the identity of the check presented and that any missing portions are not sufficient to form the basis of a valid claim against the United States;

(3) If the Commissioner of the Bureau of Government Financial Operations is satisfied that the original check is not negotiable and cannot be made the basis of a valid claim against the United States;

(4) If the amount of the check is not more than $200.00;

(5) If the owner or holder is the United States or an officer or employee thereof in his official capacity, a State, the District of Columbia, a territory or possession of the United States, a municipal corporation or political subdivision of any of the foregoing, a corporation the entire capital of which is owned by

the United States, a foreign government, or a Federal Reserve Bank.

(c) An application executed in a foreign country other than by an officer or an employee of the United States or a member of the Armed Forces of the United States, shall be sworn to before (1) a diplomatic or consular officer of the United States, or (2) an officer of the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or (3) an official of such foreign country authorized by law to administer oaths generally, and such foreign official shall affix his official seal, if any, and a diplomatic or consular officer of the United States shall certify that the foreign official who administered the oath was duly authorized under the laws of such foreign country so to act.

In § 245.4: Amend "Treasurer of the United States" to read "Commissioner of the Bureau of Government Financial Operations".

Sections 245.5, 245.6, and 245.7 are revised to read as follows:

§ 245.5 Receipt or recovery of original check.

(a) If the original check is received or recovered by the owner after he has requested the drawer or the Commissioner of the Bureau of Government Financial Operations to stop payment on the original check but before a substitute check has been received, he should immediately advise the drawer or the Commissioner, as the case may be, and hold such check until receipt of instructions with respect to the negotiability of such check.

(b) If the original check is received or recovered by the owner after a substitute has been received by him, the original shall not be cashed, but shall be immediately forwarded to the Commissioner of the Bureau of Government Financial Operations, Washington, D.C. 20226. Under no circumstances should both the original and substitute checks be cashed.

§ 245.6 Removal of stoppage of payment.

Requests for removal of stoppage of payment shall be addressed by the drawer to the Commissioner of the Bureau of Government Financial Operations, or other bank through which the check is payable, as the case may be. No request for removal of stoppage of payment shall be accepted by the Commissioner or other bank through which the check is payable, after issuance of a substitute check has been approved.

§ 245.7 Performance of functions of the Commissioner.

The Commissioner of the Bureau of Government Financial Operations may authorize any officer of the Treasury Department to perform any of his functions under this part and to redelegate such authority within such limits as the Commissioner may prescribe.

Part 368 is redesignated as Part 248 and as redesignated is amended as follows:

Section 248.2 is revised to read as follows:

§ 248.2 Delegation of authority to issue substitute checks.

Pursuant to authority contained in section 3646 of the Revised Statutes, as amended, and subject to such procedural requirements as may be prescribed by the Treasury Department, there is hereby delegated to heads of departments and agencies whose disbursing officers issue depositary checks, authority to authorize officers or employees of their respective departments or agencies to issue substitutes of such checks, prior to the close of the fiscal year next following the fiscal year in which the checks are issued, and to receive and approve undertakings to indemnify the United States in such cases. The Commissioner of the Bureau of Government Financial Operations, Treasury Department, is hereby delegated authority to issue substitutes of depositary checks drawn by the Chief Disbursing Officer, Treasury Department, or by officers disbursing under delegation from the Chief Disbursing Officer, and to receive and approve undertakings of indemnity in such cases. The authority delegated to the Commissioner of the Bureau of Government Financial Operations may be redelegated by him to such disbursing officers.

(Treasury Department Orders Nos. 229 and 229-1)

Dated: June 11, 1974.

JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[FR Doc.74-13724 Filed 6-14-74;8:45 am]

Title 33—Navigation and Navigable Waters

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 74-61]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Tennessee River, Tenn.

This amendment changes the regulations for the Market Street drawbridge across the Tennessee River at Chattanooga and the Southern Railroad drawbridge approximately 6½ miles downstream at Hixson to require that the draws of these bridges open on signal when the vertical clearance is 50 feet or less. This amendment was circulated as a public notice dated March 14, 1974 by the Commander, Second Coast Guard District, and was published in the FEDERAL REGISTER as a notice of proposed rule making (CGD 74-61) on March 11, 1974 (39 FR 9455). Two replies were received. One had no objection to the proposed change, however, he believed that the eight hours advance notice requirement would not provide positive benefits for either bridge owner or towboat operator. Considering Nickajack and Watts Bar Locks as the logical point of contact with the average speed-of-advance for river towboats, the time in route from these points would be about eight hours. Also, based on past history this eight hours advance notice would be in effect less than one percent of the time. Therefore, the Coast Guard does not classify this comment on the eight hours advance notice as a valid objection. The other reply objected to the second eight hours notice requirement if a vessel was unable to reach the bridge after giving the first notice. However, Coast Guard files indicate that the proposed second eight hours notice would have no appreciable effect on navigation. Further, this change would be equitable and proper for bridge owner and towboat operator. Therefore, the Coast Guard does not consider the objection to the second eight hours advance notice requirement to be a valid objection. The Coast Guard views the eight hours notice as reasonable and it is felt that this requirement would have little, if any effect on navigation. If the needs of navigation do change, a revision of these regulations will be considered at that time.

Accordingly, Part 117 of Title 33 of the Code of Federal Regulations is amended by:

(1) Deleting subparagraph (3) of paragraph (g) of § 117.560, and

(2) Revising subparagraph (b) of paragraph (g) of §117.560 to read as follows:

§ 117.560 Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.

* * * * *

(g) * * *

(2) Tennessee River, Tennessee: Market Street bridge at Chattanooga and Southern Railroad bridge approximately 6½ miles downstream at Hixson. When the vertical clearance beneath the draw spans of these bridges is 50 feet or less the draw shall open on signal. When the vertical clearance beneath the draw is more than 50 feet at least eight hours advance notice is required. Whenever any vessel that requires the opening of the draw will return through the draw within four hours and informs the draw tender of the probable time of its return, the draw tender shall return ½ hour before the time specified and the draw shall be promptly opened on signal for the passage of the vessel on the return trip without further advance notice. When a vessel has given advance notice and fails to arrive within one hour after the arrival time specified, whether upbound or downbound, a second eight hours notice shall be required. Gauges of a type acceptable to the Coast Guard shall be installed on both sides of each bridge to indicate the minimum clearance. Notices of these regulations shall be posted at the Nickajack and Watts Bar Locks on the Tennessee River.

* * * * *

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

Effective date. This revision shall become effective on July 22, 1974.

Dated: June 10, 1974.

R. I. PRICE,
Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc.74-13786 Filed 6-14-74;8:45 am]

[CGD 73-255R]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Lake Washington Ship Canal, Wash.

This amendment changes the regulations for two Burlington Northern railroad bridges across the Lake Washington Ship Canal, Washington, to reflect a change in names and to allow the draw of one of these bridges to be maintained in the fully open position. This amendment was circulated as a public notice dated November 14, 1973 by the Commander, Thirteenth Coast Guard District, and was published in the FEDERAL REGISTER as a notice of proposed rulemaking (CGD 73-255P) on November 13, 1973 (38 FR 31315). Five comments were received which either supported the proposal or had no objection thereto.

In consideration of the foregoing, Part 117 of Title 33 of the Code of Federal Regulations, is amended by revising § 117.795(b)(1)(i) and (iii) to read as follows:

§ 117.795 **Lake Washington Ship Canal, Wash.; bridges.**

* * * * *

(b) * * *

(1) * * *

(i) *Burlington Northern Railway Bridge, clearance 42 feet at high tide.* One long blast of whistle, followed quickly by one short blast.

* * * * *

(iii) *Burlington Northern Railway Bridge, clearance 16 feet.* The draw of this bridge shall be maintained in the fully open position. If the draw is open, no signal is required. If the draw is closed the provisions of paragraphs (a) of this section shall apply.

* * * * *

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

Effective date. This revision shall become effective on July 22, 1974.

Dated: June 10, 1974.

R. I. PRICE,
Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc.74-13787 Filed 6-14-74;8:45 am]

Title 39—Postal Service

CHAPTER I—UNITED STATES POSTAL SERVICE

Miscellaneous Amendments to Chapter

Regulations codified under § 144.3(e)(1)(iii) are amended to modify the requirement that the descending register in a postage meter being checked out of service be cleared to zero when the meter is jammed in mid-cycle. A technical, designation change is also made in § 144.3(d)(8), and a section reference is corrected in § 154.1(g).

Regulations codified under § 158.4 are amended to allow second-class mail with FPO addresses to be forwarded to or from the U.S. and overseas for a period not to exceed 60 days, when requested by individual addressees.

Regulations codified under Part 159 Undeliverable Mail are amended as follows:

(1) Section 159.1(a)(2)(ii) and (iii) is amended to simplify the reasons for nondelivery endorsed on mail by carriers or window delivery employees.

(2) Section 159.2(g)(1) is amended to clarify the instructions concerning the handling of undeliverable COD mail.

Regulations codified under Part 161 Registered Mail are amended to add to registrable matter in § 161.1(b) mailable matter prepaid with postage at priority rates. Sections 161.1(e)(2), 161.1(e)(3), 161.3(e) and 161.4(e), dealing with return receipts and restricted delivery, are revised to refer to sections in new Part 165, which is completely revised to cover these subjects.

Regulations codified under Part 162, Insured Mail, are amended in § 162.3(a), dealing with restricted delivery service, and § 162.3(b), dealing with return receipts, by referring to sections covering these subjects in revised Part 165. In addition, § 162.4(c)(2) is amended to reflect the changed title of a form.

Regulations codified under Part 163 COD Mail are amended in § 163.4(a), dealing with restricted delivery service, by referring to sections covering this subject in revised Part 165. A minor change is also made to § 163.4(b).

Regulations codified under existing Part 165 Certificates of Mailing are expanded and completely revised to include material on return receipts and restricted delivery which were formerly found in various other places in the regulations.

Regulations codified under Part 168 Certified Mail are amended in § 168.1, which describes such mail, by referring to return receipt and restricted delivery services which appear in revised Part 165. In addition, § 168.5(e) is amended to require a second notice of arrival to be given to an addressee if the certified article is not picked up at the post office within 5 days of attempted delivery.

Certain erroneous references to other parts of Chapter I appearing in § 232.3y are corrected.

Regulations codified under Part 257 Philately are amended as follows:

(1) Section 257.1(b) is amended to indicate that sectional center facilities designated to distribute accountable paper are sources of supply for less-than-bulk quantity commemorative stamps.

(2) Section 257.1(c)(2) is amended to reduce from 90 days to 60 days the period of time regular stamp windows should stock a commemorative issue.

(3) Section 257.1(c)(3)(ii) is amended to reflect a policy change in the sale of plate numbers.

(4) Sections 257.1(c)(3)(iii) and (iv), 257.4(d), 257.5, and 257.6 are amended to update addresses.

Regulations codified under § 263.1 are amended by adding new paragraph (g) which provides a policy on releasing employee information to credit bureaus.

A new Part 281 is added, containing policy and instructions on notifying major mailers whenever significant portions of their firm shipments are involved in transportation accidents or catastrophes.

Accordingly, the following amendments are effective immediately:

PART 144—POSTAGE METERS AND METER STAMPS

1. In § 144.3(d)(8), the words "regional mail classification branch" are deleted wherever they appear and the words "regional controller" are inserted in lieu thereof; paragraph (e)(1)(iii) is revised to read as follows:

§ 144.3 **Setting meters.**

* * * * *

(e) *Checking meter out of service.*—(1) *Checkout procedures.* * * *

(iii) Clear the descending register to zero or to lowest possible setting, except when the meter is jammed in mid-cycle.

* * * * *

PART 154—CONDITIONS OF DELIVERY

§ 154.1 [Amended]

2. In paragraph (g) of §154.1 the section reference is changed from "§ 161.1(e)(3)" to "§ 165.3(d)".

PART 158—FORWARDING MAIL

3. In § 158.4 *Address changes of persons in U.S. service* the material following the word "Exception:" is revised to read as follows:

§ 158.4 **Address changes of persons in U.S. service.**

* * * * *

EXCEPTIONS: Second-class mail will not be forwarded between the U.S. and overseas APO addresses by military authorities. Copies of publications addressed to an APO for military personnel transferred to overseas assignments will be endorsed by military personnel *Forwarding Prohibited Addressee Assigned Overseas* and returned to the post office for disposition. Copies of publications addressed to military personnel at their APO addresses who have been transferred to the U.S. will be endorsed by military personnel *Forwarding Prohibited, Addressee Returned to the U.S.* and returned to the military post office for disposition. Second-class mail having FPO addresses may be forwarded to or from the U.S. and overseas for a period not to exceed 60 days when requested by individual addressees. Additional treatment of second-class mail shall be outlined in § 159.2(b) of this chapter.

PART 159—UNDELIVERABLE MAIL

4. In § 159.1, subdivisions (b), (h), and (j) of paragraph (a)(2)(ii) of § 159.1 are deleted, subdivisions (c)–(g) are redesignated (b)–(f); subdivision (i) is redesignated (g); subdivisions (k)–(q) are redesignated (h)–(n). Redesignated subdivision (n) of paragraph (a)(2)(ii) and paragraph (a)(2)(iii) are revised to read as follows:

§ 159.1 Provisions applicable to all classes.

(a) *Reasons for nondelivery* * * *

(2) *Endorsing undeliverable mail.* * * *

(ii) * * *

(n) Not deliverable as addressed—Unable to Forward.	Mail is undeliverable at address given; no Change of Address Order on file; forwarding order has expired; forwarding postage not guaranteed by sender or addressee; or, mail bears sender's instructions DO NOT FORWARD.

(iii) Initials and route number of carrier or initials of window delivery employee must be shown on all first-class mail marked up, except at units where Central Markup System is operative. At units where markup is centralized, refer to instructions in Supervisors Manual for Installing Central Markup System and Training Craft Employees.

* * * * *

5. Paragraph (g)(1) of § 159.2 is revised to read as follows:

§ 159.2 Treatment by classes.

* * * * *

(g) *Registered, certified, insured, and COD*—(1) Notice (*Registered and COD Mail only*). (i) When mail is undeliverable as addressed and cannot be forwarded, a notice is sent to the mailer on Form 3858 showing the reason. By completing the form and returning it immediately in an envelope bearing first-class postage, the mailer may tell the postmaster what to do with the mail. Mail will be returned to the mailer if there is no response. The postage charge, if any, for returning the mail (but not registration or COD fees), will be collected from the mailer.

EXCEPTION: When registered mail is addressed to a person who has moved and left no forwarding address, Form 3858 will not be sent, and the mail will be returned immediately to the mailer.

(ii) When, and only when, the mailer specifically so requests, Form 3849–D, *Notice to Sender of Undelivered COD Mail*, will be sent to the mailer in accordance with § 163.4(c) of this chapter. The mailer may then designate a new addressee or alter the amount of COD charges by submitting Form 3818, *Authorization to Change COD Charges or Addressee*, in accordance with § 163.4(b) of this chapter. The article will be returned to the mailer at the end of the holding period if no response is received. The postage charge, if any, for returning the mail (but not registration or COD fees) will be collected from the mailer.

EXCEPTION: When COD mail is addressed to a person who has moved and left no forwarding address, Form 3849–D will not be sent, and the mail will be returned immediately to the mailer.

* * * * *

PART 161—REGISTERED MAIL

6. In paragraph (b) of § 161.1 the words "first-class or airmail rate" are deleted and the words "first-class, airmail, or priority rates" are inserted in lieu thereof; and paragraph (e)(2) and (3) is revised to read as follows:

§ 161.1 Description.

* * * * *

(e) *Additional services* * * *

(2) *Return receipts.* The sender may obtain a return receipt, Form 3811, by paying fees, in addition to the registration fee and postage, as outlined in § 165.2 of this chapter.

(3) *Restricted delivery.* Restricted delivery may be obtained as set forth in § 165.3 of this chapter and by the payment of additional fees as provided in § 165.3(b). For circumstances under which *Deliver to Addressee Only* restricted delivery will not be furnished, see § 165.3(d)(1).

7. In paragraph (e) of § 161.3 the material following the section reference "§ 161.1(e)(2) and (3)" is revised to read as follows:

§ 161.3 Preparation for mailing.

* * * * *

(e) * * * If the mail is to be restricted in delivery, it shall be marked *Deliver to Addressee Only* or *Deliver to Addressee or Order* on the address side of the mail.

* * * * *

8. Paragraph (e) of § 161.4 is revised to read as follows:

§ 161.4 Delivery.

* * * * *

(e) *Restricted delivery.* Restricted delivery may be obtained as set forth in § 165.3 of this chapter and by the payment of additional fees as provided in § 165.3(b). For circumstances under which *Deliver to Addressee Only* restricted delivery will not be furnished, see § 165.3(d)(1).

* * * * *

PART 162—INSURED MAIL

Section 162.3 is revised to read as follows:

§ 162.3 Additional services.

(a) *Restricted delivery.* Restricted delivery may be obtained as set forth in § 165.3(b). For circumstances under ment of additional fees as provided in § 165.3(b) For circumstances under which *Deliver to Addressee Only* restricted delivery will not be furnished, see § 165.3(d)(1).

(b) *Return receipt.* The sender may obtain a return receipt, Form 3811, by paying the required additional fee as provided in § 165.2 of this chapter.

§ 162.4 [Amended]

10. In paragraph (c)(2) of § 162.4 the words "*Receipt For Insured Parcel*" are deleted and the words "*Receipt for Insured Mail, Domestic—International*" are inserted in lieu thereof.

PART 163—COD MAIL

11. Paragraphs (a) and (b) of § 163.4 are revised to read as follows:

§ 163.4 Additional services.

(a) *Restricted delivery.* Restricted delivery may be obtained as set forth in § 165.3 of this chapter and by the payment of additional fees as provided in § 165.3(b). For circumstances under which *Deliver to Addressee Only* restricted delivery will not be furnished, see § 165.3(d)(1).

(b) *Alteration of COD Charges or Designation of New Addressee.* The sender of a COD package may alter the COD charges or direct delivery to a new addressee by filing a request with the postmaster at the office of mailing on Form 3818, *Authorization to Change COD Charges or Addressee.* The postmaster will send the directions to the office of delivery by telegram if the sender pays the costs.

* * * * *

PART 165—CERTIFICATES OF MAILING, RETURN RECEIPTS, AND RESTRICTED DELIVERY

12. Part 165 is revised to read as follows:

Sec.
165.1 Certificates of mailing.
165.2 Return receipts.
165.3 Restricted delivery.

AUTHORITY: 39 U.S.C. 401.

§ 165.1 Certificates of mailing.

(a) *Purpose.* Certificates of mailing furnish evidence of mailing only. A receipt is not obtained upon delivery of the mail to the addressee. The fee paid for certificates of mailing does not insure the article against loss or damage.

(b) *Fees*—(1) *Individual Pieces.*

Original certificate of mailing for individually listed pieces of all classes of ordinary mail.	5¢ for each piece of mail described.
Each additional copy of original certificate of mailing or original mailing receipt for registered, insured, certified, and COD mail.	2¢ for each piece of mail described.

(2) *Bulk pieces.* Identical pieces of first- and third-class mail paid with ordinary stamps, precanceled stamps, or meter stamps are subject to the following fees:

Up to 1,000 pieces (1 certificate for total number)	25¢
For each additional 1,000 pieces, or fraction	5¢
Duplicate copy	5¢

(c) *Forms*—(1) *Who prepares.* (i) Certificates of mailing are prepared by the

mailer, except mailers on rural routes or at nonpersonnel rural stations and branches. Individual and firm mailing book certificates must show the name and address of both the sender and the addressee, and may show the amount of postage paid. Identifying invoice or order numbers also may be placed on the certificate.

(ii) Customers of rural routes and nonpersonnel rural stations and branches may deliver mail to the rural carrier with the fee for the certificate. The carrier will obtain the certificate at the post office, attach the stamps, cancel them by postmark, and deliver the certificate to the sender on his next trip.

(2) *Individual certificates.* Form 3817, *Certificate of Mailing,* is used for an individual certificate for ordinary mail of any class. Forms specially printed at the mailer's expense may be used also.

(3) *Firm mailing books.* Firm mailing books Forms 3877 or 3877–A or forms printed at the mailer's expense may be used for certificates for three or more pieces of mail of any class presented at one time.

(4) *Bulk mailings.* Form 3606, Sender's *Statement and Certificate of Bulk Mailing of Matter Paid With Stamps or Meter Postage,* is used to issue certificates that a specified number of pieces have been mailed. These certificates are furnished only for mailings of identical pieces of first- and third-class matter paid with ordinary stamps, precanceled stamps, or meter stamps. A certificate will not be issued for bulk mailings paid with permit imprints.

(5) *Quantity mailings.* When the number of articles ordinarily presented justifies such action, mailers must comply with the following:

(i) When individual certificates on Form 3817 are desired, the forms must either be fixed by the stub to the articles or the forms must be consecutively numbered and fastened together. If the certificates are numbered, the articles should also be lightly numbered at a uniform place to permit relating the parcels and certificates.

(ii) When the articles are descriptively listed on firm mailing sheets or on special approved forms, they should, if practicable, be presented in the order in which they are entered on the sheets; otherwise, each entry must be consecutively numbered by the mailer, and the articles lightly numbered to show the sheet and line number on which they are described.

(d) *Additional certificates after mailing.* To obtain an additional certificate after mailing, the sender must present the original certificate and an additional certificate endorsed *duplicate* or *copy* showing the original dates of mailing. The additional certificate will be postmarked to show the current date.

(e) *Payment and certification.* Mailers must affix uncanceled stamps or meter stamps to cover the fee for certificates of mailing. The stamps will be canceled by the postmark of the mailing office. Signatures or initials of accepting employees are not required.

§ 165.2 Return receipts.

(a) *Purpose.* Return receipts furnish the mailer evidence of delivery. The fee paid for a return receipt does not insure the article against loss or damage. Return receipts may be obtained for mail which is sent COD, is insured for more than $15.00, or which is registered or certified. For international return receipts, see parts 425 and 437 of Publication 42, *International Mail.*

(b) *Fees (in addition to postage and other fees).*

Requested at Time of Mailing:	
Showing to whom (signature) and date delivered	$.15
Showing to whom (signature) and date and address where delivered	.35
Requested After Mailing:	
Showing to whom and date delivered	.25

(c) *Procedures at mailing office.* (1) The sender may request a return receipt, Form 3811, at the time of mailing by informing the postal clerk or writing on the mail *Return Receipt Requested* or *Return Receipt Requested Showing Address Where Delivered.* Firm mailers will complete the mailer's entries on the form, including the article identification number, attach the form, and *place the required endorsement on the article.* Individual mailers will also normally complete the mailer's entries on the form, but in those cases where the article is mailed with the endorsement and the correct postage but without Form 3811 attached, the clerk shall complete the form and attach it to the article.

(2) The sender may request a return receipt after mailing an article which is registered, certified, COD, or insured for more than $15.00 by paying the required fee. To do so, the sender shall complete Form 3811–A, *Request for Return Receipt (After Mailing),* attach the proper postage, and mail the Form 3811–A to the delivery post office. The sender will be provided the date of delivery and the name of the person who signed for the article as shown in delivery records. Neither the signature of the recipient nor the address of delivery will be provided.

(3) In the event a mailer does not, after a reasonable period of time, receive a return receipt he has paid for, he may, within one year of mailing, request a duplicate if he can produce a receipt for such payment. The mailer may request the duplicate by presenting the receipt at any post office, branch, or station. The clerk shall assist the customer in completing Form 3811–A, postmark it, and mail it to the delivering post office. No charge for such duplicate is to be made.

(4) Return of Form 3811 or Form 3811–A by airmail may be obtained by the mailer affixing postage stamps to the form to cover the postal card airmail rate and endorsing it *Return by Airmail.*

(5) Payment for return receipts shall be noted on the receipt given for purchase of the COD, registry, certified mail, or insurance service.

(d) *Procedures at office of delivery—*

(1) *Return Receipt, Form 3811.* (i) Delivery employees shall obtain the signature of addressee or his agent. Delivery shall only be made to the addressee if so requested on the Form 3811, except as provided in § 165.3(d)(i). The address of delivery shall be filled in only if requested on Form 3811. The delivery employee shall examine the card for completeness and make any corrections necessary. Return receipts shall be given to the clearing clerk daily when the carrier returns to the post office.

(i) The clearing clerk shall check all return receipts to make sure they are properly signed and dated. If the mail was restricted in delivery, check to see that delivery was not made to an agent, except as provided in § 165.3(d)(i) of this chapter. If delivery was improper, have addressee sign a second return receipt. Take prompt corrective action with delivery employees if return receipts are improperly handled or completed. Postmark all return receipts legibly and mail no later than the first working day after delivery. Undeliverable articles will be handled in accordance with § 159.2(g)(2) of this chapter and the appropriate endorsement will be made in block 6 of Form 3811.

(2) *Request for duplicate or return receipt after mailing, Form 3811–A.* (i) Records of delivery shall be checked and the date of delivery and name of the individual who signed for the article shall be placed on Form 3811–A.

(ii) If a signed receipt is not found for certified mail, send the addressee Form 1572, *Inquiry About Receipt of Mail.* If the reply indicates that the addressee has received the certified mail, file completed Form 1572 with Forms 3849 as a receipt. The delivery information contained on Form 1572 shall be used to complete Form 3811–A. If the addressee does not return completed Form 1572 within 14 days, Form 3811–A shall be completed to show no record of delivery and returned to the mailer.

(iii) Form 3811–A shall be postmarked and the 25¢ postage for receipt after mailing shall be canceled. A line is to be drawn through the address of the delivery post office on the front of Forms 3811–A (1973 and later printings) and the form mailed back to the mailer.

(e) *Refunds.* Return receipt fees will only be refunded when failure to furnish a receipt was the fault of the Postal Service.

§ 165.3 Restricted delivery.

(a) *Purpose.* Restricted delivery provides a means by which a mailer may direct that delivery be made only to a specific individual except as provided in paragraph (d) of this section. Restricted delivery may be obtained for mail which is COD, insured for more than $15.00, registered, or certified. For international restricted delivery, see part 426 of Publication 42.

(b) *Fees (in addition to postage and other fees).*

Restricted delivery	$0.50

(c) *Procedures.* The sender may direct that the article be delivered only to the

addressee (see paragraph (d)(i) of this section for circumstances under which this service is not provided) or, if desired by the mailer, to someone named by the addressee in writing as being authorized to receive his mail (Deliver to Addressee or Order). These services are available only for articles addressed to natural persons specified by name:

(1) *At the time of mailing.* The sender shall inform the postal clerk or write on the mail *Deliver to Addressee Only* or *Deliver to Addressee or Order.* Customers should be advised that famous personalities and executives of large companies may have designated another person to receive or sign for their mail and it may be difficult or impossible to deliver mail directly to them. Customers should be further advised that *Deliver to Addressee or Order* service is preferred for mail addressed to famous personalities or executives of large companies because it allows such addressees to decide whether to receive the mail personally or to designate another person to receive and sign for the mail. The clerk shall stamp the article with the proper endorsement if the mailer has not done so. Firm mailers are expected to place the required endorsements on the article being mailed and enter the appropriate fee in the proper column of the firm mailing bill. In the case of mail for which a return receipt has been requested, the appropriate block on Form 3811 shall be checked to indicate restricted delivery is desired.

(2) *After mailing.* The mailer may request restricted delivery after mailing by notifying the mailing post office in writing, providing appropriate identification of the article including the article number and addressee, and payment of the appropriate fee. The mailer will be required to pay for the postage, telegram, or telephone call required to effect the restricted delivery. Failure to provide the service because of prior delivery will not be grounds for refund of the fee or communication charges.

(d) *Procedures at office of delivery.* (1) Mail marked *Deliver to Addressee Only* will be so delivered, except as provided:

(i) Mail addressed to officials of executive agencies, or members of the legislative and judicial branches of the Government of the United States or of the States and their political subdivisions and possessions, or to members of the diplomatic corps, may be delivered either to the addressee or to a person authorized by these persons to receive their mail.

(ii) Mail addressed to the commander, staff sections or other officials of military organizations by name and title may be delivered to the unit mail clerk, mail orderly, postal clerk, assistant postal clerk, or postal finance clerk.

(iii) Mail addressed to minors will be delivered to their guardians or parents if the parents or guardians so request.

(iv) Mail addressed to an inmate of a city, State, or Federal prison, in cases where a personal signature cannot be obtained, may be delivered to the warden or his authorized representative.

(2) Mail marked *Deliver to Addressee or Order* will be delivered either to the addressee or to the person he authorizes in writing to receive his mail.

(3) When mail marked *Deliver to Addressee Only* is addressed jointly to two or more persons (as indicated by the word or symbol *and* connecting their names) all addressees will be notified to be present to accept delivery together. The delivery receipt obtained and the return receipt, if any, must be signed by all of the joint addressees. The mail may then be delivered to any of the addressees unless one or more addressee objects, in which case delivery will not be made until all the addressees sign a statement designating who is to receive the mail. If any of the joint addressees is one of the persons specified in paragraph (d)(1) of this section, he may designate a person to receive and sign for the article on his behalf.

(4) If mail marked *Deliver to Addressee or Order* is jointly addressed, as defined in paragraph (d)(3) of this section, it shall be delivered to the joint addressees in accordance with subparagraph (3). However, any addressee may in writing authorize someone to receive the mail for him, or all of the addressees may in writing authorize a person to receive the mail for them.

(e) *Refunds.* Restricted delivery fees will be refunded only when failure to give restricted delivery was the fault of the Postal Service.

PART 168—CERTIFIED MAIL

12. Section 168.1 is revised to read as follows:

§ 168.1 Description.

Certified mail service provides a receipt to the sender and a record of delivery at the office of address. No record is kept at the office at which mailed. It will be dispatched and handled in transit as ordinary mail. No insurance coverage is provided. Return receipts and restricted delivery services may be obtained as set forth in part 165 and by the payment of additional fees as provided in §§ 165.2(b) and 165.3(b) of this chapter. For circumstances under which *Deliver to addressee only* restricted delivery will not be furnished, see § 165.3(d)(1) of this chapter. Certified mail will be endorsed in the following manner:

13. Paragraph (e) of § 168.5 is revised to read as follows:

§ 168.5 Delivery.

* * * * *

(e) *Notice of arrival.* The carrier will leave a notice of arrival on Form 3849 if he cannot deliver the certified article for any reason. The article will be brought back to the post office and held for the addressee. If the article is not called for within 5 days, a second notice will be issued. If the article is not called for or its redelivery requested, it will be returned at the expiration of the period stated by the sender, or after 15 days if no period is stated.

* * * * *

PART 232—POSTAL LOSSES AND OFFENSES

§ 232.2 [Amended]

14. In paragraph (y) of § 232.3 the section references are changed from "§§ 142.8 and 144.3(b)(5)" to "§§ 142.8, 144.2(b)(1), and 144.3(d)(1)(iii)".

PART 257—PHILATELY

15. In paragraph (b) of § 257.1 the word "Accountable" in the second sentence is deleted and the words "Sectional center facilities designated to distribute accountable" are inserted in lieu thereof; in paragraph (c)(2) the numeral "90" is deleted wherever it appears and the numeral "60" is inserted in lieu thereof; and paragraph (c)(3) is revised to read as follows:

§ 257.1 Commemorative stamps.

* * * * *

(c) *Sale of commemorative stamps.*

* * *

(3) *Philatelic windows and postal stores*—(i) *Time on sale.* Those offices with full or part-time philatelic windows may keep an issue on sale until a notice of its removal from sale in the Philatelic Sales Division is published in the Postal Bulletin. Upon notification, immediately withdraw and sell the stock for regular postage purposes.

(ii) *Plate numbers.* The sale of plate numbers and marginal markings at philatelic windows shall be restricted as follows:

Denomination	*Minimum purchase*
1¢ to 16¢ inclusive	Full panes of each.
17¢ to 50¢ inclusive	Strips of 20 stamps each.
60¢	Strip of 10 stamps.
$1 to $5 inclusive	Four stamps each.

(iii) *Availability of back-issue commemoratives.* Post offices which maintain or establish special philatelic windows should notify the Stamp Services Division, Office of Stamps, U.S. Postal Service, Washington, DC 20260, to keep them informed of available back-issue commemoratives. Notification will normally be in the Postal Bulletin.

(4) *Outside sales of commemorative stamps.* Do not accept mail orders for postage stamps from customers outside the limits of the area served by your post office. Return any such requests to the sender calling attention to the services provided by the Philatelic Sales Division, Washington, DC 20036.

§ 257.4 [Amended]

16. In paragraph (d) of § 257.4 the words "Manager, Philatelic Affairs Divi-

sion" are deleted and the words "the Director, Office of Stamps" are inserted in lieu thereof.

§ 257.5 [Amended]

17. In § 257.5 the words "City Post Office, Washington, D.C. 20013" are deleted and the words "Washington, D.C. 20036" are inserted in lieu thereof.

§ 257.6 [Amended]

18. In § 257.6 the words "Division of Philately" are deleted and the words "Office of Stamps" are inserted in lieu thereof.

PART 263—EMPLOYEE INFORMATION

19. § 263.1 is revised to add new paragraph (g) as follows:

§ 263.1 Policy.

* * * * *

(g) A credit bureau or a commercial firm from which an employee is seeking credit may be given the following information upon request: length of service, job title, and salary range for the employee's grade (but not exact salary). No further information is to be supplied unless the employee requests, in writing, that other data be given in response to such inquiries.

DAMAGE TO OR DESTRUCTION OF FIRM MAILINGS

PART 281—FIRM MAILINGS DAMAGED OR DESTROYED THROUGH TRANSPORTATION ACCIDENTS OR CATASTROPHES

20. Part 281 is added to read as follows:

Sec.
281.1 Notification of firm mailers.
281.2 Action required by processing postal officials.
281.3 Postal inspector responsibilities.
281.4 Disclaimer.

AUTHORITY: 39 U.S.C. 401, 403, and 404.

§ 281.1 Notification of firm mailers.

Whenever bulk firm mail shipments are involved in transportation accidents or catastrophes, such as train or highway accidents, fire, flood, etc., it will be the responsibility of the customer services representatives at the office of mailing to give known mailers timely notification of the incident and its effect on their mail shipment(s).

§ 281.2 Action required by processing postal officials.

Postal officials processing salvable mail recovered from the scene of an accident or catastrophe are responsible for giving timely notification of the incident to the customer services representative at the office of mailing. The notification should include, but not be limited to:

(a) The determinable names of the major mailers involved;

(b) The nature and extent of damage or destruction;

(c) Anticipated delivery delay; and

(d) If known, the shipment delivery destination(s).

§ 281.3 Postal inspector responsibilities.

The postal inspector investigating the incident should assure that the processing postal officials are fulfilling their notification responsibilities on a timely basis. Should the situation arise where no postal officials are involved in processing affected mail, then the investigating postal inspector will take necessary action to insure that appropriate notification is made.

§ 281.4 Disclaimer.

The Postal Service will not be liable in damages for any loss occasioned by any failure to notify firm mailers in accordance with this Part of damage to or destruction of firm mailings.

ROGER P. CRAIG,
Deputy General Counsel.

[FR Doc.74-13740 Filed 6-14-74;8:45 am]

proposed rules

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 53]

ADMINISTRATION OF PRIVATE FOUNDATION EXCISE TAXES

Notice of Proposed Rulemaking

Notice is hereby given that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments pertaining thereto which are submitted in writing (preferably six copies) to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by July 17, 1974. Pursuant to 26 CFR 601.601(b), designations of material as confidential or not to be disclosed, contained in such comments, will not be accepted. Thus, a person submitting written comments should not include therein material that he considers to be confidential or inappropriate for disclosure to the public. It will be presumed by the Internal Revenue Service that every written comment submitted to it in response to this notice of proposed rule making is intended by the person submitting it to be subject in its entirety to public inspection and copying in accordance with the procedures of 26 CFR 601.702(d)(9). Any person submitting written comments who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner by July 17, 1974. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER, unless the person or persons who have requested a hearing withdraw their requests for a hearing before notice of the hearing has been filed with the Office of the Federal Register. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

This document contains proposed amendments to the Foundation Excise Tax Regulations (26 CFR Part 53) in order to provide rules regarding the administration of the private foundation excise taxes added by the Tax Reform Act of 1969 (83 Stat. 524).

The proposed amendments to the regulations provide rules for the filing of returns for the excise taxes imposed by chapter 42. In general, returns must be filed by all persons liable for tax at the time and place the private foundation files its annual information or tax return. A taxpayer may, by signing the foundation's annual return designate it as his return. Rules providing for the extension of time to file returns and to pay the tax due are also provided.

PROPOSED AMENDMENTS TO THE REGULATIONS

Based on the foregoing, the Foundation Excise Tax Regulations (26 CFR Part 53) are amended as follows:

The following sections are inserted immediately before the end of Part 53:

§ 53.6001 Statutory provisions; notice or regulations requiring records, statements, and special returns.

SEC. 6001. *Notice or regulations requiring records, statements, and special returns.* Every person liable for any tax imposed by this title, or for the collection thereof, shall keep such records, render such statements, make such returns, and comply with such rules and regulations as the Secretary or his delegate may from time to time prescribe. Whenever in the judgment of the Secretary or his delegate it is necessary, he may require any person, by notice served upon such person or by regulations, to make such returns, render such statements, or keep such records, as the Secretary or his delegate deems sufficient to show whether or not such person is liable for tax under this title.

§ 53.6001–1 Notice or regulations requiring records, statements, and special returns.

(a) *In general.* Any person subject to tax under chapter 42, Subtitle D, of the Code shall keep such complete and detailed records as are sufficient to enable the district director to determine accurately the amount of liability under chapter 42.

(b) *Notice by district director requiring returns, statements, or the keeping of records.* The district director may require any person, by notice served upon him, to make such returns, render such statements, or keep such specific records as will enable the district director to determine whether or not such person is liable for tax under chapter 42.

(c) *Retention of records.* The records required by this section shall be kept at all times available for inspection by authorized internal revenue officers or employees, and shall be retained so long as the contents thereof may become material in the administration of any internal revenue law.

§ 53.6011 Statutory provisions; general requirement of return, statement, or list.

SEC. 6011. General requirement of return, *statement, or list*—(a) *General rule.* When required by regulations prescribed by the Secretary or his delegate any person made liable for any tax imposed by this title, or for the collection thereof, shall make a return or statement according to the forms and regulations prescribed by the Secretary or his delegate. Every person required to make a return or statement shall include therein the information required by such forms or regulations.

§ 53.6011–1 General requirement of return, statement, or list.

(a) Every private foundation subject to tax under section 4940 shall file an annual return with respect to such tax on the form prescribed by the Internal Revenue Service for such purpose and shall include therein the information required by such form and the instructions issued with respect thereto.

(b) Every person subject to tax imposed by section 4941(a), 4942(a), 4943(a), 4944(a) or 4945(a), and every private foundation and every trust described in section 4947(a)(2) which has has engaged in an act of self-dealing (as defined in section 4941(d)) (other than an act giving rise to no tax under section 4941(a)) shall file an annual return on Form 4720 and shall include therein the information required by such form and the instructions issued with respect thereto. In the case of any tax imposed by sections 4941(a), 4942(a), 4943(a), and 4944(a), the annual return shall be filed with respect to each act (or failure to act) for each year (or part thereof) in the taxable period (as defined in sections 4941(e)(1), 4942(j)(1), 4943(d)(2), and 4944(e)(1)). In the case of a tax imposed by section 4945(a), the annual return shall be filed with respect to each act for the year in which such act giving rise to liability occurred.

(c) If a Form 4720 is filed by a private foundation or trust described in section 4947(a)(2) with respect to a transaction to which other persons are required to file under this paragraph, such persons may by their signature designate such organization's Form 4720 (to the extent applicable) as their return for purposes of compliance with this paragraph.

§ 53.6061 Statutory provisions; signing of returns and other documents.

SEC. 6061. *Signing of returns and other documents.* Except as otherwise provided by sections 6062 and 6063, any return, statement, or other document required to be made under any provision of the internal revenue laws or regulations shall be signed

in accordance with forms or regulations prescribed by the Secretary or his delegate.

§ 53.6061–1 Signing of returns and other documents.

Any return, statement, or other document required to be made with respect to a tax imposed by chapter 42 or the regulations thereunder shall be signed by the person required to file such return, statement or document, or by such other persons required or duly authorized to sign in accordance with the regulations, forms or instructions prescribed with respect to such return, statement or other document. The person required or duly authorized to make the return may incur liability for penalties provided for erroneous, false or fraudulent returns. For criminal penalties see sections 7201, 7203, 7206, and 7207.

§ 53.6065 Statutory provisions; verification of returns.

SEC. 6065. *Verification of returns*—(a) *Penalties of perjury.* Except as otherwise provided by the Secretary or his delegate, any return, declaration, statement, or other document required to be made under any provision of the internal revenue laws or regulations shall contain or be verified by a written declaration that it is made under the penalties of perjury.

(b) *Oath.* The Secretary or his delegate may by regulations require that any return, statement, or other document required to be made under any provision of the internal revenue laws or regulations shall be verified by an oath. * * *

§ 53.6065–1 Verification of returns.

(a) *Penalties of perjury.* If a return, statement, or other document made under the provisions of chapter 42 or subtitle F of the Code or the regulations thereunder with respect to any tax imposed by chapter 42 of the Code, or the form and instructions issued with respect to such return, statement, or other document, requires that it shall contain or be verified by a written declaration that it is made under the penalties of perjury, it must be so verified by the person or persons required to sign such return, statement, or other document. In addition, any other statement or document submitted under any provision of chapter 42 or subtitle F of the Code or regulations thereunder with respect to any tax imposed by chapter 42 of the Code may be required to contain or be verified by a written declaration that it is made under the penalties of perjury.

(b) *Oath.* Any return, statement, or other document required to be submitted under chapter 42 or subtitle F of the Code or regulations prescribed thereunder with respect to any tax imposed by chapter 42 of the Code may be required to be verified by an oath.

§ 53.6071 Statutory provisions; time for filing returns and other documents.

SEC. 6071. *Time for filing returns and other documents*—(a) *General rule.* When not otherwise provided for by this title, the Secretary or his delegate shall by regulations prescribe the time for filing any return, statement, or other document required by this title or by regulations.

§ 53.6071–1 Time for filing returns.

A return required by § 53.6011–1 shall be filed at the time the private foundation or trust described in section 4947 (a)(2) is required to file its annual information or tax return under section 6033 or 6012 (as may be applicable).

§ 53.6081 Statutory provisions; extension of time for filing the return.

SEC. 6081 *Extension of time for filing returns*—(a) *General rule.* The Secretary or his delegate may grant a reasonable extension of time for filing any return, declaration, statement, or other document required by this title or by regulations. Except in the case of taxpayers who are abroad, no such extension shall be for more than 6 months.

§ 53.6081–1 Extension of time for filing the return.

(a) District directors and directors of service centers are authorized to grant a reasonable extension of time for filing any return, statement, or other document which relates to any tax imposed by chapter 42 and which is required under the provisions of chapter 42 or the regulations thereunder. However, except in the case of taxpayers who are abroad, such extensions of time shall not be granted for more than 6 months. An extension of time for filing a return shall not operate to extend the time for the payment of the tax or any part thereof unless specified to the contrary in the extension.

(b) The application for an extension of time for filing the return shall be addressed to the district director or director of the service center with whom the return is to be filed and must contain a full recital of the causes for the delay. It should be made before the expiration of the time within which the return otherwise must be filed, and failure to do so may indicate negligence and constitute sufficient cause for denial. It should, where possible, be made sufficiently early to permit consideration of the matter and reply before what otherwise would be the due date of the return.

(c) If an extension of time for filing the return is granted, a return shall be filed before the expiration of the period of extension.

§ 53.6091 Statutory provisions; place for filing returns or other documents.

SEC. 6091. *Place for filing returns and other documents*—(a) *General rule.* When not otherwise provided for by this title, the Secretary or his delegate shall by regulations prescribe the place for the filing of any return, declaration, statement, or other document, or copies thereof, required by this title or by regulations.

(b) *Tax returns.* In the case of returns of tax required under authority of part II of this subchapter—

(1) *Persons other than corporations*—(a) *General rule.* Except as provided in subparagraph (B), a return (other than a corporation return) shall be made to the Secretary or his delegate—

(i) In the internal revenue district in which is located the legal residence or principal place of business of the person making the return, or

(ii) At a service center serving the internal revenue district referred to in clause (i), as the Secretary or his delegate may by regulations designate.

(B) *Exception.* Returns of—

(i) Persons who have no legal residence or principal place of business in any internal revenue district,

(ii) Citizens of the United States whose principal place of abode for the period with respect to which the return is filed is outside the United States,

(iii) Persons who claim the benefits of section 911 (relating to earned income from sources without the United States), section 931 (relating to income from sources within possessions of the United States), or section 933 (relating to income from sources within Puerto Rico), and

(iv) Nonresident alien persons, shall be made at such place as the Secretary or his delegate may by regulations designate.

(2) *Corporations*—(A) *General rule.* Except as provided in subparagraph (B), a return of a corporation shall be made to the Secretary or his delegate—

(i) In the internal revenue district in which is located the principal place of business or principal office or agency of the corporation, or

(ii) At a service center serving the internal revenue district referred to in clause (i), as the Secretary or his delegate may by regulations designate.

(B) *Exception.* Returns of—

(i) Corporations which have no principal place of business or principal office or agency in any internal revenue district,

(ii) Corporations which claim the benefits of section 922 (relating to special deduction for Western Hemisphere trade corporations), section 931 (relating to income from sources within possessions of the United States), or section 941 (relating to the special deduction for China Trade Act corporations), and

(iii) Foreign corporations, shall be made at such place as the Secretary or his delegate may by regulations designate.

* * * * *

(4) *Hand-carried returns.* Notwithstanding paragraph (1) or (2), a return to which paragraph (1)(A) or (2)(A) would apply, but for this paragraph, which is made to the Secretary or his delegate by hand carrying shall, under regulations prescribed by the Secretary or his delegate, be made in the internal revenue district referred to in paragraph (1)(A)(i) or (2)(A)(i), as the case may be.

(5) *Exceptional cases.* Not withstanding paragraphs (1), (2), * * * or (4) of this subsection, the Secretary or his delegate may permit a return to be filed in any internal revenue district, and may require the return of any officer or employee of the Treasury Department to be filed in any internal revenue district selected by the Secretary or his delegate.

[Sec. 6091 as amended by sec. 1(a), Act of Nov. 2, 1966 (Public Law 89–713, 80 Stat. 1107)]

§ 53.6091–1 Place for filing chapter 42 tax returns.

Except as provided in § 53.6091–2 (relating to exceptional cases)—

(a) *Persons other than corporations.* Chapter 42 tax returns of persons other than corporations shall be filed with the district director for the internal revenue district in which is located the legal residence or principal place of business of the person required to make the return.

(b) *Corporations.* Chapters 42 tax returns of corporations shall be filed with the district director for the internal revenue district in which is located the principal place of business or principal office or agency of the corporation.

(c) *Returns filed with service centers.* Notwithstanding paragraphs (a) and (b) of this section, unless a return is filed by hand carrying, whenever instructions applicable to chapter 42 tax returns provide that the returns be filed with a service center, the returns must be so filed in accordance with the instructions. Returns which are filed by hand carrying shall be filed in accordance with paragraphs (a) or (b) of this section, whichever is applicable.

§ 53.6091–2 Exceptional cases.

Notwithstanding the provisions of § 53.6091–1, the Commissioner may permit the filing of any chapter 42 tax return in any internal revenue district.

§ 53.6151 Statutory provisions; time and place for paying tax shown on returns.

SEC. 6151. *Time and place for paying tax shown on returns*—(a) *General rule.* Except as otherwise provided in this section, when a return of tax is required under this title or regulations, the person required to make such return shall, without assessment or notice and demand from the Secretary or his delegate, pay such tax to the internal revenue officer with whom the return is filed, and shall pay such tax at the time and place fixed for filing the return (determined without regard to any extension of time for filing the return).

* * * * *

(c) *Date fixed for payment of tax.* In any case in which a tax is required to be paid on or before a certain date, or within a certain period, any reference in this title to the date fixed for payment of such tax shall be deemed a reference to the last day fixed for such payment (determined without regard to any extension of time for paying the tax).

* * * * *

[Sec. 6151 (a) and (c) as amended by sec. 1 (b), Act of Nov. 2, 1966 (Pub. Law 89–713, 80 Stat. 1108)]

§ 53.6151–1 Time and place for paying tax shown on returns.

The chapter 42 tax shown on any return shall, without assessment or notice and demand, be paid to the internal revenue officer with whom the return is filed at the time and place for filing such return (determined without regard to any extension of time for filing the return). For provisions relating to the time and place for filing such return, see §§ 53.6071–1 and 53.6091–1. For provisions relating to the extension of time for paying the tax, see § 53.6161–1.

§ 53.6161 Statutory provisions; extension of time for paying tax.

SEC. 6161. *Extension of time for paying tax*—

(a) *Amount determined by taxpayer on return*—(1) *General rule.* The Secretary or his delegate, except as otherwise provided in this title, may extend the time for payment of the amount of the tax shown, or required to be shown, on any return or declaration required under authority of this title (or any installment thereof), for a reasonable period not to exceed 6 months (12 months in the case of estate tax) from the date fixed for payment thereof. Such extension may exceed 6 months in the case of a taxpayer who is abroad.

* * * * *

(b) *Amount determined as deficiency.* Under regulations prescribed by the Secretary or his delegate, the Secretary or his delegate may extend, to the extent provided below, the time for payment of the amount determined as a deficiency:

(1) In the case of a tax imposed by chapter 1, 12, or 42, for a period not to exceed 18 month from the date fixed for payment of the deficiency, and, in exceptional cases, for a further period not to exceed 12 months. * * *

An extension under this subsection may be granted only where it is shown to the satisfaction of the Secretary or his delegate that the payment of a deficiency upon the date fixed for the payment thereof will result in undue hardship to the taxpayer in the case of a tax imposed by chapter 1 or 42, to the estate in the case of a tax imposed by chapter 11, or to the donor in the case of a tax imposed by chapter 12. No extension shall be granted if the deficiency is due to negligence, to intentional disregard of rules and regulations, or to fraud with intent to evade tax.

* * * * *

[Sec. 6161 as amended by sec. 1801(j)(37), Tax Reform Act 1969 (83 Stat. 530); sec 101 (h), Excise, Estate and Gift Tax Adjustment Act 1970 (84 Stat. 1838)]

§ 53.6161–1 Extension of time for paying tax or deficiency.

(a) *In general*—(1) *Tax shown or required to be shown on return.* A reasonable extension of the time for payment of the amount of any tax imposed by chapter 42 and shown or required to be shown on any return, may be granted by the district directors and directors of the service centers at the request of the taxpayer. The period of such extension shall not be in excess of 6 months from the date fixed for payment of such tax, except that if the taxpayer is abroad the period of the extension may be in excess of 6 months.

(2) *Deficiency.* The time for payment of any amount determined as a deficiency in respect of tax imposed by chapter 42 may, at the request of the taxpayer, be extended by the internal revenue officer to whom the tax is required to be paid for a period not to exceed 18 months from the date fixed for payment of the deficiency, as shown on the notice and demand, and, in exceptional cases for a further period not in excess of 12 months. No extension of the time for payment of a deficiency shall be granted if the deficiency is due to negligence, to intentional disregard of rules and regulations, or to fraud with intent to evade tax.

(3) *Extension of time for filing distinguished.* The granting of an extension of time for filing a return does not operate to extend the time for the payment of the tax or any part thereof unless so specified in the extension.

(b) *Undue hardship required for extension.* An extension of the time for payment shall be granted only upon a satisfactory showing that payment on the due date of the amount with respect to which the extension is desired will result in an undue hardship. The extension will not be granted upon a general statement of hardship. The term "undue hardship" means more than an inconvenience to the taxpayer. It must appear that substantial financial loss, for example, loss due to the sale of property at a sacrifice price, will result to the taxpayer from making payment on the due date of the amount with respect to which the extension is desired. If a market exists, the sale of property at the current market price is not ordinarily considered as resulting in an undue hardship.

(c) *Application for extension.* An application for an extension of the time for payment of the tax shown or required to be shown on any return, or for the payment of any amount determined as a deficiently shall be made on Form 1127 and shall be accompanied by evidence showing the undue hardship that would result to the taxpayer if the extension were refused. Such application shall also be accompanied by a statement of the assets and liabilities of the taxpayer and an itemized statement showing all receipts and disbursements for each of the three months immediately preceding the due date of the amount to which the application relates. The application, with supporting documents, must be filed on or before the date prescribed for payment of the amount with respect to which the extension is desired with the internal revenue officer to whom the tax is to be paid. The application will be examined, and within 30 days, if possible, will be denied, granted, or tentatively granted subject to certain conditions of which the taxpayer will be notified. If an additional extension is desired, the request therefor must be made on or before the expiration of the period for which the prior extension is granted.

(d) *Payment pursuant to extension.* If an extension of time for payment is granted, the amount the time for payment of which is so extended shall be paid on or before the expiration of the period of the extension without the necessity of notice and demand. The granting of an extension of the time for payment of the tax or deficiency does not relieve the taxpayer from liability for the payment of interest thereon during the period of the extension. See section 6601 and § 301.6601–1 of this chapter (Regulations on Procedure and Administration).

§ 53.6165 Statutory provisions; bonds where time to pay tax or deficiency has been extended.

SEC. 6165. *Bonds where time to pay tax or deficiency has been extended.* In the event the Secretary or his delegate grants any extension of time within which to pay any tax or any deficiency therein, the Secretary or his delegate may require the taxpayer to furnish a bond in such amount (not exceeding double the amount with respect to which the extension is granted) conditioned upon the payment of the amount extended in accordance with the terms of such extension.

§ 53.6165–1 Bonds where time to pay tax or deficiency has been extended.

If an extension of time for payment of tax or deficiency is granted under section 6161, the district director or the director of the service center may, if he deems it necessary, require a bond for the payment of the amount in respect of which the extension is granted in accordance with the terms of the extension. However, such bond shall not exceed double the amount with respect to which the extension is granted. For provisions relating to form of bonds, see the regulations under section 7101 contained in Part 301 of this chapter (Regulations on Procedure and Administration).

§ 53.6601 Statutory provisions; interest on underpayment, nonpayment, or extension of time for payment, of tax.

SEC. 6601. Interest on underpayment, nonpayment, or extensions of time for payment, of tax—(a) *General rule.* If any amount of tax imposed by this title (whether required to be shown on a return, or to be paid by stamp or by some other method) is not paid on or before the last date prescribed for payment, interest on such amount at the rate of 6 percent per annum shall be paid for the period from such last date to the date paid.

* * * * *

§ 53.6601–1 Interest on underpayment, nonpayment, or extensions of time for payment, of tax.

For regulations concerning interest on underpayment, nonpayment, or extensions of time for payment of tax, see § 301.6601–1 of this chapter (Regulations on Procedure and Administration).

§ 53.7101 Statutory provisions; form of bonds.

SEC. 7101. *Form of bonds.* Whenever, pursuant to the provisions of this title (other than sections 7485 and 6803(a)(1)), or the rules or regulations prescribed under authority of this title, a person is required to furnish a bond or security—

(1) *General rule.* Such bond or security shall be in such form and with such surety or sureties as may be prescribed by regulations issued by the Secretary or his delegate.

(2) *United States bonds and notes in lieu of surety bonds.* The person required to furnish such bond or security may, in lieu thereof, deposit bonds or notes of the United States as provided in 6 U.S.C. 15.

§ 53.7101–1 Form of bonds.

For provisions relating to form of bonds, see the regulations under section 7101 contained in Part 301 of this chapter (Regulations on Procedure and Administration).

[FR Doc.74–13825 Filed 6–14–74;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 916]

NECTARINES GROWN IN CALIFORNIA

Proposed Reporting Procedure for Shipments

This notice invites written comments relative to proposed amendment of the rules and regulations established pursuant to the amended marketing agreement and Order No. 916, as amended. Such amendment would require each handler to file with the Nectarine Administrative Committee manager or other committee designee (1) a daily report showing the number of packages of nectarines by container type, variety, and district of origin packed the preceding day, and (2) a monthly report filed by the 10th of each month showing shipments of the preceding month by shipping point, district of origin, by variety, and the number of packages, by size, for each container type. The committee reported that such information is necessary to enable it to perform its duties under the program.

Notice is hereby given that the Department is considering a proposed amendment, as hereinafter set forth, to the rules and regulations (Subpart—Rules and Regulations, 7 CFR Part 916.102–916.115), currently in effect pursuant to the applicable provisions of the amended marketing agreement and Order No. 916 (7 CFR Part 916), regulating the handling of nectarines grown in California, hereinafter referred to as "the order." This is a regulatory program effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

This proposed amendment of the rules and regulations was unanimously recommended by the Nectarine Administrative Committee, established under said order, as the agency to administer the terms and provisions thereof.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed amendment shall file the same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than July 7, 1974. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposed amendment is as follows:

1. A New § 916.160. *Reporting procedure* is added to read:

§ 916.160 Reporting procedure.

(a) *Report of daily packout.* When requested by the Nectarine Administrative Committee, each shipper who ships nectarines shall furnish to the manager of the Nectarine Administrative Committee or when designated to the Federal-State Inspection Service a report of the number of packages by container type, by variety and by district of origin, which the shipper packed during the preceding day.

(b) *Recapitulation of shipments.* Each shipper of nectarines shall furnish to the manager of the Nectarine Administrative Committee not later than the 10th day of each month a recapitulation of his shipments of each variety completed during the preceding month. The recapitulation shall show: (1) the name of the shipper, (2) the shipping point, (3) the district of origin, (4) the variety, and (5) the number of packages, by size, for each container type.

Dated: June 12, 1974.

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

[FR Doc.74–13822 Filed 6–14–74;8:45 am]

[7 CFR Part 921]

FRESH PEACHES GROWN IN DESIGNATED COUNTIES IN WASHINGTON

Proposed Limitation of Handling

This notice contains the proposed grade, maturity, size, and pack requirements for Washington peaches during the 1974 season. These proposed requirements are designed to provide consumers with acceptable quality peaches. The proposal would require peaches to grade Washington Extra Fancy grade except that peaches packed in the western lug, or the standard peach box need only meet the requirements of the Washington Fancy grade. The minimum diameter would be 2⅜ inches, except the minimum diameter for Elberta peaches and peaches of any variety when packed in the standard peach box would be 2¼ inches. All peaches would be required to be well matured and have a reasonably uniform degree of firmness. Loose or jumble packs would be permitted for containers with a net weight of 26 pounds and in containers of less capacity if the packages are well filled. The use of the family pack lug box would not be permitted this year as such container did not prove satisfactory last year.

Consideration is being given to the following proposal which would limit the handling of fresh peaches grown in designated counties in Washington by establishing a regulation which was recommended by the Washington Fresh Peach Marketing Committee, pursuant to the marketing agreement, and Order No. 921 (7 CFR Part 921) regulating the handling of fresh peaches grown in designated counties in Washington. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

All persons who desire to submit written data, views, or arguments in connection with the proposal should file the same in quadruplicate with the Hearing Clerk, Room 112A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than June 30, 1974. 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 recommendations of the Washington Fresh Peach Marketing Committee reflect its appraisal of the current and prospective crop and market conditions. Washington's 1974 peach crop is estimated at 11,700 tons, compared with commercial production in 1973 of 18,703

tons. Total fresh market shipments are expected to be 9,200 tons. The regulation, hereinafter set forth, is designed to prevent the handling on and after July 14, 1974, of lower quality and smaller size peaches and provide orderly marketing in the interest of producers and consumers, consistent with the objectives of the act.

Such proposal reads as follows:

§ 921.311 **Peach Regulation 11.**

(a) Order: Peach Regulation 10 (38 FR 19959) is hereby terminated July 14, 1974.

(b) During the period July 14, 1974, through July 31, 1975, no handler shall handle any lot of peaches unless such peaches meet the following applicable requirements, or are handled in accordance with paragraph (b)(6) of this section.

(1) *Minimum grade.* Such peaches shall grade at least Washington Extra Fancy Grade: *Provided,* That peaches which grade Washington Fancy Grade, or better may be handled if they are packed in the Western lug box or the standard peach box.

(2) *Minimum size.* (i) Such peaches of any variety, except peaches of the Elberta varieties, packed in any container except the standard peach box, shall measure not less than 2⅜ inches in diameter:

(ii) Such peaches of any variety when packed in a standard peach box shall measure not less than 2¼ inches in diameter; and

(iii) Such peaches of the Elberta varieties, packed in any container shall measure not less than 2¼ inches in diameter.

(3) *Minimum maturity.* Such peaches shall be well matured, exeept that any lot of peaches shall be deemed to have met such minimum maturity requirement if not more than 25 percent, by count, of the peaches in such lot are mature but not well matured.

(4) *Uniform firmness.* Such peaches in individual containers shall have a reasonably uniform degree of firmness.

(5) *Pack.* (i) Such peaches in loose or jumble packs shall be in containers of a capacity equal to or greater than that of a Western lug box and shall contain not less than 26 pounds net weight of peaches: *Provided,* That such containers of peaches having less than 26 pounds net weight may be handled if such containers are well filled; and

(ii) Such peaches other than peaches in loose or jumble packs in any container shall meet the standard pack requirements as set forth in the Washington Standards for Peaches (Order No. 1212), or the U.S. Standards for Peaches (7 CFR 51.1210 et seq.).

(6) Notwithstanding any other provision of this section, any individual shipment of peaches sold by the producer or at an established packinghouse which meets each of the following requirements may be handled without regard to the provisions of this paragraph, of § 921.41 (Assessments), and of § 921.55 (Inspection and Certification) if:

(i) The shipment consists of peaches sold for home use and not for resale;

(ii) The shipment does not, in the aggregate, exceed 500 pounds, net weight, of peaches; and

(iii) Each container is stamped or marked with the handler's name and address and with the words "not for resale" in letters at least one-half inch in height.

(c) The terms "Washington Extra Fancy Grade", "Washington Fancy Grade", and "mature" shall have the same meaning as when used in the Washington Standards for Peaches (effective October 18, 1971), issued by the State of Washington Department of Agriculture; the term "well matured" shall mean peaches which will yield very slightly to moderate pressure at the suture or blossom end, have shoulders and sutures that are well filled out, and have skin and flesh colored sufficiently that it will show characteristic varietal color when ripe; the term "loose or jumble pack" shall mean that the peaches are not placed in the container in rows, cups, compartments, or otherwise placed in the container in symmetrical order; the term "standard peach box" shall mean a container with inside dimension of 4¼ to 6 by 11½ by 16 inches; the term "Western lug box" shall mean any container with inside dimensions of 7 by 11½ by 18 inches; the term "well filled" shall mean that the level of fruit is filled at least to the top edge of the container; the term "diameter" shall mean the greatest distance, measured through the center of the peach at right angles to a line running from the stem to the blossom end; and terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in the marketing agreement and order.

Dated: June 11, 1974.

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

[FR Doc.74-13765 Filed 6-14-74;8:45 am]

[7 CFR Part 922]

FRESH APRICOTS GROWN IN DESIGNATED COUNTIES IN WASHINGTON

Proposed Limitation of Handling

This notice contains the proposed grade, maturity, and size requirements for Washington Apricots during the 1974 season. These proposed requirements are designed to provide consumers with acceptable quality apricots. The proposed requirements are: That apricots grade at least Washington No. 1 and be reasonably uniform in color; and size at least 1⅝ inches in diameter, except Bienheim, Blenril and Tilton varieties, in unlidded containers, may have a minimum diameter of 1¼ inches.

Consideration is being given to the following proposal, which would limit the handling of fresh apricots grown in designated counties in Washington by establishing a regulation which was recommended by the Washington Apricot Marketing Committee, established pursuant to the marketing agreement, as amended, and Order No. 922, as amended, (7 CFR Part 922), regulating the handling of fresh apricots grown in designated counties in Washington. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

All persons who desire to submit written data, views, or arguments in connection with the proposal should file the same in quadruplicate with the Hearing Clerk, Room 112A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than June 30, 1974. 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 recommendations of the Washington Apricot Marketing Committee reflect its appraisal of the current and prospective crop and market conditions. Total 1974 fresh market shipments are expected to be 2,100 tons, compared with 1973 fresh market shipments of 2,575 tons. The regulation is designed to prevent the handling on and after August 1, 1974, of lower quality and smaller size apricots which do not provide consumer satisfaction and to promote orderly marketing in the interest of producers and consumers, consistent with the objectives of the act.

Such proposal reads as follows:

§ 922.314 **Apricot Regulation 14.**

(a) Order: During the period August 1, 1974, through July 31, 1975, no handler shall handle any container of apricots unless such apricots meet the following applicable requirements, or are handled in accordance with subparagraph (3) of this paragraph:

(1) *Minimum grade and maturity requirements.* Such apricots grade not less than Washington No. 1 and are at least reasonably uniform in color: *Provided,* That such apricots of the Moorpark variety in open containers shall be generally well matured; and

(2) *Minimum size requirements.* Such apricots measure not less than 1⅝ inches in diameter except that apricots of the Blenhiem, Blenril, and Tilton varieties when packed in unlidded containers may measure not less than 1¼ inches: *Provided,* That not more than 10 percent, by count, of such apricots may fail to meet the applicable minimum diameter requirement.

(3) Notwithstanding any other provision of this section, any individual shipment of apricots which meets each of the following requirements may be handled without regard to the provisions of this paragraph, of § 922.41 (Assessments), and of § 922.55 (Inspection and Certification):

(i) The shipment consists of apricots sold for home use and not for resale.

(ii) The shipment does not, in the aggregate, exceed 500 pounds, net weight, of apricots; and

(iii) Each container is stamped or marked with the words "not for resale"

in letters at least one-half inch in height.

(b) Terms used in the 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; "diameter" and "Washington No. 1" shall have the same meaning as when used in the State of Washington Department of Agriculture Standards for Apricots, effective May 31, 1966; "reasonably uniform in color" means that the apricots in the individual container do not show sufficient variation in color to materially affect the general appearance of the apricots; and "generally well matured" means that, with respect to not less than 90 percent, by count, of the apricots in any container in such lot, at least 40 percent of the surface area of the fruit is at least as yellow as Shade 3 on the U.S. Department of Agriculture Standard Ground Color Chart for Apples and Pears in the Western States.

Dated: June 12, 1974.

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

[FR Doc.74-13823 Filed 6-14-74;8:45 am]

Animal and Plant Health Inspection Service

[9 CFR Part 113]

VIRUSES, SERUMS, TOXINS, AND ANALOGOUS PRODUCTS

Notice of Proposed Rulemaking

Notice is hereby given in accordance with the provisions contained in section 553 of Title 5, United States Code, that it is proposed to amend certain of the regulations relating to viruses, serums, toxins, and analogous products in Part 113 of Title 9, Code of Federal Regulations, issued pursuant to the provisions of the Virus-Serum-Toxin Act of March 4, 1913 (21 U.S.C. 151–158).

These proposed amendments would codify in Part 113 test methods, procedures, and criteria established by Veterinary Services for evaluating biological products to be pure, safe, potent, and efficacious and not to be worthless, contaminated, dangerous, or harmful. All products shall meet the applicable requirements before marketing release is authorized.

These requirements have been developed over a period of years in cooperation with interested members of the scientific society and, for the most part, have been utilized by industry either as accepted requirements or as proposals under development.

The publication of these requirements is done to make more readily available to the general public these requirements which now appear in administrative memorandums.

§ 113.120 and § 113.135 were included in a notice of proposed rulemaking published in the FEDERAL REGISTER, Volume 39, Number 71, April 11, 1974. When one of these sections is referred to in this document, the requirements set out in such notice are intended. It is further intended that when these regulations are published in final form, the effective date for having the Master Seed Virus requirements prescribed in § 113.160, § 113.161, and § 113.164 be completed by January 1, 1975, and the Master Seed Virus requirements prescribed in § 113.163 and § 113.165 be completed by June 1, 1975.

Part 113, Standard Requirements, of Title 9 of the Code of Federal Regulations, is amended by adding a new paragraph (d) to § 113.27 and further amended by adding the following material to read:

§ 113.27 Detection of viable bacteria and fungi in live vaccines.

* * * * *

(d) Live viral vaccines of chicken embryo origin recommended for use in a manner other than parenteral injection shall be tested according to the procedures prescribed in this paragraph.

(1) *The media shall be.* (i) Brain Heart Infusion Agar with 500 Kinetic (Kersey) units of penicillinase per ml of medium added to the agar just prior to pouring the plates; and

(ii) Trypticase Soy Agar with 500 Kinetic (Kersey) units penicillinase per ml of medium added to the agar just prior to pouring the plates.

(2) *Test procedures.* (i) Ten final container samples from each serial or subserial shall be tested using the media as prescribed in paragraph (d) (1) of this paragraph.

(ii) Immediately prior to starting the test, frozen liquid vaccine shall be thawed, or lyophilized vaccine shall be rehydrated to the quantity recommended on the label using sterile distilled water. Product recommended for mass vaccination shall be rehydrated at the rate of 30 ml sterile distilled water per 1000 doses.

(iii) From each final container sample, four plates shall be inoculated with biological product equal to 10 doses as recommended for poultry or one dose as recommended for other animals.

(iv) Twenty ml of Brain Heart Infusion Agar shall be added to each of two plates. Twenty ml of Trypticase Soy Agar shall be added to each of two plates.

(v) Two plates, one with each agar, shall be incubated at 30–35° C for seven days. The two remaining plates, one from each agar, shall be incubated at 20–25° C for 14 days.

(vi) Colony counts shall be made for each plate. An average colony count for the ten samples representing a serial or subserial shall be computed for each agar at each incubation condition.

(vii) If the average count on either agar at either incubation condition for a serial or subserial exceeds one colony per dose for vaccines recommended for poultry, or ten colonies per dose for vaccines recommended for other animals, the serial or subserial is unsatisfactory.

§ 113.127 Encephalomyelitis Vaccine, Eastern and Western, Killed Virus.

Encephalomyelitis Vaccine, Eastern and Western, Killed Virus, shall be prepared from virus-bearing cell culture fluids. Except for § 113.120(d), each serial and subserial shall meet the general requirements prescribed in § 113.120 and the requirements prescribed in this section. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(a) *Safety test.* Bulk samples of each serial or subserial shall be tested for encephalomyelitis virus inactivation.

(1) Each of at least ten 6 to 12 hour old chickens shall be injected subcutaneously with 0.5 ml of the product and the chickens observed each day for 10 days.

(2) If unfavorable reactions attributable to the product occur in the chickens during the observation period, the serial is unsatisfactory. If unfavorable reactions not attributable to the product occur, the test is inconclusive and may be repeated: *Provided,* That, if the test is not repeated, the serial is unsatisfactory.

(b) *Potency tests.* Bulk or final container samples of completed product shall be tested for potency as provided in this paragraph. For these tests, a guinea pig dose shall be one-half the amount recommended on the label for a horse and shall be administered as recommended for a horse except for the interval between the first and second dose.

(1) *Eastern Type Fraction.* Each of 10 healthy guinea pigs (vaccinates) shall be injected with two guinea pig doses with an interval of 14 to 21 days between doses. Two additional guinea pigs from the same source shall be held as controls.

(i) Fourteen to twenty-one days after the second inoculation, serum samples from each of the vaccinates and the controls shall be tested by the plaque reduction serum neutralization test.

(ii) If the control serum samples show a titer greater than 1:2, the test is inconclusive and may be repeated; *Provided,* That, if at least nine of the vaccinate serum samples do not show a titer of 1:4 or greater, the serial or subserial is unsatisfactory.

(2) *Western Type Fraction.* Each of 10 healthy guinea pigs (vaccinates) shall be injected with two guinea pig doses with an interval of 7 days between doses. Five additional guinea pigs from the same source shall be held as controls.

(i) Ten to fourteen days after the second dose, at least nine of the 10 vaccinates and the five controls shall be injected intracerebrally with 0.1 ml of a virulent virus suspension and the guinea pigs observed each day for 10 days.

(ii) If at least 80 percent of the controls do not die or show signs of encephalomyelitis during the observation period, the test is inconclusive and may be repeated; *Provided,* That, if more than two of the challenged vaccinates die or show signs of encephalomyelitis during the observation period, the serial or subserial is unsatisfactory.

§ 113.128 Avian Encephalomyelitis Vaccine (Killed Virus).

Avian Encephalomyelitis Vaccine (Killed Virus) shall be prepared from virus-bearing tissues or fluids obtained from embryonated chicken eggs. Each

serial shall meet the general requirements prescribed in § 113.120 and the requirements prescribed in this section. Any serial found unsatisfactory by a prescribed test shall not be released.

(a) *Safety tests.* (1) The prechallenge part of the potency test prescribed in paragraph (b) of this section shall constitute a safety test. If any of the vaccinates develop clinical signs or die due to causes attributable to the product, the serial is unsatisfactory.

(2) An inactivation test for viable avian encephalomyelitis (AE) virus shall be conducted on each serial. The test shall be conducted using susceptible chicken embryos; *Provided*, That, if a non-embryo adapted virus is used for vaccine production, the test shall be conducted in susceptible chickens.

(i) *Chicken Embryo Test.* Each of 15 or more AE susceptible 5 or 6 day old embryos shall be injected in the yolk sac with 0.2 ml of the vaccine. For a valid test, at least 80 percent of the embryos shall survive for 48 hours post-inoculation (PI). Eleven to 13 days PI, all embryos surviving the 48 hour PI period shall be examined for gross lesions of AE; all these embryos shall be normal or the serial is unsatisfactory. Concurrently, five additional embryos from the same source shall be injected with live AE virus of the production strain to serve as positive controls. At least 4 of the 5 embryos shall show evidence of AE virus infection during the 11 to 13 day PI period or the test shall be considered inconclusive and repeated; *Provided*, That, if the test is not repeated, the serial shall be declared unsatisfactory.

(ii) *Chicken test.* Each of 10 or more AE susceptible 7 day old chickens shall be injected intracerebrally with 0.1 ml vaccine each. The chickens shall be observed each day for 28 days. If any chickens show clinical signs of AE, the serial is unsatisfactory. Concurrently, 5 additional chickens from the same source shall be injected intracerebrally with live AE virus of the production strain to serve as positive controls. At least 4 of the 5 controls shall show evidence of AE virus infection during the observation period or the test shall be inconclusive and may be repeated; *Provided*, That, if the test is not repeated, the serial shall be unsatisfactory.

(b) *Potency test.* Bulk or final container samples of completed product from each serial or one subserial shall be tested. Ten or more AE-susceptible chickens (vaccinates), 4 weeks or older, properly identified and obtained from the same source and hatch, shall be injected as recommended on the label. At least 10 additional AE-susceptible chickens, properly identified and obtained from the same source and hatch shall be kept in isolation as controls.

(i) At least 28 days post-injection, the vaccinates and the controls shall be challenged intramuscularly with a virulent AE virus and the chickens observed each day for 21 days.

(ii) If at least 80 percent of the controls do not show clinical signs of AE injection or die from AE injection, the test is inconclusive and may be repeated.

(iii) If at least 80 percent of the vaccinates do not remain normal, the serial is unsatisfactory.

§ 113.129 Rabies Vaccine (Killed Virus).

Rabies Vaccine (Killed Virus) shall be prepared from virus-bearing cell cultures or nerve tissues obtained from animals that have developed rabies infection following injection with rabies virus. Only Master Seed Virus which has been established as pure, safe, and immunogenic shall be used for preparing the production seed virus for vaccine production. All serials of vaccine shall be prepared from the first through the fifth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section.

(1) Each lot of Master Seed Virus shall be tested for viral agents by procedures prescribed in § 113.52(d) (4), (5), and (6) with the modification that one ml of Master Seed Virus is substituted for the one ml aliquot of disrupted cells.

(2) Each lot of Master Seed Virus propagated in tissue or cells of avian origin shall also be tested for extraneous pathogens by procedures prescribed in § 113.37.

(3) Each lot of Master Seed Virus propagated in cell cultures of hamster origin or brain tissues of mouse origin shall be tested for lymphocytic choriomeningitis (LCM) virus by the procedure for testing vaccine prescribed in subparagraph (d) (1) of this section. If LCM virus is detected, the Master Seed Virus is unsatisfactory. Vaccine virus may be neutralized with specific antiserum when necessary.

(b) The immunogenicity of the lot of Master Seed Virus shall be established in all species for which the vaccine is recommended.

(1) Thirty-five animals of each species shall be used as test animals (25 vaccinates and 10 controls). Blood samples shall be drawn from these animals and individual serums tested. Only animals which are negative for neutralizing antibodies to rabies shall be used.

(2) The preinactivation virus titer shall be established by at least five separate virus titrations. A mean relative potency value of the vaccine used in the host animal potency test shall be established by at least five replicate potency tests conducted in accordance with the National Institutes of Health test for Potency in Chapter 33 of *Laboratory Techniques in Rabies*, 1973 Edition, World Health Organization, Geneva. The volumetric method of calculation shall be used.

(3) Each of 25 vaccinates shall be injected intramuscularly with one dose equal to that recommended on the label. A second such dose may be injected 30 days after the first dose unless the test is intended to qualify the vaccine for label recommendations which specify a single dose for primary immunization.

(4) On days 30, 60, 90, 180, 270, and 365 post-injection, all test animals shall be bled and individual serums tested for neutralizing antibodies to rabies virus.

(5) Virulent street virus shall be furnished or approved by Veterinary Services. One year after the last dose of vaccine, challenge virus shall be injected bilaterally into the masseter muscles and the animals observed each day for 90 days as prescribed in § 113.5(b).

(i) When cattle, horses, sheep, and goats are the test animals, the immunity of the five vaccinates having the lowest titers shall be challenged: *Provided*, That, all vaccinates with titers below 1:5 shall be challenged. The remainder of the vaccinates may be challenged at a later date and the results included in the criteria used to establish a satisfactory Master Seed Virus.

(ii) When other species are used for test animals, all vaccinates shall be challenged.

(iii) If at least 80 percent of the controls do not die from rabies during the observation period, the test is inconclusive.

(iv) If at least 85 percent of the challenged vaccinates do not remain well during the observation period, the Master Seed Virus is unsatisfactory.

(6) The immunogenicity test shall be repeated every 3 years unless use of the lot of Master Seed Virus is discontinued. If the test is on the same lot of Master Seed Virus as 3 years previously, only five vaccinates and five controls need be used. The test may be limited to serological the original immunogenicity test.

(7) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(c) If more than 1 year duration of immunity is to be claimed, a duration of immunity test for the additional time shall be conducted as prescribed in subparagraph (b) (5) of this section for the 1 year test. At least 25 vaccinates shall be selected at the time the test is started for each challenge period. The test animals may be monitored serologically and the time of challenge adjusted accordingly. A duration of immunity test shall be considered satisfactory if 85 percent of the vaccinates are shown to be immune.

(d) Test requirements for release: Each serial and each subserial shall meet the general requirements prescribed in § 113.120 and special requirements in this paragraph.

(1) *Purity test.* (i) Tissues of hamster origin and mouse brain tissues used in vaccine production shall be tested for LCM virus. Hamster origin cells shall be disrupted and undiluted cell fluids from each lot shall be tested. Where mouse brains are used in production, at least five mice which have not been injected with rabies virus shall be sacrificed and a 10 percent suspension of brain material shall be prepared and tested as follows:

(ii) Each of at least 10 mice obtained from a source free of LCM shall be injected in the foot pad of a hind foot with 0.02 ml and the mice observed each day for 21 days.

(iii) If any of the mice show swelling in the injected foot pad or if more than one becomes systemically abnormal, the serial or subserial is unsatisfactory.

(2) *Safety tests.* Bulk samples from each serial shall be tested for virus inactivation and safety as follows:

(i) At the end of the inactivation period, each of 20 12 to 16 gram mice shall be injected intracerebrally with 0.03 ml and two rabbits shall be injected into each cerebral hemisphere with 0.25 ml and observed each day for 21 days. The brains of animals dying between the fourth and 21st day post-injection shall be checked for rabies virus. Material from each brain recovered shall be injected into each of five mice and the mice observed each day for 14 days. The fluorescent antibody test or serum neutralization test shall be used to confirm the presence or absence or live rabies virus. If live rabies virus is confirmed, the serial is unsatisfactory unless reprocessed in accorndace with § 114.18.

(ii) Each of three young (less than 6 months of age) seronegative animals of one species for which the vaccine is recommended shall be injected in the manner and dosage for primary immunization stated on the label. If one dose is used, the animals shall be observed each day for 30 days. If two doses are used, the animals shall be observed each day for 14 days after the second dose. If unfavorable reactions attributable to the product occur, the serial is unsatisfactory.

(3) *Potency test.* Bulk or final container samples of complete product from each serial shall be tested for potency by the National Institutes of Health Test described in Chapter 33, *Laboratory Techniques in Rabies,* 1973 edition, World Health Organization, Geneva. The volumetric method of calculation shall be used. The relative potency of each serial shall be at least equal to that used in an approved host animal potency study, but not less than 0.3.

§ 113.139 Feline Distemper Vaccine.

Feline Distemper Vaccine shall be prepared from virus-bearing cell culture fluids. Only Master Seed Virus which has been established as pure, safe, and immunogenic shall be used for preparing the production seed virus for vaccine production. All serials of vaccine shall be prepared from the first through the fifth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable general requirements prescribed in § 113.135 and the requirements prescribed in this section.

(b) The lot of Master Seed Virus shall be tested for other agents as follows:

(1) To detect virulent feline distemper virus or virulent mink enteritis virus, each of two feline distemper susceptible cats, as determined by the criteria prescribed in paragraph (c)(1) of this section, shall be injected subcutaneously with the equivalent of one cat dose each and the cats observed each day for 21 days. If either or both cats show signs of disease or reduced white blood cell counts below 50 percent of the normal level established by an average of three or more counts taken prior to injection, the Master Seed Virus is unsatisfactory.

(2) To detect chlamydial agents, the yolk sac of 6 day old chicken embryos shall be injected. Three groups of 10 embryos shall be used sequentially.

(i) The inoculum for each embryo in the first group shall consist of 0.5 ml of a mixture of equal parts of the seed virus with phosphate buffered saline containing 2 mg/ml each of Streptomycin, Vancomycin, and Kanomycin.

(ii) On the tenth day post-inoculation, the yolk sacs of viable embryos shall be harvested, pooled, homogenized in phosphate buffered saline antibiotic diluent, and 0.5 ml of the mixture injected into the second group of chicken embryos. This process shall be repeated for the injection of the third group of embryos using the yolk sacs of viable embryos from the second group.

(iii) For each of the three passages, embryos deaths occuring within 48 hours of injection shall be disregarded except that if more than three such deaths occur at any passage, that passage shall be repeated.

(iv) If one or more embryo deaths occur at any passage after 48 hours post-injection, the yolk sacs from each of the dead embryos shall be subcultured into 10 additional embryos. If embryo deaths again occur, the seed virus is disqualified for use to produce vaccine.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity. The selected virus dose from the lot of Master Seed Virus shall be established as follows:

(1) Twenty-five feline distemper susceptible cats shall be used as test animals (20 vaccinates and five controls). Blood samples shall be drawn from these animals and individual serums tested. The cats shall be considered susceptible if:

(i) The results are negative at a 1:2 serum dilution in a varying serum-constant virus neutralization test with 100 to 500 $TCID_{50}$ of feline distemper virus; and

(ii) A total leukocyte count of less than 4,000 in a littermate challenged with virulent feline distemper virus.

(2) A geometric mean titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established by the fluorescent antibody method before the potency test is conducted. The 20 cats used as vaccinates shall be injected with a predetermined quantity of vaccine virus and the remaining five cats held as uninjected controls. To confirm the dosage calculations, five replicate virus titrations shall be conducted on a sample of the vaccine virus dilution used.

(3) Fourteen days post-injection, the vaccinates and the controls shall be challenged with virulent feline distemper virus furnished by Veterinary Services and the cats observed each day for 14 days.

(i) If at least 80 percent of the controls do not show clinical signs of feline distemper, the test is inconclusive and may be repeated. Symptoms shall include a febrile response and pronounced leukopenia wherein the white blood cell count drops to less than 50 percent of the normal level established by an average of three or more counts taken prior to challenge.

(ii) If at least 19 of the 20 vaccinates do not survive without showing clinical signs of feline distemper or a pronounced drop in white blood cell count during the observation period, the Master Seed Virus is unsatisfactory.

(4) The immunogenicity test shall be repeated every 3 years unless use of the lot of Master Seed Virus is discontinued. If the test is on the same lot of Master Seed Virus as 3 years previously, only five vaccinates and five controls need to be used. The five vaccinates and the controls shall meet the criteria prescribed in paragraph (c)(3) of this section.

(5) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) *Test requirements for release.* Each serial and subserial shall meet the requirements prescribed in § 113.135 and in this paragraph. Final container samples of completed product shall be tested. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(1) *Safety tests.* The mouse safety test prescribed in § 113.33(a) and the cat safety test prescribed in this subparagraph shall be conducted.

(i) Each of two cats considered susceptible to feline distemper infection according to the criteria in paragraph (c)(1) of this section shall be injected with 10 cat doses prepared as recommended on the label and the cats observed each day for 14 days.

(ii) If unfavorable reactions attributable to the biological product occur during the observation period, the serial is unsatisfactory. If unfavorable reactions occur which are not attributable to the product, the test shall be declared inconclusive and repeated; *Provided,* That, if not repeated, the serial shall be unsatisfactory.

(2) *Potency test.* An in vitro potency test shall be conducted. To be eligible for release, each serial and each subserial shall have a virus titer sufficiently greater than the titer of vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that, when tested at any time within the expiration period, each serial and subserial shall have a virus titer of 0.7 logs greater than that used in such immunogenicity test but not less than $10^{3.0}$ ID_{50} per dose when tested by the fluorescent antibody method.

§ 113.140 Canine Hepatitis Vaccine.

Canine Hepatitis Vaccine shall be prepared from virus bearing cell culture fluids. Only Master Seed Virus which has been established as pure, safe, and immunogenic shall be used in preparing the production seed virus for vaccine production. All serials shall be prepared from

the first through the fifth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section.

(b) The lot of Master Seed Virus shall tested for other viral agents as follows:

(1) To detect wild infectious canine hepatitis virus, each of two canine hepatitis susceptible dogs or foxes shall be injected intravenously with 2.0 ml of the seed virus and observed each day for 21 days. If clinical signs or deaths due to infectious canine hepatitis occur in either test animal during the observation period the seed virus is unsatisfactory.

(2) To detect virulent canine distemper virus, each of 2 ferrets known to be susceptible to canine distemper virus shall be injected with 1.0 ml of the seed virus and observed each day for 21 days. If clinical signs or deaths due to infectious canine hepatitis occur in either test animal during the observation period, the seed virus is unsatisfactory.

(3) To detect canine distemper virus, 10 Leighton tubes containing coverslips shall be seeded with any type cell that is susceptible to canine distemper virus. When the cell growth is satisfactory, five tubes shall be inoculated with 0.2 ml mixture of seed virus and antiserum (equal volumes of virus and monospecific high titer infectious canine hepatitis antiserum). Seven to ten days later, all the coverslips shall be stained with a canine distemper specific fluorescent antibody. If all the coverslips are not negative for specific viral staining, the seed virus is unsatisfactory. Positive virus controls shall be included.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity. The selected virus dose from the lot of Master Seed Virus being tested shall be established as follows:

(1) Twenty-five canine hepatitis susceptible dogs shall be used as test animals (20 vaccinates and five controls). Blood samples shall be drawn from these animals and individual serum samples tested. The dogs shall be considered susceptible if the results are negative at a 1:2 serum dilution in a varying serum-constant virus neutralization test with 100 to 300 $TCID_{50}$ of infectious canine hepatitis virus.

(2) A geometric mean titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established by a cytopathic effect method before the potency test is conducted. The 20 dogs to be used as vaccinates shall be injected with a predetermined quantity of vaccine virus and the remaining five dogs held as uninjected controls. To confirm the dosage calculations, five replicate virus titrations shall be conducted on a sample of the vaccine virus dilution used.

(3) Not less than fourteen days postinjection, the vaccinates and the controls shall each be challenged intravenously with virulent infectious canine hepatitis virus and observed each day for 14 days.

(i) If at least four of the five controls do not die and the survivor, if any, does not show clinical signs of infectious canine hepatitis and infectious canine hepatitis virus is not isolated from such survivor, the test is inconclusive and may be repeated.

(ii) If at least 19 of the 20 vaccinates do not survive without showing clinical signs of infectious canine hepatitis during the observation period, the Master Seed Virus is unsatisfactory.

(4) The immunogenicity test shall be repeated every 3 years unless use of the lot of Master Seed Virus is discontinued. If the test is on the same lot of Master Seed Virus as 3 years previously, only five vaccinates and five controls need be used. The five vaccinates and at least four of the five controls shall meet the criteria prescribed in paragraph (c)(3) of this section.

(5) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) Test requirements for release:

Each serial and subserial shall meet the general requirements prescribed in § 113.135 and special requirements in this paragraph. Final container samples of completed product shall be tested. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(1) The dog safety test prescribed in § 113.40 and the mouse safety test prescribed in § 113.33 (a) shall be conducted.

(2) Potency test: An in vitro potency test shall be conducted. To be eligible for release, each serial and subserial shall have a virus titer sufficiently greater than the titer of vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that, when tested at any time within the expiration period, each serial and subserial shall have a virus titer .7 logs greater than that used in such immunogenicity test but not less than $10^{2.0}$ $TCID_{50}$ per dose when tested by a cytopathic effect method.

§ 113.141 Canine Distemper Vaccine (Ferret Avirulent).

Canine Distemper Vaccine (Ferret Avirulent) shall be prepared from virus-bearing cell culture fluids or embryonated chicken eggs. Only Master Seed Virus which has been established as pure, safe, and immunogenic shall be used for preparing the production seed virus for vaccine production. All serials of vaccine shall be prepared from the first through the fifth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section.

(b) The lot of Master Seed Virus shall be tested for other viral agents as follows:

(1) To detect wild canine distemper virus, each of two canine distemper susceptible ferrets shall be injected with a sample of the Master Seed Virus equivalent to the amount of virus to be used in one dog dose and observed each day for 21 days. If undesirable reactions occur in either ferret, the lot of Master Seed Virus is unsatisfactory.

(2) To detect infectious canine hepatitis virus, the two tests prescribed in this subparagraph shall be used.

(i) Each of two infectious canine hepatitis susceptible dogs or foxes shall be injected with 0.05 ml of the Master Seed Virus into the anterior chamber of one eye and examined each day for 14 days for corneal opacity. If the eyes do not remain clear, the Master Seed Virus is unsatisfactory.

(ii) Ten Leighton tubes containing coverslips shall be seeded with any type cell that is susceptible to infectious canine hepatitis virus. When the cell growth is satisfactory, five tubes shall be inoculated with 0.1 ml of the Master Seed Virus. Seven to ten days later, all the coverslips shall be stained with infectious canine hepatitis specific fluorescent antibody. If all coverslips are not negative, the Master Seed Virus is unsatisfactory. A positive control shall be used for comparison.

(3) Master Seed Virus propagated in chicken embryos shall be tested for pathogens by the chicken embryo test prescribed in § 113.37. If found unsatisfactory, the Master Seed Virus shall not be used.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity. The selected virus dose from the lot of Master Seed Virus shall be established as follows:

(1) Twenty-five canine distemper susceptible dogs shall be used as test animals (20 vacinates and five controls). Blood samples shall be drawn from these animals and individual serum samples tested. The dogs shall be considered susceptible if the results are negative at a 1:2 serum dilution in a varying serum-constant virus neutralization test with 100 to 300 ID_{50} of canine distemper virus.

(2) A geometric mean titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established by a fluorescent antibody method before the potency test is conducted. The 20 dogs used as vaccinates shall be injected with a predetermined quantity of vaccine virus and the remaining five dogs held as uninjected controls. To confirm the dosage calculations, five replicate virus titrations shall be conducted on a sample of the vaccine virus dilution used.

(3) At least twenty-one days postinjection, the vaccinates and the controls shall each be challenged intracerebrally with the same size dose of Snyder Hill canine distemper virus furnished by Veterinary Services and observed each day for 21 days.

(i) If at least four of the five controls do not die and the survivor, if any, does not show clinical signs of canine distemper and canine distemper virus isolated from such survivor, the test is inconclusive and may be repeated.

(ii) If at least 19 of the 20 vaccinates

do not survive without showing clinical signs of disease during the observation period, the Master Seed Virus is unsatisfactory.

(4) The immunogenicity test shall be repeated every 3 years unless use of the lot of Master Seed Virus is discontinued. If the test is on the same lot of Master Seed Virus as 3 years previously, only five vaccinates and five controls need be used. The five vaccinates and the controls shall meet the criteria prescribed in paragraph (c) (3) of this section.

(5) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) Test requirements for release: Each serial and subserial shall meet the general requirements prescribed in § 113.135 and the requirements in this paragraph. Final container samples of completed product shall be tested. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(1) *Safety tests.* The dog safety test prescribed in § 113.40 and the mouse safety test prescribed in § 113.33(a) shall be conducted.

(2) *Potency test.* An in vitro potency test shall be conducted. To be eligible for release, each serial and subserial shall have a virus titer sufficiently greater than the titer of the vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that, when tested at any time within the expiration period, each serial and subserial shall have a virus titer .7 logs greater than that used in such immunogenicity test but not less than $10^{2.0}$ ID_{50} per dose when tested by a fluorescent antibody method.

§ 113.142 Canine Distemper Vaccine (Ferret Virulent).

Canine Distemper Vaccine (Ferret Virulent) shall be prepared from virus-bearing cell culture fluids or virus-bearing tissues obtained from ferrets that have developed canine distemper following inoculation with canine distemper virus. Only Master Seed Virus which has been established as pure, safe, and immunogenic shall be used for preparing the production seed virus for vaccine production. All serials of vaccine shall be produced from the first through the fifth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the special requirements prescribed in this section.

(b) The lot of Master Seed Virus shall be tested for other viral agents as follows:

(1) To detect infectious canine hepatitis virus each of two infectious canine hepatitis susceptible dogs or foxes shall be injected with 0.05 ml of the test virus into the anterior chamber of one eye. The dogs shall be examined each day for 14 days for corneal opacity characteristic of infectious canine hepatitis. To be satisfactory, the eyes shall remain clear.

(2) Ten Leighton tubes containing slides shall be seeded with any type cell that is susceptible to infectious canine hepatitis. When cell growth is satisfactory, five tubes shall be inoculated with 0.1 ml of test virus. Seven to ten days later, all the slides shall be stained with infectious canine hepatitis fluorescent tagged specific antibody. To be satisfactory, all slides shall be negative. A positive control shall be included.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity. The selected virus dose from the lot of Master Seed Virus shall be established as follows:

(1) Twenty-five canine distemper susceptible dogs shall be used as test animals (20 vaccinates and five controls). Blood samples shall be drawn from these animals and individual serum samples tested. The dogs shall be considered susceptible if the results are negative at a 1:2 serum dilution in a varying serum-constant virus neutralization test with 100 to 300 ID_{50} of canine distemper virus.

(2) A geometric mean titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established by a ferret injection method before the potency test is conducted. The 20 dogs used as vaccinates shall be injected with a predetermined quantity of vaccine virus and the remaining five dogs held as uninjected controls. To confirm the dosage calculations, a replicate virus titration shall be conducted on a samples of the vaccine virus dilution used. A satisfactory titration shall have at least one dilution having between 50 percent and 100 percent positives and at least one dilution having between 50 percent and 0 percent positives. At least 10 ferrets shall be used per dilution.

(3) Twenty-one days post-injection, the vaccinates and the controls shall each be challenged intracerebrally with the same size dose of Snyder Hill canine distemper virus furnished by Veterinary Services. The test animal shall be observed each day for 21 days.

(i) If at least four of the five controls do not die and the survivor, if any, does not show clinical signs of canine distemper and canine distemper virus isolated from such survivor, the test is inconclusive and may be repeated.

(ii) If at least 19 of the 20 vaccinates do not survive without showing clinical signs of disease during an observation period of 21 days, the Master Seed Virus is unsatisfactory.

(4) The immunogenicity test shall be repeated every 3 years unless use of the lot of Master Seed Virus is discontinued. If the test is on the same lot of Master Seed Virus as 3 years previously, only five vaccinates and five controls need be used. The five vaccinates and at least four of the five controls shall meet the criteria prescribed in paragraph (c) (3) of this section.

(5) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) Test requirements for release: Each serial and subserial shall meet the general requirements prescribed in § 113.135 and in this paragraph. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(1) *Purity test.* Primary dog kidney cells which have been tested as prescribed in § 113.51 covering an area equal to two glass or plastic flasks (150 cm^2 total) and Vero cells covering an area equal to one glass or plastic flasks (75 cm^2 total) shall be used for testing for extraneous viral agents as follows:

(i) Harvesting bulk untreated material consisting of ferret spleen suspension or ferret kidney tissue culture fluids or both shall be inoculated onto the monolayers in amounts equal to five percent of the amount of maintenance media in the flasks. The inoculum shall be allowed to adsorb for 2 hours and then be removed.

(ii) The cells shall be washed with phosphate buffered saline (PBS) and maintenance media added. Twenty-four hours later the media may be changed if there is evidence of cytotoxicity from the inoculum.

(iii) All cultures shall be observed each day for 14 days after inoculation for cytopathic effect (CPE). Subcultures shall be conducted if necessary.

(iv) If there is no CPE, one of the primary dog kidney cell monolayers shall be washed in several changes of PBS and tested by successive hemadsorption tests using 0.2 percent human 0, guinea pig, and chickens erythrocytes. After each appropriate incubation period, the cells shall be observed for hemadsorption indicating presence of a virus.

(v) The second primary dog kidney monolayer shall be subcultured in Leighton tubes with coverslips for appropriate fluorescent antibody tests.

(vi) If extraneous viral agents are detected, the serial or subserial shall not be released.

(2) *Safety tests.* Final container samples of completed product from each serial shall be tested for safety in dogs as prescribed in § 113.40 and in mice as prescribed in § 113.33(a).

(3) *Potency test.* To be eligible for release, each serial and subserial shall have a virus titer sufficiently greater than the virus dose used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer .7 logs greater than that used in the immunogenicity test when tested by the ferret injection method.

§ 113.143 Encephalomyelitis Vaccine, Venezuelan.

Encephalomyelitis Vaccine, Venezuelan, shall be prepared from virus-bearing cell culture fluids. Only Master Seed Virus which has been established as pure, safe, and immunogenic shall be used for preparing the production seed virus for vaccine production. All serials of vaccine shall be prepared from the first through the fifth passage from the Master Seed Virus.

(a) Except for § 113.135(b), the Master Seed Virus shall meet the applicable general requirements in § 113.135 and the requirements prescribed in this section.

(b) The immunogenicity of the lot of Master Seed Virus shall be established as follows:

(1) Tests conducted by the Department have established that horses having Venezuelan Equine Encephalomyelitis antibody titers of 1:20 by the hemagglutination-inhibition (HI) method or 1:40 by the serum neutralization (SN) method were immune to challenge with virulent virus. The immunogenicity test is based on the demonstration of a serological response of at least that magnitude following vaccination of serologically negative horses.

(2) Licensees may use previous experience to select a suitable vaccine dose for the immunogenicity test, based on guinea pig infective doses. The test shall be conducted on vaccine produced according to the Outline of Production from a lot of Master Seed Virus of the highest passage to be used in production.

(3) At least 20 horses (vaccinates), serologically negative to Eastern, Western, and Venezuelan equine encephalomyelitis, shall be injected with the predetermined virus dose. Two additional seronegative animals shall be held with the vaccinates as sentinel controls. At least two guinea pig potency tests shall be conducted with samples of the vaccine dilution used as inoculum for the horses.

(4) All animals shall be bled on vaccination days —14, 0, 14, and 28. For a test result to be satisfactory, all serum samples taken on days —14 and 0 shall be negative for Venezuelan Equine Encephalomyelitis (VEE) antibodies and at least 19 of the 20 serum samples taken from vaccinates on days 14 or 28 or both shall show antibody titers of at least 1:20 (HI) or 1:40 (SN). The serum samples from the sentinel controls shall be tested and should remain negative to validate the test.

(5) The immunogenicity test shall be repeated every 3 years unless use of the lot of Master Seed Virus is discontinued. If the test is on the same lot of Master Seed Virus as 3 years previously, only five vaccinates and two controls need to be used. The five vaccinates and the controls shall meet the criteria prescribed in subparagraph (4) of this paragraph.

(6) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(c) Test requirements for release: Each serial and subserial shall meet the applicable general requirements prescribed in § 113.135 and special requirements in this paragraph. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(1) Safety tests for bulk samples of completed product (other than for desiccation) or bulk samples of each individual virus pool shall be conducted as follows:

(i) Each of 10 young adult mice (16 to 20 grams each) shall be injected intraperitoneally with 0.3 ml of the undiluted virus sample and observed each day for 21 days. If all the mice do not survive the observation period or do not remain free of signs of illness, the sample being tested is unsatisfactory.

(ii) Groups of at least five young adult mice (16 to 20 gram each) shall be injected intracerebrally with 0.03 ml of varying (tenfold 10^0 through 10^{-6} dilutions of the virus sample and observed each day for 21 days.

(iii) Mice dying within 24 hours postinoculation may be disregarded in interpreting the test, except that at least four mice shall remain in each group for a valid test. Brain tissue of all mice that die after 24 hours shall be reserved for possible subpassage if the first phase of the test is unsatisfactory.

(iv) If at least 80 percent of the total number of mice do not survive and the deaths are not dose related, the virus pool or serial sampled is unsatisfactory; *Provided,* That, if more than 20 percent of the mice die or if deaths appear to be dose related, a 10 percent suspension of pooled brain tissue from all dead mice shall be injected intracerebrally into each of at least 10 mice. If at least 80 percent of the subpassage mice do not survive, the test result is unsatisfactory and the virus pool or serial shall be destroyed.

(2) Final container samples of completed product, rehydrated as recommended on the label, shall be tested in accordance with § 113.33(b) and § 113.38.

(3) Potency test: Each serial and each subserial shall be tested for potency using guinea pigs as the test animal. The test shall consist of determining the 50 percent infective dose as measured by serological conversion.

(i) Groups of at least 10 guinea pigs shall be injected intraperitoneally with 1.0 ml of tenfold serial dilutions of vaccine rehydrated as recommended on the label. The range of dilutions shall be such that less than 50 percent of the guinea pigs shall convert serologically at the highest dilution and more than 50 percent shall convert at the lowest dilution.

(ii) Ten percent of the guinea pigs shall be bled before inoculation. All of the guinea pigs shall be bled 14 days postinoculation.

(iii) All serums shall be tested for VEE antibody by the hemagglutination-inhibition test. Conversion shall be positive if the preinoculation titer is less than 1:10 (final dilution) and post-inoculation titer is 1:20 or higher.

(iv) The 50 percent guinea pig intraperitoneal infective dose ($GPIPID_{50}$) is calculated by the method of Reed-Muench or Spearman-Karber.

(v) To be eligible for release, each serial of vaccine shall have a $GPIPID_{50}$ titer of sufficiently greater than the titer of vaccine virus used in the immunogenicity test prescribed in paragraph (b) of this section to assure that when tested at any time within the expiration period, each serial shall have $GPIPID_{50}$ titer .7 logs greater than that used in such immunogenicity test but not less than $10^{6.7}$ $GPIPID_{50}$ per dose.

§ 113.144 Bovine Parainfluenza$_3$ Vaccine.

Bovine Parainfluenza$_3$ Vaccine shall be produced from virus-bearing cell culture fluids. Only Master Seed Virus which has been established as pure, safe, and immunogenic shall be used for preparing the production seed virus for vaccine production. All serials of vaccine shall be prepared from the first through the tenth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable general requirements prescribed in § 113.135 and the requirements prescribed in this section.

(b) The lot of Master Seed Virus shall be tested for other viral agents by procedures prescribed in § 113.51 for primary cells used in cell cultures.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity. The selected virus dose from the lot of Master Seed Virus shall be established as follows:

(1) Twenty-five bovine parainfluenza$_3$ susceptible calves shall be used as test animals (20 vaccinates and five controls). Blood samples shall be drawn from these animals and individual serums tested. Also, nasal specimens shall be collected for virus isolation attempts. The calves shall be considered susceptible if:

(i) the results are negative at a 1:2 serum dilution in a varying serum-constant virus neutralization test with 100 to 500 $TCID_{50}$ of bovine parainfluenza$_3$ virus; and

(ii) shall be negative to bovine parainfluenza$_3$ virus isolation attempts from the nasal specimens on the day of injection.

(2) A geometric mean titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established by a cytopathic effect method and a hemadsorption method before the potency test is conducted. The 20 calves to be used as vaccinates shall be injected with a predetermined quantity of vaccine virus and the remaining five calves held as uninjected controls. To confirm the dosage calculation, five replicate virus titrations shall be conducted on a sample of the vaccine virus dilution used.

(3) The vaccinates and controls shall be examined each day during the first 14 days post-injection for clinical signs of respiratory disease. The body temperature shall be taken and recorded each day. The vaccinates shall be bled on day 6±2 days post-injection.

(4) Three to four weeks post-vaccination, all calves shall be bled for serum antibodies and nasal specimens shall be collected for PI_3 virus isolation. On the same day, all vaccinates and controls shall be given acceptable challenge PI_3 virus titrating at least $10^{7.0}$ $TCID_{50}$ per ml and the animals observed each day for 14 days. Two ml of the challenge virus shall be instilled in each nostril or shall be inhaled as an aerosol suspension. Upon request, challenge virus and instructions shall be furnished by Veterinary Services.

(5) Each animal shall be examined for clinical signs of respiratory disease and the body temperature recorded each day during the post-challenge observation period. Each day for at least the first 10 days post-challenge, nasal specimens for virus isolation attempts shall be taken. All animals shall be bled on day 6±2 days post-challenge, and all animals

shall be bled on day 14 to 28 days post-challenge for serum antibody studies.

(6) Satisfactory Test Criteria:

(i) All virus isolations attempts shall be by culture and at least one subculture in PI_3 susceptible cells for a total of at least 14 days.

(ii) Three to four weeks post-vaccination, 19 of the 20 or 20 of the 20 vaccinates shall have PI_3 neutralizing antibody titers of at least 1:4 and all five controls shall be negative at 1:2 dilution. None of the post-vaccination serums collected from the vaccinates on day 6±2 days shall reveal serum neutralization antibody titers of 1:32 or greater based upon final dilution.

(iii) Satisfactory resistance to challenge by vaccinates shall be determined by a significant difference between virus isolation rates from vaccinates and controls. The virus neutralization titers of post-challenge serums and respiratory symptoms and temperatures from all animals shall be considered in the evaluation of the test validity.

(7) Designated animal alternates for test animals showing anamnestic antibody responses (titers 1:32 or greater) on day 6 serums may be included in the study under the following provisions:

(i) No more than five alternates shall be allowed for the vaccinates and no more than two for the controls.

(ii) Alternates shall be subject to all requirements outlined for the animals for which they are alternates.

(iii) Antibody values from alternate animals may be used only to replace values from up to and including five vaccinates which develop antibody of 1:32 or greater by day 6±2 days post-vaccination or up to and including two controls which develop antibody titers of 1:32 or greater by day 6±2 days post-challenge.

(8) A sequential test procedure may be used in lieu of the 20 calf requirement. A beta value of .05 and a tolerance level of .78 shall be required.

(9) The immunogenicity test shall be repeated every 3 years unless use of the lot of Master Seed Virus is discontinued. If the test is on the same lot of Master Seed Virus as 3 years previously, only five vaccinates and five controls need be used. The five vaccinates and at least four of the five controls shall meet the criteria prescribed in paragraph (c)(6) of this section.

(10) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) Test requirements for release: Each serial and subserial shall meet the applicable general requirements prescribed in § 113.135 and the requirements in this paragraph. Final container samples of completed product shall be tested. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(1) *Purity test.* The test for Brucella contamination prescribed in § 113.32 shall be conducted.

(2) *Safety tests.* The guinea pig safety test prescribed in § 113.38, the mouse safety test prescribed in § 113.33(a) and the calf safety test prescribed in § 113.41 shall be conducted.

(3) *Potency test.* An in vitro potency test shall be conducted. To be eligible for release, each serial and each subserial shall have a virus titer sufficiently greater than the titer of the vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer .7 logs greater than that used in such immunogenicity test but not less than $10^{3.7}$ $TCID_{50}$ per dose by a cytopathic effect method and a hemadsorption method.

§ 113.145 Bovine Rhinotracheitis Vaccine.

Bovine Rhinotracheitis Vaccine shall be prepared from virus-bearing cell culture fluids. Only Master Seed Virus which has been established as pure, safe, and immunogenic shall be used for preparing the production seed virus for vaccine production. All serials of vaccine shall be prepared from the first through the tenth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section.

(b) The lot of Master Seed Virus shall be tested for other viral agents by procedures prescribed in § 113.51 for primary cells used in cell cultures.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity. The selected virus dose from the lot of Master Seed Virus shall be established as follows:

(1) Twenty-five infectious bovine rhinotracheitis susceptible calves shall be used as test animals (20 vaccinates and five controls). Blood samples shall be drawn from these animals and individual serums tested. The calves shall be considered susceptible if the results are negative at a 1:2 serum dilution by the virus plaque reduction method.

(2) A geometric mean titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established by the plaque formation method before the potency test is conducted. The 20 calves to be used as vaccinates shall be injected with a predetermined quantity of vaccine virus and the remaining five calves held as uninjected controls. To confirm the dosage calculations, five replicate virus titrations shall be conducted on a sample of the vaccine virus dilution used.

(3) Fourteen to twenty-eight days post-injection, virus neutralization tests shall be conducted on individual serum samples collected from each of the vaccinates. The test virus shall be 100 to 500 $TCID_{50}$ per 0.1 ml. Results shall be used in making a determination as prescribed in paragraph (c)(6) of this section.

(4) The vaccinates and the controls shall each be challenged with virulent infectious bovine rhinotracheitis virus and observed each day for 14 days. During the observation period, the rectal temperature of each animal shall be taken each day and the presence or absence of respiratory or other clinical signs of bovine rhinotracheitis noted and recorded.

(5) If at least four of the five controls do not show clinical signs of infectious bovine rhinotracheitis and a marked temperature rise to 104.5° F or higher post-challenge, the test shall be considered inconclusive and may be repeated.

(6) If less than 19 of the post-injection serum samples tested as prescribed in paragraph (c)(3) of this section do not show neutralization in all tubes of the 1:2 dilution, or if more than one of the vaccinates show a temperature of 103.5° F or higher for 2 or more days, or if more than one of the vaccinates exhibits respiratory or other clinical signs of infectious bovine rhinotracheitis, or both, the Master Seed Virus is unsatisfactory.

(7) A sequential test procedure may be used in lieu of the 20 calf requirement. A beta value of .05 and a tolerance level of .78 shall be required.

(8) The immunogenicity test shall be repeated every 3 years unless use of the lot of Master Seed Virus is discontinued. If the test is on the same lot of Master Seed Virus as 3 years previously, only five vaccinates and five controls need be used. The five vaccinates and at least four of the five controls shall meet the criteria prescribed in paragraph (c)(5) and (6) of this section.

(9) An outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) Test requirements for release: Each serial and subserial shall meet the applicable general requirements prescribed in § 113.135 and the requirements in this paragraph. Final container samples of completed product shall be tested. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(1) *Purity test.* The test for detection of Brucella contamination prescribed in § 113.32 shall be conducted.

(2) *Safety tests.* The guinea pig safety test prescribed in § 113.38, the mouse safety test prescribed in § 113.33(a) and the calf safety test prescribed in § 113.41 shall be conducted.

(3) *Potency test.* An in vitro potency test shall be conducted. To be eligible for release, each serial and each subserial shall have a virus titer sufficiently greater than the titer of the vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer .7 logs greater than that used in such immunogenicity test but not less than $10^{3.7}$ $TCID_{50}$ per dose by the plaque formation method.

§ 113.146 Bovine Virus Diarrhea Vaccine.

Bovine Virus Diarrhea Vaccine shall be prepared from virus-bearing cell culture fluids. Only Master Seed Virus which

has been established as pure, safe, and immunogenic shall be used for preparing the production seed virus for vaccine production. All serials of vaccine shall be prepared from the first through the tenth passage from the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section.

(b) The lot of Master Seed Virus shall be tested for other viral agents by procedures prescribed in § 113.51 for primary cells used in cell cultures.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity. The selected virus dose from the lot of Master Seed Virus shall be established as follows:

(1) Twenty-five bovine virus diarrhea susceptible calves shall be used as test animals (20 vaccinates and five controls). Blood samples shall be drawn from these animals and individuals serum samples tested. The calves shall be considered susceptible to bovine virus diarrhea virus infection if the results are negative at a 1:2 serum dilution in a varying serum-constant virus neutralization test with 100 to 300 $TCID_{50}$ of bovine virus diarrhea virus.

(2) A geometric mean titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established by the fluorescent antibody method before the potency test is conducted. The 20 calves to be used as vaccinates shall be injected with a predetermined quantity of vaccine virus and the remaining five calves held as uninjected controls. To confirm the dosage calculations, five replicate virus titrations shall be conducted on a sample of the vaccine virus dilution used.

(3) Fourteen to twenty-eight days post-injection, virus neutralization tests shall be conducted on individual serum samples collected from each of the vaccinates. The test virus shall be with 100 to 500 $TCID_{50}$ per 0.1 ml. The white cell count for all vaccinates and controls shall be established at least 3 days just before challenge. Results shall be used in making a determination as prescribed in paragraph (c)(5) of this section.

(4) The vaccinates and the controls shall each be challenged with virulent bovine virus diarrhea virus and observed each day for 14 days. The white cell count shall be determined each day on each animal from the second through the eighth day post-challenge. If leukopenia does not develop in at least four of the five controls as compared with the vaccinates, the test shall be considered inconclusive and may be repeated.

(5) If less than 19 of the post-injection serum samples, tested as prescribed in paragraph (c)(3) of this section, do not show neutralization in all tubes of the 1:8 dilution; or if more than one of the vaccinates exhibits respiratory or other clinical signs of bovine virus diarrhea post-challenge; or both, the Master Seed Virus is unsatisfactory.

(6) A sequential test procedure may be used in lieu of the 20 calf requirement. A beta value of .05 and a tolerance level of .78 shall be required.

(7) The immunogenicity test shall be repeated every 3 years unless use of the lot of Master Seed Virus is discontinued. If the test is on the same lot of Master Seed Virus as 3 years previously, only five vaccinates and five controls need be used. The five vaccinates and at least four of the five controls shall meet the criteria prescribed in paragraph (c) (4) and (5) of this section.

(8) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) *Test requirements for release.* Each serial and subserial shall meet the applicable general requirements prescribed in § 113.135 and the requirements in this paragraph. Final container samples of completed product shall be tested. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(1) *Purity test.* The test for detection of Brucella contamination prescribed in § 113.32 shall be conducted.

(2) *Safety tests.* The guinea pig safety test prescribed in § 113.38, the mouse safety test prescribed in § 113.33(a), and the calf safety test prescribed in § 113.41 shall be conducted.

(3) *Potency test.* An in vitro potency test shall be conducted. To be eligible for release, each serial and each subserial shall have a virus titer sufficiently greater than the titer of the vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer .7 logs greater than that used in such immunogenicity test but not less than $10^{7.5}$ $TCID_{50}$ per dose by the fluorescent antibody method.

§ 113.147 Rabies Vaccine.

Rabies Vaccine shall be prepared from virus-bearing cell cultures or embryonated chicken eggs. Only Master Seed Virus which has been established as pure, safe and immunogenic shall be used for preparing the production seed virus for vaccine production. All serials of vaccine shall be prepared from the first through the fifth passage from the the Master Seed Virus.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section.

(1) The lot of Master Seed Virus shall be tested for viral agents by procedures prescribed in § 113.52 (d), (4), (5) and (6) with the modification that one ml of Master Seed Virus is substituted for the one ml aliquot of disrupted cells.

(2) Each lot of Master Seed Virus propagated in tissues or cells of avian origin shall be tested for pathogens by procedures prescribed in § 113.37.

(3) Each lot of Master Seed Virus propagated in cell cultures of hamster origin or brain tissues of mouse origin shall be tested for lymphocytic choriomeningitis (LCM) virus. The vaccine virus may be neutralized with specific antiserum when necessary.

(i) Each of at least 10 mice obtained from a source free of LCM shall be injected in a hind foot pad with 0.02 ml and the mice observed each day for 21 days.

(ii) If any of the mice show swelling in the injected foot pad or if more than one become systemically abnormal, the Master Seed Virus is unsatisfactory.

(4) The Master Seed Virus shall be studied in each species of carnivore or domesticated wild animal for which the vaccine is specifically recommended to attempt to determine the fate of the vaccine virus.

(i) Obtain at least 10 unvaccinated serologically negative animals (1 : 2), of each species in which tests will be conducted. Divide each species into two groups of five animals.

(ii) For each species of animal, inject one group of five animals intramuscularly. Infiltrate a major nerve and the surrounding tissue in each of the five animals in the other group. Use up to 2.0 ml of the highest possible titer virus for each method of administration.

(iii) Observe all animals for signs of rabies until scheduled time to sacrifice. If animals show definite symptoms, sacrifice and check regional lymph nodes, brain, salivary glands, and kidney for rabies virus by injection of suckling mice (not more than 7 days of age). Tissues may be held frozen at —70° C until suckling mice are available. Inject each mouse in one litter intracerebrally with 0.02 ml of a ground tissue suspension from each organ. Observe mice each day for 21 days. If any mice die, confirm the deaths were due to rabies virus in the brain by a fluorescent antibody test.

(iv) Sacrifice animals that do not show signs of rabies according to the following schedule and check regional lymph nodes, brain, salivary glands, and kidney in suckling mice.

Route of injection	Days after injection	Number of animals
Intramuscularly	15, 20, 25, 30, 35	1 each day.
Intraneurally	3, 6, 9, 15, 30	1 each day.

(5) Each lot of Master Seed Virus shall be tested for safety in at least 10 unvaccinated serologically negative animals of each domestic species for which the vaccine is recommended.

(i) Each group of 10 animals shall be divided into 2 groups of 5 animals. For each species, inject one group intramuscularly with 10 doses of virus at the highest possible titer.

(ii) Infiltrate a major nerve of each of the animals in the other group of 5 with up to 2.0 ml of the same high titer virus. For all species except canine and feline, multiple injections along the cervical spine in proximity to the nerve trunks emerging from the spinal cord may be used: *Provided*, That, at least 8 ml of virus shall be divided into four or more sites bilaterally.

(iii) Observe all animals each day for 90 days.

(iv) If any animals show clinical signs of rabies, sacrifice the animal and check appropriate brain tissue for rabies virus by the fluorescent antibody test and by mouse injection.

(v) If rabies is confirmed, the lot of Master Seed Virus is unsatisfactory.

(b) Immunogenicity determination:

(1) A geometric mean virus titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established before the potency test is conducted. To confirm the dosage calculations, five replicate virus titrations shall be conducted on a sample of the vaccine virus dilution used.

(2) The maximum dosage in a single dilution test shall be the volume of a field dose of rehydrated vaccine which, on the basis of previous titrations has been diluted to the proposed minimum acceptable virus titer throughout the dating period, then further diluted 1:2.

(3) Samples of the vaccine dilution selected for host animal immunogenicity tests shall be tested using at least 20 guinea pigs as vaccinates for each of at least four dilutions. The dilutions shall not exceed five-fold and valid results shall encompass the 50 percent endpoint. Ten additional guinea pigs shall be used as controls.

(i) Each vaccinate shall be injected intramuscularly and observed each day with the controls for 21 days. If the vaccinates or the controls do not remain healthy during the prechallenge period, the test shall be inconclusive.

(ii) The vaccinates and at least 10 controls shall be challenged intramuscularly in a hind leg with 0.2 ml of a suitable dilution of street virus or with 0.5 ml of a suitable dilution of fixed virus. If the Master Seed Virus was injected into the hind leg, the challenge virus shall be injected into the opposite hind leg.

(iii) The post-challenge observation period shall be 14 days if fixed virus is used and shall be 21 days if street virus is used.

(iv) If at least 80 percent of the controls do not die or show paralysis attributable to rabies virus, the test is inconclusive.

(v) If correlation is established between efficacy in dogs and guinea pigs, the seed virus may be checked every 3 years in guinea pigs instead of dogs.

(4) The immunogenicity of the lot of Master Seed Virus shall be established in all species for which the vaccine is recommended. Test animals shall be as uniform as possible and have no neutralizing antibodies to rabies as determined by serium-neutralization (SN) tests.

(i) Twenty-five to thirty animals shall be used as vaccinates. Each shall be injected intramuscularly at one site with the proposed minimum virus dose diluted 1: 2.

(ii) Ten additional animals shall be held as controls.

(iii) All test animals shall be bled and SN tests conducted at 30, 60 and 90 days after injection.

(iv) Challenge all species of test animals after completion of the 90 day SN tests except as provided in subparagraphs (5) and (6) of this paragraph with a virulent rabies street virus. Injection bilaterally into the masseter muscles is the recommended route for challenge.

(v) Requirements for acceptance in challenge tests shall be death due to rabies in at least 80 percent of the controls while at least 22/25 or 26/30 vaccinates remain well for a period of 90 days.

(5) An immunogenicity test in cattle, horses, sheep, and goats may be conducted in the manner described above, except only 5 vaccinated animals selected on the basis of lowest serum titers need be challenged along with suitable controls. If at least 3 of 5 of the vaccinated animals survive challenge, those with higher serological levels which were not challenged will be considered immune for meeting the requirements of acceptance. However, all test animals with titers below 1: 5 must be challenged. Virus neutralization titers of all sera shall be conducted to an endpoint.

(6) In lieu of the test set forth in subparagraph (4) of this paragraph, other test methods shall be permitted provided the test design allows no more than 5 percent probability of acceptance of a vaccine that is only 75 percent effective. Data generated by a varying dose study in host animals will be considered, provided these data are valid for determining a PD_{80} by probit analysis.

(7) The immunogenicity test shall be repeated every 3 years unless use of the lot of Master Seed Virus is discontinued. If the test is on the same lot of Master Seed Virus as 3 years previously, only five vaccinates and five controls need be used. The test may be limited to serological response of the vaccinates when compared with both the controls and the vaccinates in the original immunogenicity test.

(8) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(c) If more than 1 year duration of immunity is to be claimed, a duration of immunity test for the additional time shall be conducted as prescribed in paragraph (b) of this section for the 1 year test. At least 25 vaccinates shall be selected at the time the test is started for each challenge period. The test animals may be monitored serologically and the time of challenge adjusted accordingly. A duration of immunity test shall be considered satisfactory if 85 percent of the vaccinates are shown to be immune.

(d) Test requirements for release: Each serial and each subserial shall meet the general requirements prescribed in § 113.135 and special requirements in this paragraph.

(1) *Safety tests.* Final container samples of completed product from each serial or one subserial shall be tested.

(i) The test for pathogens, prescribed in § 113.37 shall be conducted. If necessary, neutralize the rabies virus with specific rabies antiserum.

(ii) A test for safety in three young seronegative animals of the most susceptible species for which the vaccine is recommended shall be conducted. Each shall be injected intramuscularly with 10 doses prepared with any practical volume of diluent. If either of the test animals shows signs of disease attributable to the vaccine during a 28 day observation period, the serial is unsatisfactory.

(2) *Virus titrations.* Final container samples of completed product shall be titrated in young adult mice or in suckling mice as prescribed in paragraph (d) (3) or (4) of this section. The following conditions shall apply in each test:

(i) Each of two vials of vaccine shall be rehydrated with a sterile diluent consisting of 2 percent normal horse serum in distilled water to which 500 units of penicillin and 1,000 mcg of streptomycin per ml has been added.

(ii) One-half dog dose from each vial shall be pooled and diluted to a volume of 10 ml. This 10 ml of diluted vaccine shall represent the 10^{-1} dilution (one dose per 10 ml). Tenfold dilutions using the 10^{-1} dilution shall be made.

(iii) Tubes containing the desired dilutions shall be placed in an ice bath. The first dilution to be used is optional; *Provided,* That, at least 80 percent of the mice die in the lowest dilution used.

(iv) Deaths occurring during the first 4 days post-injection shall not be considered in the test; *Provided,* That, if less than 80 percent of the mice injected for any dilution survive more than 4 days, the test is inconclusive. Mice which succumb during inauguration of the test may be replaced and disregarded.

(3) Young adult mice, each weighing 14 to 16 grams, shall be used as test animals when the virus in vaccine prepared with a low egg passage strain or ERA strain of rabies virus is titrated. At least 10 mice for each dilution shall be used.

(i) At least 10 mice shall be used for each dilution. Each shall be injected intracerebrally with 0.03 ml.

(ii) The injected young adult mice shall be observed each day for 14 days except when testing vaccines made with ERA strain of rabies virus, in which case, the mice shall be observed each day for 21 days. Deaths and paralysis occurring subsequent to the fourth day post-injection shall be noted and the LD_{50} titer calculated by the Reed and Muench Method.

(iii) Virus titer requirements for release and at expiration date shall be determined for each vaccine on the basis of data available: *Provided,* That, the lowest titer permitted at expiration date when determined by this test shall be $10^{2.0}$ LD_{50} per 0.03 ml.

(4) Suckling mice, 6 days of age or younger, shall be used as test animals when virus in vaccine prepared with a high egg passage strain of rabies virus is titrated.

(i) Six to twelve mice shall be used for each dilution. Each shall be injected intracerebrally with 0.02 ml.

(ii) The injected suckling mice shall be observed each day for 21 days. Deaths and paralysis occurring subsequent to the fourth day post-injection shall be

noted and the LD_{50} titer calculated by the Reed and Muench Method; and

(iii) Virus titer requirements for release and at expiration date shall be determined for each vaccine on the basis of data available: *Provided,* That, the lowest titer permitted at expiration date when determined by this test shall be $10^{3.0}$ LD_{50} per 0.02 ml.

§ 113.160 Avian Encephalomyelitis Vaccine.

Avian Encephalomyelitis Vaccine shall be prepared from virus-bearing tissues or fluids from embryonated chicken eggs. Only Master Seed Virus which has been established as pure, safe, and immunogenic in accordance with the requirements in paragraphs (a), (b), and (c) of this section shall be used for preparing the production seed virus for vaccine production. All serials shall be prepared with the passage from the Master Seed Virus used in the immunogenicity test.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section.

(b) Each lot of Master Seed Virus shall be tested for pathogens by the chicken embryo inoculation test prescribed in § 113.37.

(c) Each lot of Master Seed Virus shall be tested for immunogenicity and the selected virus dose to be used shall be established as follows:

(1) Avian encephalomyelitis susceptible chickens, all of the same age (four weeks or older) and from the same source, shall be used. Thirty or more chickens shall be used as vaccinates for each method of administration recommended on the label. Ten additional chickens of the same age and from the same source shall be held as unvaccinated controls.

(2) A geometric mean titer of the vaccine produced from the highest passage of the Master Seed Virus shall be established before the imunogenicity test is conducted. Each vaccinate shall receive a predetermined quantity of vaccine virus. Five replicate virus titrations shall be conducted on an aliquot of the vaccine virus to confirm the amount of virus administered to each chicken used in the test. At least three appropriate (not to exceed tenfold) dilutions shall be used and the test conducted as follows:

(i) For each dilution, inoculate at least 10 embryos, 5 or 6 days old, in the yolk sac with 0.2 ml each. Ten similar embryos obtained from the same source shall be kept as uninoculated negative controls. Disregard all deaths during the first 48 hours post-inoculation.

(ii) Eggs for each dilution shall be kept in separate containers and allowed to hatch. Sufficient precaution shall be taken to assure that chickens from each dilution remain separated. To be a valid test, at least 80 percent of the uninoculated eggs shall hatch.

(iii) On the third day after normal hatching time, count all unhatched eggs and dead, crippled, and ataxic chickens as positive evidence of viral infection.

(iv) A satisfactory titration shall have at least one dilution with between 50 and 100 percent positives and at least one dilution with between 50 and 0 percent positives.

(v) Calculate the EID_{50} by the Spearman-Karber or Reed-Muench method.

(3) At least 21 days post-vaccination, the vaccinates and the controls shall be challenged intracerebrally with a virulent avian encephalomyelitis virus and observed each day for 21 days.

(4) If at least 80 percent of the controls do not show signs of avian encephalomyelitis or die, the test is inconclusive and may be repeated. If at least 90 percent of the vaccinates in each group do not remain free from clinical signs of avian encephalomyelitis during the observation period, the Master Seed Virus is unsatisfactory.

(5) The immunogenicity test shall be repeated every 3 years unless use of the lot of Master Seed Virus is discontinued. The vaccinates and the controls shall meet the criteria prescribed in subparagraph (4) of this paragraph.

(6) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) After a lot of Master Seed Virus has been established as prescribed in paragraphs (a), (b), and (c) of this section, each serial and subserial shall meet the requirements in §§ 113.135, 113.37, and in this paragraph.

(1) Potency test: Final container samples of completed product shall be tested for virus titer using the procedures prescribed in subparagraph (c)(2) of this section. Samples shall be incubated at 37° C for not less than 7 days before preparation for use in the virus titration test.

(2) To be eligible for release each serial and subserial shall have an avian encephalomyelitis virus titer sufficiently greater than the titer of the vaccine used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer of 0.7 logs greater than used in such immunogenicity test but not less than $^{2.6}$ EID_{50} per dose.

(e) Before a lot of Master Seed Virus is established as prescribed in paragraphs (a), (b), and (c) of this section, each serial and subserial shall meet the requirements in §§ 113.135, 113.37, and in this paragraph.

(1) A virus titration shall be conducted on final container samples of completed product in accordance with the procedures prescribed in paragraph (c)(2) of this section. Samples shall be incubated at 37° C for not less than 7 days before preparation for use in the virus titration test. A serial or subserial which does not contain at least $10^{3.0}$ ID_{50} per dose of avian encephalomyelitis virus through the expiration date is unsatisfactory.

(2) An immunogenicity test shall be conducted on final container samples of completed product. The vaccine shall be given as recommended on the label.

(i) At least 10 susceptible chickens properly identified and obtained from same source and hatch, per serial or the first subserial, and five more similar chickens per each additional subserial, shall be used as vaccinates.

(ii) Ten nonvaccinated chickens, properly identified and obtained from the same source and hatch as the vaccinates, shall be kept in isolation as controls.

(iii) At least 21 days post-vaccination, the vaccinates and the controls shall be challenged intracerebrally with a virulent avian encephalomyelitis virus and observed each day for 21 days. Challenge virus shall be provided or approved by Veterinary Services.

(iv) If less than 80 percent of the controls develop recognizable signs or lesions of avian encephalomyelitis, the test is inconclusive and may be repeated.

(v) If at least 80 percent of the vaccinates do not remain free of signs of avian encephalomyelitis, the serial or subserial is unsatisfactory.

§ 113.161 Avian pox vaccine.

Fowl Pox Vaccine and Pigeon Pox Vaccine shall be prepared from virus-bearing cell culture fluids or embryonated chicken eggs. Only Master Seed Virus which has been established as pure, safe, and immunogenic in accordance with the requirements in paragraphs (a), (b), and (c) of this section shall be used for preparing the production seed virus for vaccine production. All serials shall be prepared with the passage from the Master Seed Virus used in the immunogenicity test.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section.

(b) Each lot of Master Seed Virus shall be tested for pathogens by the chicken inoculation test prescribed in § 113.36.

(c) Each lot of Master Seed Virus shall be tested for immunogenicity and the selected virus dose to be used shall be established as follows:

(1) Fowl pox susceptible birds all of the same age and from the same source, shall be used as test birds. Thirty or more birds shall be used as vaccinates for each method of administration recommended on the label. Ten additional birds of the same age and from the same source as the vaccinates shall be held as unvaccinated controls.

(2) A geometric mean titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established before the immunogenicity test is conducted. Each vaccinate shall receive a predetermined quantity of vaccine virus. Five replicate virus titrations shall be conducted on an aliquot of the vaccine virus to confirm the amount of virus administered to each bird used in the test. At least three appropriate (not to exceed tenfold) dilutions shall be used and the test conducted as follows:

(i) For each dilution, inoculate at least five embryos, 9 to 11 days old, on the chorioallantoic membrane with at

least 0.2 ml each. Disregard all deaths during the first 24 hours post-inoculation. To be a valid test, at least four embryos in each dilution shall remain viable beyond 24 hours.

(ii) Examine the surviving embryos for evidence of infection 5 to 7 days post-inoculation.

(iii) A satisfactory titration shall have at least one dilution with between 50 and 100 percent positives and at least one dilution with between 50 and 0 percent positives.

(iv) Calculate the EID_{50} by the Spearman-Karber or Reed-Muench method.

(3) Fourteen to twenty-one days post-vaccination, all vaccinates and controls shall be challenged by the wing web method and observed each day for 21 days. If the wing webb method was used for vaccination, the opposite wing shall be used for challenge. Challenge virus shall be provided or approved by Veterinary Services.

(4) If at least 90 percent of the controls do not develop fowl pox during the observation period, the test is inconclusive and may be repeated. If at least 90 percent of the vaccinates in each group do not remain free from clinical signs of fowl pox during the observation period, the Master Seed Virus is unsatisfactory.

(5) The immunogenicity test shall be repeated every 3 years unless use of the lot of Master Seed Virus is discontinued. The vaccinates and the controls shall meet the criteria prescribed in paragraph (c) (4) of this section.

(6) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) After a lot of Master Seed Virus has been established as prescribed in paragraphs (a), (b), and (c) of this section, each serial and subserial shall meet the requirements in § 113.135, § 113.36, and in this paragraph.

(1) *Potency test.* Final container samples of completed product shall be tested for virus titer using the procedures prescribed in paragraph (c) (2) of this section.

(i) Vaccine samples shall be incubated at 37° C for not less than 7 days before preparation for use in the titration test.

(ii) To be eligible for release, each serial and each subserial shall have a virus titer sufficiently greater than the titer of vaccine virus used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus of 0.7 logs greater than that used in such immunogenicity test but not less than $10^{2.0}$ EID_{50} per dose.

(2) *Safety test.* At least 10 fowl pox susceptible birds for each method of administration recommended on the label shall be vaccinated with vaccine from a rehydrated final container sample of completed product. Each bird shall receive one dose of vaccine and observed each day for 10 days. If all the birds do not remain healthy in all respects during the observation period, the serial or subserial is unsatisfactory.

(e) Before a lot of Master Seed Virus is established as prescribed in paragraphs (a), (b), and (c) of this section, each serial and subserial shall meet the requirements in §§ 113.135, 113.36, and this paragraph.

(1) A virus titration shall be conducted on final container samples of completed product in accordance with the procedures prescribed in paragraph (c) (2) of this section.

(i) Vaccine samples shall be incubated at 37° C for not less than 7 days before preparation for use in the titration test.

(ii) Serial or subserial which does not contain at least $10^{2.0}$ EID_{50} per dose of fowl pox virus through the expiration date is unsatisfactory.

(2) An immunogenicity test shall be conducted on final container samples of completed product. The vaccine shall be administered as recommended on the label.

(i) At least 10 susceptible birds (vaccinates) properly identified and obtained from same source and hatch, per serial or the first subserial, and five more similar birds per each additional subserial, shall be vaccinated.

(ii) Ten nonvaccinated birds, properly identified and obtained from the same source and hatch as the vaccinates, shall be kept in isolation as controls.

(iii) Ten to fourteen days post-vaccination, the vaccinates and the controls shall be challenged with a fowl pox virus furnished or approved by Veterinary Services.

(iv) The challenge virus shall be administered on the comb, or in the web of the opposite wing from that used for vaccination, or on the feather follicles and the chickens observed each day for 10 days.

(v) If less than 80 percent of the controls develop recognizable signs or lesions of fowl pox, the test is inconclusive and may be repeated.

(vi) If at least 80 percent of the vaccinates do not remain free of signs or lesions of fowl pox, the serial or subserial is unsatisfactory.

§ 113.162 Bronchitis Vaccine.

Bronchitis Vaccine shall be prepared from virus-bearing cell culture fluids or embryonated chicken eggs. Only Master Seed Virus which has been established as pure, safe, and immunogenic in accordance with the requirements in paragraphs (a), (b), and (c) of this section shall be used for preparing the production seed virus for vaccine production. All serials shall be prepared with the passage from the Master Seed Virus used in the immunogenicity test.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section.

(b) Each lot of Master Seed Virus shall be tested for pathogens by the chicken embryo inoculation test prescribed in § 113.37; *Provided,* That, if the test is unsatisfactory because of a virus override, the test may be repeated using a higher titered antiserum, and if the repeat test is unsatisfactory for the same reason, the chicken inoculation test in § 113.36 may be conducted and the virus judged accordingly.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity and the selected virus dose to be used shall be established. Bronchitis susceptible chickens, all of the same age and from the same source, shall be used.

(1) A geometric mean titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established before the immunogenicity tests are conducted. Each vaccinate shall receive a predetermined quantity of vaccine virus. Five replicate virus titrations shall be conducted on an aliquot of the vaccine virus to confirm the amount of virus administered to each chicken used in such tests. At least three appropriate (not to exceed tenfold) dilutions shall be used and the test conducted as follows:

(i) For each dilution, inject at least five embryos, 9 to 11 days old, in the allantoic cavity with 0.1 ml each. Deaths occurring during the first 24 hours shall be disregarded, but at least four viable embryos in each dilution shall survive beyond 24 hours for a valid test. After 5 to 8 days incubation, examine the surviving embryos for evidence of infection.

(ii) A satisfactory titration shall have at least one dilution with between 50 and 100 percent positives and at least one dilution with between 50 and 0 percent positives.

(iii) Calculate the EID_{50} by the Spearman-Karber or Reed-Muench method.

(2) Neutralization test: For each method of administration recommended on the label, twenty or more chickens shall be used as vaccinates in a neutralization test. Ten additional chickens shall be used as controls. The test shall be conducted as follows:

(i) Blood samples shall be taken from the vaccinates and the controls 21 to 28 days post-vaccination. Serums from the vaccinates shall be tested individually but serums from the controls may be tested either individually or in pools of not more than five serums. All serums shall be inactivated at 56° C for 30 minutes.

(ii) The specific serum-virus preparation and embryo injection method for the Neutralization Test described in *Methods for Examining Poultry Biologics and for Identifying and Quantifying Avian Pathogens* (NAS, 1971) shall be used. The varying virus-constant serum technique shall be used. The ID_{50} Neutralization Index (NI) of each test serum or control serum pool shall be the reciprocal of the difference between the viral infectivity endpoint of the serum-virus mixture (serum titer) and the indicator virus titration (virus titer).

(iii) The indicator virus titration shall be done using tryptose phosphate broth as diluent. All titrations shall have at least one dilution with between 50 and 100 percent positives and at least one dilution with between 50 and 0 percent positives.

(iv) To be satisfactory, the vaccine virus shall produce NI's against each type used in production as follows:

NI's of 3.0 or more for 19 of 20 or 27 of 30 or 36 of 40 vaccinate serums, provided the average NI of the control serums or pools is less than 1.5, or

NI's 2.0 or more greater than that on control serums for at least 19 of 20 or 27 of 30 or 36 of 40 of the vaccinate serums, provided the average NI of the control serums or pools is 1.0 or less.

(3) Virus-recovery test: For each method of administration recommended on the label for each virus type used in the vaccine, twenty or more chickens shall be used as vaccinates in the virus-recovery test. Ten additional chickens shall be used as controls. The test shall be conducted as follows:

(i) Each vaccine virus shall be tested against itself and each other type against which protection is claimed.

(ii) Twenty-one to twenty-eight days post-vaccination, all vaccinates and controls shall be challenged by eye-drop with virulent bronchitis virus of each virus type and strain against which protection is claimed. Each challenge virus shall be approved or provided by Veterinary Services and shall titer at least $10^{4.0}$ EID_{50} per ml.

(iii) Tracheal swabs shall be taken once, 5 days post-challenge, from each control and vaccinate. Each swab shall be placed in a test tube containing 3 ml of tryptose phosphate broth and antibiotics. The tube and swab shall be swirled thoroughly and if they are to be stored, be immediately frozen and be stored at below −40° C pending egg evaluation. For each chicken swab, at least five chicken embryos 9 to 11 days old shall be inoculated in the allantoic cavity with 0.2 ml each of broth from the stored tube.

(iv) A chicken swab shall be positive for virus recovery when one or more of five embryos show typical infectious bronchitis virus lesions, such as but not limited to, curling, kidney urates, clubbed down, or death 4 to 7 days post-inoculation. Embryo stunting is indicative but not always positive evidence of infectious bronchitis virus and some strains do not always product kidney urates. Evaluation shall be based on at least four embryos per swab.

(v) If less than 90 percent of the controls are positive for virus recovery, the test is inclusive and may be repeated.

(vi) If less than 90 percent of the vaccinates are negative for virus recovery, the virus is unsatisfactory.

(4) The immunogenicity test shall be repeated every 3 years unless use of the lot of Master Seed Virus is discontinued. The vaccinates and the controls shall meet the criteria prescribed in paragraphs (c) (2) and (3) of this section.

(5) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) Test requirements for release: Each serial and subserial shall meet the requirements prescribed in § 113.135 and in this paragraph.

(1) *Test for pathogens.* Final container samples of completed product shall be tested for pathogens by the test prescribed in § 113.37. If the vaccine is found to be unsatisfactory because of a virus override the test may be repeated using a higher titered antiserum and if the repeat test is also unsatisfactory for the same reason, the test prescribed in § 113.36 may be conducted and the vaccine judged accordingly.

(2) *Safety test.* Final container samples of completed product shall be tested to determine safety for use in bronchitis susceptible young chickens.

(i) Twenty-five susceptible chickens, 5 days of age or younger, properly identified and obtained from the same source and hatch, shall be vaccinated by the eye-drop method with the equivalent of 10 doses of vaccine and observed each day for 21 days post-vaccination. Severe respiratory signs or death shall be counted as failures. Two-stage sequential testing may be conducted if the first test (which then becomes stage one) has three failures.

(ii) The results shall be evaluated according to the following table:

Stage	Number of chickens	Cumulative number of chickens	Cumulative total number of failures for a satisfactory serial	Cumulative total number of failures for an unsatisfactory serial
1	25	25	2	4
2	25	50	5	6

If unfavorable reactions occur which are not attributable to the product, the test shall be declared inconclusive and repeated or, in lieu thereof, the serial declared unsatisfactory.

(3) *Virus titrations.* Using the procedure prescribed in paragraph (c) (1) of this section virus titrations shall be conducted.

(i) The Newcastle disease virus fraction of combined Newcastle-Bronchitis Vaccines shall be neutralized prior to titration of the bronchitis virus fraction. Equal parts of heat-inactivated Newcastle disease antiserum shall be mixed with each appropriate serial ten-fold dilution of the vaccine. After inactivation, embryos shall be injected with 0.2 ml each and results calculated as a 0.1 ml dose to allow for serum dilution of the vaccine. The allantoic fluids, tested as prescribed in § 113.34 shall not show hemagglutinating activity in the lowest dilution used in the titration.

(ii) Each bronchitis virus type shall be harvested separately and a sample of bulk harvested material shall be collected prior to mixing with the other virus type(s). Each sample shall contain not less than the minimum virus titer stated in the filed Outline of Production.

(iii) Final container samples of completed product of each serial and subserial shall be tested. Vaccine samples shall be incubated at 37° C for 3 days before preparation for use in the titration test. A satisfactory serial or subserial shall contain at least $10^{2.5}$ EID_{50} per dose of bronchitis virus through expiration.

(4) All bronchitis vaccines shall stimulate protection against each type for which protection is claimed. Final container samples of completed product shall be tested by the virus-recovery test prescribed in paragraph (c) (3) of this section except that 10 vaccinates shall be used and one-tenth of a chicken dose shall be given to each.

§ 113.163 Fowl Laryngotracheitis Vaccine.

Fowl Laryngotracheitis Vaccine shall be prepared from virus-bearing cell culture fluids or embryonated chicken eggs. Only Master Seed Virus which has been established as pure, safe, and immunogenic in accordance with the requirements in paragraphs (a), (b), and (c) of this section shall be used for preparing the production seed virus for vaccine production. All serials shall be prepared with the passage from the Master Seed Virus used in the immunogenicity test.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section.

(b) Each lot of Master Seed Virus shall be tested for extraneous pathogens by the chicken embryo inoculation test prescribed in § 113.37 and for safety as follows:

(1) Each of at least ten 3 to 4 week old susceptible chickens obtained from the same source and hatch as those used in the immunogenicity test prescribed in paragraph (c) of this section shall be injected intratracheally with 0.2 ml of the virus as used in the vaccine and the chickens observed each day for 14 days.

(2) If more than 20 percent of the chickens die during the observation period, the virus is unsatisfactory.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity and the selected virus dose to be used shall be established as follows:

(1) Fowl laryngotracheitis susceptible chickens all of the same age and from the same source shall be used. Thirty or more chickens shall be used as vaccinates for each method of administration recommended on the label. Ten additional chickens of the same age and from the same source shall be held as unvaccinated controls.

(2) A geometric mean titer of the dried vaccine produced from the highest passage of the Master Seed Virus shall be established before the immunogenicity test is conducted. Each vaccinate shall receive a predetermined quantity of vaccine virus. Five replicate virus titrations shall be conducted on an aliquot of the vaccine virus to confirm the amount of virus administered to each chicken used in the test. At least three appropriate (not to exceed tenfold) dilutions shall be used for vaccine of chicken embryo origin and the test conducted as follows:

(i) For each dilution, inject at least five embryos, 9 to 11 days old, on the chorioallantoic membrane with 0.2 ml each. Disregard all deaths during the first 24 hours post-injection. To be a valid test, at least four embryos in each dilution shall remain viable beyond 24 hours.

(ii) Examine the surviving embryos for evidence of infection 5 to 8 days post-injection.

(iii) A satisfactory titration shall have at least one dilution with between 50 and 100 percent positives and at least one dilution with between 50 and 0 percent positives.

(iv) Calculate the EID_{50} by the Spearman-Karber or Reed-Muench method.

(3) Tissue culture origin vaccine may be titrated by a tissue culture method approved by Veterinary Services and written into the filed Outline of Productions.

(4) Ten to fourteen days post-vaccination, all vaccinates and controls shall be challenged intratracheally or in the orbital sinus with infectious fowl laryngotracheitis virus and observed each day for 10 days. Challenge virus shall be provided or approved by the Veterinary Services laboratories.

(5) If at least 90 percent of the controls do not die or show clinical signs of fowl laryngotracheitis during the observation period, the test is inconclusive and may be repeated. If at least 90 percent of the vaccinates in each group do not remain free of clinical signs of fowl laryngotracheitis during the observation period, the Master Seed Virus is unsatisfactory.

(6) The antigenicity test shall be repeated every 3 years unless use of the lot of Master Seed Virus is discontinued. The vaccinates and the controls shall meet the criteria prescribed in paragraph (c) (4) and (5) of this section.

(7) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) After a lot of Master Seed Virus has been established as prescribed in paragraphs (a), (b), and (c) of this section, each serial and subserial shall meet the requirements in §§ 113.135, 113.37 and in this paragraph.

(1) *Potency test.* Final container samples of completed product shall be tested for virus titer using the procedures prescribed in paragraph (c) (2) of this section.

(i) Vaccine samples shall be incubated at 37° C for 7 days before preparation for use in the titration test.

(ii) Each serial and subserial shall have a fowl laryngotracheitis virus titer sufficiently greater than the titer of the vaccine used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer 0.7 logs greater than the titer of the vaccine used in the immunogenicity test but not less than $10^{2.6}$ EID_{50} per dose.

(e) Until a lot of Master Seed Virus is established as prescribed in paragraphs (a), (b), and (c) of this section each serial and subserial shall meet the requirments in §§ 113.135, and 113.36, and this paragraph before release for sale.

(1) A virus titration shall be conducted on final container samples of completed product in accordance with the procedures prescribed in paragraph (c) (2) of this section.

(i) Vaccine samples shall be incubated at 37° C for 7 days before preparation for use in the titration test.

(ii) A serial or subserial of chicken embryo origin vaccine which does not contain at least $10^{2.5}$ EID_{50} per dose of laryngotracheitis virus through the expiration date is unsatisfactory. Tissue culture origin vaccine shall contain $10^{2.0}$ EID_{50} or $10^{2.5}$ $TCID_{50}$ per dose.

(2) An immunogenicity test shall be conducted on final container samples of completed product. The vaccine shall be used as recommended on the label.

(i) At least 10 susceptible chickens (vaccinates) properly identified and obtained from same source and hatch, per serial or the first subserial, and five more similar chickens for each additional subserial, shall be vaccinated.

(ii) Ten nonvaccinated chickens (controls) properly identified and obtained from the same source and hatch, shall be kept in isolation.

(iii) Ten to fourteen days post-vaccination, the vaccinates and the controls shall be challenged intratracheally with a fowl laryngotracheitis virus furnished or approved by Veterinary Services and observed each day for 10 days.

(iv) If less than 80 percent of the controls die or develop recognizable signs of fowl laryngotracheitis, the test is inconclusive and may be repeated.

(v) If at least 80 percent of the vaccinates do not remain free of signs of fowl laryngotracheitis, the serial or subserial is unsatisfactory.

(3) Safety test. Final container samples of completed product from each serial or one subserial shall be tested for safety in ten susceptible chickens obtained from the same source and hatch as those used in the immunogenicity test prescribed in paragraph (e) (2) of this section. Each shall be injected intratracheally with 0.2 ml of the vaccine prepared for use as recommended on the label and observed each day for 14 days. If more than 20 percent of the chickens die during the observation period, the serial or subserial is unsatisfactory.

§ 113.164 Newcastle Disease Vaccine.

Newcastle Disease Vaccine shall be prepared from virus-bearing cell culture fluids or embryonated chicken eggs. Only Master Seed Virus which has been established as pure, safe, and immunogenic in accordance with the requirements in paragraphs (a), (b), and (c) of this section shall be used for preparing the production seed virus for vaccine production. All serials shall be prepared with the passage from the Master Seed Virus used in the immunogenicity test.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section.

(b) Each lot of Master Seed Virus shall be tested for pathogens by the chicken embryo inoculation test prescribed in § 113.37; *Provided,* That if the sample of virus is unsatisfactory because of a virus override, the test may be repeated using a higher titered antiserum, and if the repeat test is unsatisfactory for the same reason, the chicken inoculation test prescribed in § 113.36 may be conducted and the virus judged accordingly.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity and the selected virus dose to be used shall be established as follows:

(1) Newcastle Disease susceptible chickens, all of the same age and from the same source, shall be used. Thirty or more chickens shall be used as vaccinates for each method of administration recommended on the label. Ten additional chickens of the same age and from the same source shall be held as unvaccinated controls.

(2) A geometric mean titer of the dried vacicne produced from the highest passage of the Master Seed Virus shall be established before the immunogenicity test is conducted. Each vaccinate shall receive a predetermined quantity of vaccine virus. Five replicate virus titrations shall be conducted on an aliquot of the vaccine virus to confirm the amount of virus administered to each chicken used in the test. At least three appropriate (not to exceed tenfold) dilutions shall be used and the test conducted as follows:

(i) For each dilution, inject at least five embryos, 9 to 11 days old, in the allantoic cavity with at least 0.1 ml each. Disregard all deaths during the first 24 hours post-injection. To be a valid test, at least four embryos in each dilution shall remain viable beyond 24 hours.

(ii) Examine the surviving embryos for evidence of infection 5 to 7 days post-injection.

(iii) A satisfactory titration shall have at least one dilution with between 50 and 100 percent positives and at least one dilution with between 50 and 0 percent positives.

(iv) Calculate the EID_{50} by the Spearman-Karber or Reed-Muench method.

(3) Twenty to twenty-eight days post-vaccination, all vaccinates and controls shall be challenged with at least $10^{4.5}$ EID_{50} of virus per chicken and observed each day for 14 days. Challenge virus shall be provided or approved by Veterinary Services.

(4) If at least 90 percent of the controls do not develop clinical signs of Newcastle disease during the observation period, the test is inconclusive and may be repeated. If at least 90 percent of the vaccinates do not remain free of clinical signs of Newcastle disease during the observation period, the Master Seed Virus is unsatisfactory.

(5) The immunogenicity test shall be repeated every 3 years unless use of the

lot of Master Seed Virus is discontinued. The vaccinates and the controls shall meet the criteria prescribed in paragraph (c)(4) of this section.

(6) A strain identity test acceptable to Veterinary Services shall be conducted.

(7) An Outline of Production change shall be made before authority for use of a new lot of Master Seed Virus shall be granted by Veterinary Services.

(d) After a lot of Master Seed Virus has been established as prescribed in paragraphs (a), (b), and (c) of this section, each serial and subserial shall meet the requirements in §§ 113.135, 113.36 and in this paragraph.

(1) *Virus titer.* Final container samples of completed product shall be tested for virus titer using the procedures prescribed in paragraph (c)(2) of this section.

(i) Samples of desiccated vaccines shall be incubated at 37° C for not less than 7 days before preparation for use in the virus titration test. Samples of liquid vaccine (not to be desiccated) shall be incubated at 37° C for not less than 48 hours.

(ii) Each serial and subserial shall have a Newcastle disease virus titer sufficiently greater than the titer of the vaccine used in the immunogenicity test prescribed in paragraph (c) of this section to assure that when tested at any time within the expiration period, each serial and subserial shall have a virus titer 0.7 logs greater than the titer used in the immunogenicity test but not less than $10^{7.0}$ EID_{50} per dose.

(e) Until a lot of Master Seed Virus is established as prescribed in paragraphs (a), (b), and (c) of this section, each serial and subserial shall meet the requirements in §§ 113.135, and 113.36, and this paragraph before release for sale.

(1) A virus titration shall be conducted on final container samples of completed product in accordance with the procedures prescribed in paragraph (c)(2) of this section.

(i) Samples of desiccated vaccines shall be incubated at 37° C for not less than 7 days before preparation for use in the virus titration test. Samples of liquid vaccine (not to be disiccated) shall be incubated at 37° C for not less than 48 hours.

(ii) A serial or subserial which does not contain at least $10^{7.0}$ EID_{50} per dose of Newcastle disease virus through the expiration date is unsatisfactory.

(2) An immunogenicity test shall be conducted on final container samples of completed product. The vaccine shall be used as recommended on the label.

(i) At least 10 susceptible chickens (vaccinates), properly identified and obtained from same source and hatch, per serial or the first subserial, and five more similar chickens per each additional subserial, shall be vaccinated.

(ii) Ten nonvaccinated chickens (controls), properly identified and obtained from the same source and hatch, shall be kept in isolation.

(iii) Twenty to twenty-eight days post-vaccination, the vaccinates and the controls shall be challenged with at least $10^{4.0}$ EID_{50} Newcastle disease virus furnished or approved by Veterinary Services.

(iv) If less than 80 percent of the controls die or develop recognizable signs of Newcastle disease, the test is inconclusive and may be repeated.

(v) If at least 80 percent of the vaccinates do not remain free of signs of Newcastle disease, the serial or subserial is unsatisfactory.

(4) Safety test: Final container samples of completed product from each serial or one subserial shall be tested to determine whether the vaccine is safe for use in susceptible young chickens.

(i) Twenty-five susceptible chickens, 5 days of age or younger, properly identified and obtained from the same source and hatch, shall be vaccinated by the eye drop method with the equivalent of 10 doses of vaccine and the chickens observed each day for 21 days post-vaccination. Severe respiratory signs or death shall be counted as failures. Two-stage sequential testing may be conducted if the first test (which then becomes stage one) has 3 failures.

(ii) The results shall be evaluated according to the following table:

Stage	Number of chicks	Cumulative number chicks	Cumulative total number of failures for a satisfactory serial	Cumulative total number of failures for an unsatisfactory serial
1	25	25	2 or less	4 or more.
2	25	50	5 or less	6 or more.

(iii) In unfavorable reactions occur which are not attributable to the product, the test shall be declared inconclusive and may be repeated.

(iv) For vaccines not recommended for use in chickens 10 days of age or younger, the prechallenge portion of the potency test shall be considered a safety test.

§ 113.165 Marek's Disease Vaccines.

Marek's Disease Vaccine shall be prepared from virus-bearing tissue culture cells. Only Master Seed Virus which has been established as pure, safe, and immunogenic shall be used for preparing the production seed virus for vaccine production. All serials shall be prepared with the passage from the Master Seed Virus used in the immunogenic test.

(a) The Master Seed Virus shall meet the applicable requirements prescribed in § 113.135 and the requirements prescribed in this section. Each lot of Master Seed Virus shall also be tested for pathogens by the chicken embryo inoculation test prescribed in § 113.37.

(b) Safety test: The Master Seed Virus shall be nonpathogenic for chickens as determined by the following procedure:

(1) Three groups of at least 50 chickens each at one day of age shall be used. These chickens shall be of the same source and hatch; be susceptible to Marek's disease; and be kept isolated in groups.

(i) *Group 1.* Each chicken shall be injected with 10 times as much viable virus as will be contained in one dose of vaccine, by the route recommended for vaccination.

(ii) *Group 2.* Each chicken shall be injected with a virulent Marek's disease herpesvirus at a dosage level that will cause gross lesions of Marek's disease in at least 60% of the chickens within 50 days.

(iii) *Group 3.* Controls.

(2) At least 40 chickens in each group shall survive for 4 days post-injection. All chickens that die shall be necropsied and examined for lesions of Marek's disease and cause of death. The test shall be judged according to the following:

(i) At 50 days of age, the remaining chickens in Group 2 shall be killed and examined for gross Marek's disease lesions. If at least 60 percent of this group do not develop Marek's disease, the test is inconclusive and may be repeated.

(ii) At 120 days of age, the remaining chickens in Groups 1 and 3 shall be weighed, killed, and necropsied. If at least 30 chickens in each of these 2 groups have not survived the 120 day period; or if any of the chickens in Groups 1 and 3 have gross lesions of Marek's disease at necropsy; or if the average body weight of the chickens in Group 1 is significantly (statistically) different from the average in Group 3 at the end of the 120 days, the lot of Master Seed Virus is unsatisfactory.

(c) Each lot of Master Seed Virus used for vaccine production shall be tested for immunogenicity and the selected virus dose to be used shall be established. The Master Seed Virus immunogenicity study shall be conducted with vaccine diluted to contain about 10,000 PFU per dose and at least 4 three-fold dilutions ($10^{-0.5}$) thereof down to about 300 PFU per dose in at least 100 chickens per dilution, challenging in groups of 25 chickens at selected times between 0 and 28 days after vaccination. Applicants and licensees shall submit detailed proposed protocols for review and approval before conducting this test.

(1) The immunogenicity test shall be repeated every 3 years unless use of the lot of Master Seed Virus is discontinued.

(2) An Outline of Production change shall be made before authority for use of a new lot of Master Virus shall be granted by Veterinary Services.

(d) Test requirements for release: Each serial and subserial shall meet the requirements prescribed in § 113.135 and in this paragraph. Final container samples of completed product shall be tested. Any serial or subserial found unsatisfactory by a prescribed test shall not be released.

(1) *Purity test.* The chicken embryo inoculation test prescribed in § 113.37 shall be conducted.

(2) *Safety test.* At least 25 one-day old chickens shall be injected, by the route

recommended on the label for vaccination, with the equivalent of 10 chicken doses of virus (vaccine concentrated 10X). The chickens shall be observed each day for 21 days. Chickens dying during the period shall be examined, cause of death determined, and the results recorded.

(i) If at least 20 chickens do not survive the observation period, the test is inconclusive.

(ii) If lesions of any disease or cause of death are directly attributable to the vaccine, the serial is unsatisfactory.

(iii) If less than 20 chicks survive the observation period and there are no deaths or lesions attributable to the vaccine, the test may be repeated one time; *Provided*, That, if the test is not repeated, the serial shall be declared unsatisfactory.

(3) *Potency test.* The samples shall be titrated in a cell culture system or by any other titration method acceptable to Veterinary Services. Vaccine samples of desiccated vaccine shall be incubated at 37° C for 7 days before preparation for use in the titration test. A satisfactory serial or subserial shall contain at least 1500 plaque forming units per dose at release and maintain at least 1000 plaque forming units through expiration.

Interested parties are invited to submit written data, views, or arguments regarding the proposed regulations to Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Room 828–A, Federal Building, Hyattsville, Maryland 20782. All comments received on or before August 16, 1974, will be considered.

All written submissions made pursuant to this notice will be made available for public inspection of Biologics Licensing and Standards Staff, at the above address, during regular business hours (7 CFR 1.27(b)).

Done at Washington, D.C., this 12th day of June 1974.

J. M. HEJL,
Acting Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service.

[FR Doc.74–13824 Filed 6–14–74;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Airworthiness Docket No. 74–SW–26]

BELL MODEL 206A AND 206B HELICOPTERS

Proposed Airworthiness Directive

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Bell Model 206A and 206B helicopters equipped with certain design horizontal stabilizers. There have been several cases of cracks in and failures of the inboard ribs on the Bell Model 206A and 206B horizontal stabilizers occurring from 250 hours to 2600 hours total time in service.

Failure of the inboard rib could result in possible loss of a stabilizer. Since this condition is likely to exist or develop in other helicopters of the same type design, the proposed airworthiness directive would require a modification of the inboard ribs on certain right and left stabilizers of Bell Model 206A and 206B helicopters.

The manufacturer has also created a design improvement that adds stops at the aft portion of the stabilizers to limit movement of the stabilizers. This improvement will be installed at the factory on Bell Model 206B helicopters, Serial Number 1252 and subsequent. The Agency proposes to require installation of these stops on Model 206A and 206B helicopters, Serial Numbers 1 through 1251, within 100 hours time in service after the effective date of the A.D. This will coincide with the modification to the stabilizer ribs.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or comments as they may desire. Communications should identify the docket number and be submitted in triplicate to the Regional Counsel, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101. All communications received on or before will be considered by the Director before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Office of Regional Counsel for examination by interested persons.

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

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

BELL. Applies to Bell Model 206A and 206B Helicopters as Noted Herein, Certificated in all Categories

Compliance required within 100 hours time in service after the effective date of this A.D., unless already accomplished.

To prevent possible failure of the inboard ribs with possible loss of a stabilizer on Model 206A and 206B helicopters, serial numbers 1 through 913 equipped with horizontal stabilizer, P/N 206–020–119, replace any cracked inboard ribs and modify all inboard ribs by installing a doubler specified in and using the applicable procedures described in Items 3 through 24, Bell Helicopter Company Service Bulletin No. 206–01–73–7, Revision A, dated December 11, 1973 or later FAA approved revision.

To prevent excessive movement of the horizontal stabilizer install Horizontal Stabilizer Stop Kit, P/N 206–704–096–3, on Model 206A and 206B helicopters, Serial Numbers 1 through 1251, in accordance with Bell Helicopter Company Service Bulletin No. 206–01–74–1, Revision A, dated May 6, 1974 or later FAA approved revision.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to the Service Manager, Bell Helicopter Company, P.O. Box 482, Fort Worth, Texas 76101. These documents may also be examined at the Office of the Regional Counsel, Southwest Region, FAA, 4400 Blue Mound Road, Fort Worth, Texas, and at FAA Headquarters, 800 Independence Avenue SW., Washington, D.C. A historical file on this A.D. which includes the incorporated material in full is maintained by the FAA at its headquarters in Washington, D.C., and at the Southwest Regional Office in Fort Worth, Texas.

Issued in Fort Worth, Texas on June 6, 1974.

HENRY L. NEWMAN,
Director, Southwest Region.

[FR Doc.74–13745 Filed 6–14–74;8:45 am]

[14 CFR Part 39]

[Docket No. 74–GL–7]

GENERAL ELECTRIC CF6 ENGINES

Proposed Airworthiness Directive

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an Airworthiness Directive applicable to the General Electric CF6 Engine. There have been nine instances in which foreign objects have broken pieces from tips of the fan blades. Six of these penetrated the cowling and one punctured a fuel line. Considerable secondary damage has also been caused by the broken pieces which further degrades the engine's performance. Since it is reasonable to expect that such incidents could occur again with even more serious consequences an Airworthiness Directive is being considered to require replacement of drilled blades with ones with solid tips.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Director, Great Lakes Region Federal Aviation Administration, Attention: Regional Counsel, Airworthiness Rules Docket, 2300 East Devon Avenue, Des Plaines, Illinois 60018. All communications received on or before August 16, 1974 will be considered by the Director before taking action upon the proposed rule. The proposals contained in this Notice may be changed in light of comments received. All comments will be available, both before and after the closing date for comments, in the Airworthiness Rules Docket for examination by interested persons.

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

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

GENERAL ELECTRIC. Applies to Models CF6–6D, 6D1, 6H; and CF6–50A, 50C, 50D and 50H Turbofan Engines

Compliance required as indicated.

(a) To prevent breakage of fan blade tips and resulting damage therefrom, unless already accomplished, install solid fan blade P/N 9081M53P04 in all 38 locations per the instructions of General Electric Service Bulletins (CF6–6) 72–444 or (CF6–50) 72–161 or subsequent FAA approved revisions.

(b) Engines modified per paragraph (a) are to be installed in at least one wing position in aircraft using these model engines by June 30, 1975.

(c) All engines are to be modified by June 30, 1976.

Issued at Des Plaines, Illinois on June 11, 1974.

JOHN M. CRYOCKI,
Director, Great Lakes Region.

[FR Doc.74–13983 Filed 6–14–74;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 74–GL–13]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to alter the transition area at Greenville, Illinois.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Great Lakes Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018. All communications received on or before July 17, 1974, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice, in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

A new public instrument approach procedure has been developed for the Greenville Airport, Greenville, Illinois. Accordingly, it is necessary to alter the Greenville, Illinois transition area to adequately protect the aircraft executing the new approach procedure.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (39 FR 440), the following transition area is amended to read:

GREENVILLE, ILLINOIS

That airspace extending upward from 700 feet above the surface within a 6.5 mile radius of Greenville, Illinois Airport (latitude 38°50'12" N., longitude 89°22'38" W.), and within 2 miles each side of the 348° bearing from Greenville Airport, extending from the 6.5 mile radius to 8 miles north of the airport.

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

Issued in Des Plaines, Illinois on May 31, 1974.

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

[FR Doc.74–13746 Filed 6–14–74;8:45 am]

CIVIL AERONAUTICS BOARD

[14 CFR Part 288]

[Docket No. 26792; EDR–274]

EXEMPTION OF AIR CARRIERS FOR MILITARY TRANSPORTATION

Certain Foreign and Overseas Air Transportation Services

Notice is hereby given that the Civil Aeronautics Board proposes to amend Part 288 of its Economic Regulations (14 CFR Part 288) with respect to certain foreign and overseas air transportation services performed for the Department of Defense (DOD). The purpose of the proposed amendment is explained in the attached Explanatory Statement, and the proposed amendment is set forth in the Proposed Rule. As discussed in the Explanatory Statement, the proposed amendment provides for a fuel surcharge, resulting from increased commercial fuel costs, to the rates for short-range services procured by the Military Airlift Command (MAC). The Board is proposing that the surcharge be effective from the date of this Notice, and that subsequent revisions be made on the same procedural basis established for long-range MAC services.[1] The amendment is proposed under authority of sections 204, 403 and 416 of the Federal Aviation Act of 1958, as amended (72 Stat. 743, 758 and 771, as amended; 49 U.S.C. 1324, 1373 and 1386).

Interested persons may participate in the proposed rulemaking through submission of twelve (12) copies of written data, views or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant material in communications received on or before July 1, 1974, will be considered by the Board before taking final action on the proposed rule. Copies of such communication will be available for examination by interested persons in the Docket Section of the Board, Room 710, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C. upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

EXPLANATORY STATEMENT

In comments filed by World Airways, Inc. (World) seeking reconsideration of ER–839, adopted March 8, 1974, the carrier sought a commercial fuel surcharge for its Pacific inter-island MAC services. At that time, the Board rejected World's request on the basis that the relatively small rate impact of commercial fuel price increases as of January 1, 1974 on World's inter-island operations did not administratively warrant or economically require adoption of a fuel surcharge. The Board indicated, however, that action would be taken if subsequent commercial fuel price increases warranted it.[1a]

As set out in the Appendix,[1a] commercial fuel price increases as of April 1, 1974, related to the base year ended September 30, 1973, now require a surcharge of 3.25 percent to the rates for World's Pacific inter-island services to compensate for the increased cost of fuel. In addition, current commercial fuel costs for the other short-range MAC operations, performed by Eastern Air Lines, Inc. (Eastern), indicate a surcharge to the interim final minimum MAC rates for thosej services of 5.19 percent is also warranted.[2]

Accordingly, we propose to amend the interim final rates effective with the date of this Notice consistent with the above results. We also propose to review monthly the short-range surchage rates based upon monthly commercial fuel price fluctuations on the same basis established for the long-range international MAC services.[2] To accomplish this, we propose that the surcharge rates recommended herein apply until our review of June 1, 1974 commercial fuel prices is completed, and that the rate then be revised, based upon the June 1 prices, retroactive to the date of this Notice. Thus, effective with our review of June 1 fuel prices, the surcharge rates for all international Category B MAC operations will be processed together.

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[1] EDR–265, March 27, 1974, adopted by ER–860, May 24, 1974.

[1] Order 74–5–7, May 1, 1974.

[1a] Filed as part of the original document.

[2] The amount of the surcharge was calculated on the same basis as the surcharge adopted in ER–839.

We are, therefore, proposing to amend the interim final MAC rate provisions by increasing the current Category B Pacific inter-island and other short-range services by a temporary surcharge of 3.25 and 5.19 percent, respectively.

PROPOSED RULE

It is proposed to amend § 288.7(a)(1) by adding after the tables a third proviso, the proviso to read as follows:

§ 288.7 Reasonable level of compensation.

* * * * *

(a) * * *

(1) * * *

And provided further, That (i) effective _____, 1974, the total minimum compensation for Pacific inter-island service performed with B–727 aircraft, pursuant to the rates specified in paragraph (a)(1) of this section, shall be increased by a temporary surcharge of 3.25 percent subject to amendment (either up or down) upon final determination by the Board; and (ii) effective _____, 1974, the total minimum compensation for all other services performed with B–727 aircraft, pursuant to the rates specified in paragraph (1) above, shall be increased by a temporary surcharge of 5.19 percent subject to amendment (either up or down) upon final determination by the Board.[4]

* * * * *

[FR Doc.74–13813 Filed 6–14–74;8:45 am]

VETERANS ADMINISTRATION

[38 CFR Part 21]

DISABLED VETERANS

Tutoring

The purpose of the regulatory change to § 21.278 is to liberalize the provisions defining the factors for determining eligibility for tutorial training for trainees under chapter 31, title 38, United States Code. In addition minor editorial changes have been made to §§ 21.268, 21.274 and § 21.279 designed to reflect agency policy to avoid any appearance of seeming to preclude benefits for female veterans. No substantive change affecting benefits is involved.

Interested persons are invited to submit written comments, suggestions or objections regarding the proposal to the Administrator of Veterans Affairs (27H), Veterans Administration, 810 Vermont Avenue, N.W., Washington, DC 20420. All relevant material received before July 17, 1974, will be considered. All written comments received will be available for public inspection at the above address only between the hours of 8 a.m. and 4:30 p.m. Monday through Friday (except holidays) during the mentioned 30-day period and for 10 days thereafter. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Assistance Unit in room 132. Such visitors to any VA field station will be informed that the records are available for inspection only in Central Office and furnished the address and the above room number.

Notice is also given that it is proposed to make § 21.278 effective the date of approval.

1. In § 21.268, the introductory portion preceding paragraph (a) and paragraph (b) are revised to read as follows:

§ 21.268 Interregional transfers not at Government expense.

A veteran may transfer for his or her own convenience to attend a training facility other than one located in the State or the regional territory of the veteran's residence upon his or her written request. Any such transfer will not be at the expense of the Government.

* * * * *

(b) After a veteran is transferred for his or her own convenience, the expense to the Government of any additional transfer to a satisfactory facility will not be in excess of that which would have been necessary to transfer the veteran to a satisfactory facility originally.

2. In § 21.274, paragraph (a) is revised to read as follows:

§ 21.274 Authorization for travel for attendants.

(a) The services of an attendant to accompany a veteran while traveling for vocational rehabilitation purposes may be provided when such services are necessitated by the severity of the disability of the veteran.

* * * * *

3. Section 21.278 is revised to read as follows:

§ 21.278 Tutoring.

Tutoring at Government expense may be provided when, for a veteran to be successfully rehabilitated, there is need for special assistance beyond that given to other students pursuing the same or comparable courses.

4. In § 21.279, paragraphs (a) and (b)(3) and the introductory portion of paragraph (c) preceding subparagraph (1) are amended to read as follows:

§ 21.279 Reader service.

(a) Reader service, necessary for the successful pursuit of a course of vocational rehabilitation by a veteran with visual impairment, may be furnished when:

(1) The vision of a veteran in school training is so impaired as to make it impossible or inadvisable to use his or her eyes for reading; or

(2) The visual impairment of a veteran in training on the job where study is required in connection with his or her training is such that need for reader assistance is established.

(b) * * *

(3) One with impaired vision, whose conditions or prognosis indicates that the residual sight will be affected detrimentally by the use of his or her eyes for reading.

(c) The functions of a reader should be more than simply to read mechanically. The reader's services should serve a twofold purpose:

* * * * *

Approved: June 11, 1974.

By direction of the Administrator.

R. L. ROUDEBUSH,
Deputy Administrator.

[FR Doc.74–13781 Filed 6–14–74;8:45 am]

[3] As set forth in EDR–265, March 27, 1974, and adopted by ER–860, May 24, 1974.

[4] The surcharge is also to be applied to all other aircraft types common-rated with the B–727 for these services.

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

[Public Notice CM–149]

STUDY GROUP 4 OF THE U.S. NATIONAL COMMITTEE FOR THE INTERNATIONAL RADIO CONSULTATIVE COMMITTEE (CCIR)

Notice of Meeting

The Department of State announces that Study Group 4 of U.S. National Committee for the International Radio Consultative Committee (CCIR) will meet on July 2, 1974, at 10 a.m. in the Comsat Auditorium at 950 L'Enfant Plaza South, SW., Washington, D.C. 20024. Study Group 4 studies matters relating to systems of radiocommunication for the fixed service using satellites. The agenda for the meeting will include the following:

a. Review of the conclusions of the international meeting of Study Group 4 in March 1974;

b. Consideration of recommended positions for the CCIR Plenary Assembly;

c. Development of work programs for the period 1974–1977.

Members of the general public who desire to attend the meeting on July 2 will be admitted up to the capacity of the meeting room.

Dated: June 11, 1974.

GORDON L. HUFFCUTT,
Chairman,
U.S. National Committee.

[FR Doc.74–13783 Filed 6–14–74;8:45 am]

DEPARTMENT OF THE TREASURY

Internal Revenue Service

ART ADVISORY PANEL

Notice of Closed Meeting

Notice is hereby given that pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Public Law 92–463, a closed meeting of the Art Advisory Panel will be held on July 16 & 17, 1974, beginning at 9:30 a.m. in Room 3313 Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, D.C. 20224.

The agenda will consist of the review and evaluation of the acceptability of market value appraisals of works of art involved in Federal income, estate or gift tax returns. This involves the discussion of confidential material in individual tax returns. A determination as required by section 10(d) of the Act has been made that these meetings are concerned with matters listed in section 552(b) of Title 5 of the United States Code, and that the meetings will not be open to the public.

[SEAL] DONALD C. ALEXANDER,
Commissioner.

[FR Doc.74–13833 Filed 6–14–74;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Army

ARMY ADVISORY PANEL ON ROTC AFFAIRS

Notice of Meeting

In accordance with Public Law 92–463 dated October 6, 1972, notice is given of a meeting of the Army Advisory Panel on ROTC Affairs, as follows:

Date of Meeting. June 27, 1974.

Place. Room 2E 687, Pentagon, Washington, D.C. 20310.

Time. From 0800–1130 hours and 1300–1615 hours.

Proposed Agenda.

0800–0815 Opening remarks and introductions, Chairman.
0815–0825 Remarks, Mr. Lowe, ASA (M&RA).
0825–0900 Presentation of ROTC Status Report, Briefers HQ, DA, and HQ, TRADOC.
0900–1130 General discussions on selected topics, Chairman.
1130–1300 Adjournment for lunch.
1300–1615 General discussion on selected topics, Chairman.
1615 Panel adjourns.

Proposed Discussion Topics.

1. The expanding two-year community college system and their affect on the ROTC program.
2. Actions the Army can take to increase faculty support for the ROTC program.
3. Courses of action for institutions with low productive and non-productive ROTC units.
4. Recomposition of Army Advisory Panel.
5. Interface of Army Panel with DOD Panel on ROTC Affairs.
6. Use of USAR commissioned officers at institutions as ROTC instructors.

This meeting will be open to the public.

CLINTON A. FIELDS,
Major, GS, Executive Secretary,
Army Advisory Panel on ROTC Affairs.

[FR Doc.74–13784 Filed 6–14–74;8:45 am]

Department of the Navy

CONSTRUCTION 140 FAMILY HOUSING UNITS AT FORT SHERIDAN, ILLINOIS

Notice of Public Hearing and Availability of Draft Environmental Impact Statement

Announcement. A public hearing will be held for the purpose of soliciting comments from the public regarding proposed construction by the Navy of 140 family housing units for Naval Air Station, Glenview, Illinois, at Fort Sheridan, Illinois. The hearing will be conducted by a senior naval officer, and will include a presentation of the Navy's plan for such construction.

Date. Thursday, July 18, 1974.

Time. 7:30 p.m.–11:30 p.m.

Place. Auditorium, Deerfield High School, Waukegan Road, Deerfield, Illinois.

Title. Draft Environmental Impact Statement, Navy Family Housing Project, Naval Air Station, Glenview, Illinois, at Fort Sheridan, IL.

Description. The proposal is to construct 140 units of family housing for Naval Air Station, Glenview, Illinois at Fort Sheridan, Illinois. The 140 four-bedroom units of family housing will include 20 units for officers and 120 for enlisted personnel on two non-contiguous sites of 4.3 and 16.9 acres respectively.

WHERE COPIES OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT CAN BE OBTAINED

Northern Division, Naval Facilities Engineering Command, Naval Base, Philadelphia, PA 19112, Attn: Code 09B8. Telephone (215) 755–4021.

Cost of Copies. No charge but stock is limited.

LOCATION OF LOCAL COPIES AVAILABLE FOR PUBLIC REFERENCE

City Hall
17 Highwood Avenue
Highwood, Illinois 60040

Board of Education
Elementary School District No. 111
806 Euclid Court
Highwood, Illinois 60040

City Hall
1707 St. Johns Avenue
Highland Park, Illinois 60035

Highwood Chamber of Commerce
32 Burtis Avenue
Highwood, Illinois 60040

Highland Park Chamber of Commerce
1811 St. Johns Avenue
Highland Park, Illinois 60035

Highland Park Public Library
494 Laurel Avenue
Highland Park, Illinois 60035

Environmental Protection Agency
1 N. Wacker Drive
Chicago, Illinois 60606

Post Engineer
Fort Sheridan, Illinois 60037

Commanding Officer
Naval Air Station
Glenview, Illinois 60026

Director
Great Lakes Branch

Northern Division
Naval Facilities Engineering Command
Building 1-A
Great Lakes, Illinois

Commandant
Ninth Naval District
Building 1
Great Lakes, Illinois 60088

Clerk
Deerfield Township
1637 Green Bay Road
Deerfield, Illinois 60035

Name, address, and telephone number of government contact. Capt. H. E. Falk, CEC, Director, Great Lakes Branch Northern Division, Naval Facilities Engineering Command, Bldg. 1A, Great Lakes, Illinois, 60088; telephone (312) 688-6895.

Time limit for oral presentations. The following procedures will be followed during the public hearing. Individual speakers will be limited to 5 minutes, with 10 minutes for a group spokesman. There will be no relinquishing of time by one speaker to another. Written statements, in addition to or in lieu of oral presentations, will be accepted. The submission of written documentation and text material pertaining to the technical aspects of the proposal is encouraged. The closing date for including written communications in the hearing record is July 25, 1974.

Dated: June 10, 1974.

H. B. ROBERTSON, Jr.,
Rear Admiral, JAGC, U.S. Navy,
Acting Judge Advocate General.

[FR Doc.74-13785 Filed 6-14-74;8:45 am]

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

AMPHETAMINE

Aggregate Production Quota for 1974

Section 306 of the Controlled Substances Act (21 U.S.C. 826) requires that the Attorney General establish aggregate production quotas for all controlled substances listed in Schedule I and II by July 1 of each year. This responsibility has been delegated to the Administrator of the Drug Enforcement Administration by § 0.100 of Title 28 of the Code of Federal Regulations. The quotas are to provide adequate supplies of each such substance for (1) the estimated medical, scientific, research, and industrial needs of the United States, (2) lawful export requirements, and (3) the establishment and maintenance of reserve stocks.

On July 3, 1973, the Drug Enforcement Administration published in the FEDERAL REGISTER a notice of proposed 1974 Aggregate Production Quota for Amphetamine (38 FR 17741).

In order to meet the statutory requirement that 1974 production quota be established on or before July 1, 1973, the Administration utilized the same data used for setting the 1973 quota on May 8, 1973 (38 FR 11473).

On April 3, 1974, the Drug Enforcement Administration published in the FEDERAL REGISTER a Notice of Proposed 1974 Amphetamine Aggregate Production Quota revising the July 3, 1973 proposed aggregate production quota.

All interested parties were invited to comment on or object to the proposed aggregate production quota on or before April 29, 1974. No comments or objections have been received by the Administration.

Therefore, the Administrator of the Drug Enforcement Administration under the authority vested in the Attorney General by section 306 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 826) and delegated to the Administrator, Drug Enforcement Administration by Section 0.100 of Title 28 of the Code of Federal Regulations, orders that the 1974 aggregate production quota for amphetamine expressed in grams in terms of its anhydrous base, be established as follows:

Basic class. Amphetamine.
Granted. 3,657,153.

All persons who submitted an application for either an individual manufacturing quota or procurement quota for 1974 will be notified by mail as to their respective 1974 quota established by the Administration.

This order is effective on June 17, 1974.

Dated: June 11, 1974.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

[FR Doc.74-13760 Filed 6-14-74;8:45 am]

Law Enforcement Assistance Administration

PRIVATE SECURITY ADVISORY COUNCIL

Notice of Meeting

Notice is hereby given that the Private Security Advisory Council to the Law Enforcement Assistance Administration will meet on June 27 and June 28, 1974 at the Hilton Hotel in Washington, D.C.

The meeting will be open to the public. Any interested person may file a written statement with the council for its considerations.

Statements may be sent to or information requested from Irving Slott, Law Enforcement Assistance Administration, U.S. Department of Justice, 633 Indiana Avenue, NW., Washington, D.C. 20530.

GERALD H. YAMADA,
Advisory Committee Management Officer, Office of General Counsel.

[FR Doc.74-13751 Filed 6-14-74;8:45 am]

SOUTHEAST TENNESSEE REGIONAL CORRECTIONAL FACILITY

Availability of Final Environmental Statement

Notice is hereby given that on May 17, 1974, the Law Enforcement Assistance Administration issued the Final Environmental Impact Statement Southeast Tennessee Regional Correctional Facility. The Draft Environmental Impact Statement was distributed for review and comment on January 16, 1974. Comments received on the draft have been taken into account in preparation of the final statement. Copies of this Final Environmental Impact Statement are available to the public at the LEAA Regional Office, 730 Peachtree Street, NE., Room 985, Atlanta, Georgia and the Tennessee Law Enforcement Planning Agency, Suite 206, Capitol Hill Building, 301 Seventh Avenue, North Nashville, Tennessee.

DONALD E. SANNTARELLI,
Administrator.

[FR Doc.74-13752 Filed 6-14-74;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[New Mexico 21098]

NEW MEXICO

Notice of Application

JUNE 5, 1974.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Llano, Inc., has applied for an 8-inch pipeline right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 19 S., R. 28 E.,
Sec. 35, E½W½.
T. 20 S., R. 28 E.,
Sec. 11, E½W½;
Sec. 14, NE¼NW¼.

This pipeline will convey natural gas across 2.187 miles of national resource land in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, New Mexico 88201.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.74-13753 Filed 6-14-74;8:45 am]

[New Mexico 21527, 21528, 21529, 21530, 21620, 21621, 21622, 21623, 21631, 21632, 21637, 21672, 21673, 21684]

NEW MEXICO

Notice of Applications

JUNE 7, 1974.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for fourteen 4½-inch natural gas pipelines right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 27 N., R. 4 W.,
Sec. 19, NE¼NE¼.
T. 28 N., R 5 W.,
Sec. 10, SW¼SE¼.
T. 27 N., R. 6 W.,
Sec. 1, E½SW¼;
Sec. 7, W½NE¼;
Sec. 9, W½NE¼;
Sec. 10, SW¼SW¼ and S½NE¼;
Sec. 14, S½NE¼ and W½SW¼;
Sec. 15, E½NE¼.
T. 28 N., R. 6 W.,
Sec. 8, SW¼SE¼;
Sec. 18, S½NE¼;
Sec. 31, lot 3, NE¼NE¼, S½NE¼ and NE¼SW¼.

These pipelines will convey natural gas across 1.646 miles of national resource land in Rio Arriba County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, 3550 Pan American Freeway, NE, Albuquerque, NM 87107.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.74-13754 Filed 6-14-74;8:45 am]

National Park Service

[Order No. 2]

ADMINISTRATIVE OFFICER, GEORGE WASHINGTON MEMORIAL PARKWAY

Delegation of Authority

SECTION 1. *Administrative Officer.* The Administrative Officer may issue purchase orders not in excess of $2,000 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

SEC. 2. *Revocation.* This order supersedes Order No. 1 published October 31, 1968 (33 FR 16030).

(National Park Service Order No. 78 (38 FR 10477) dated April 27, 1973 as amended; National Capital Parks Order No. 5 (37 FR 14892) dated July 26, 1972; National Capital Parks Order No. 5, Amendment No. 1 (38 FR 19419) dated July 20, 1973; National Capital Parks Order No. 5, Amendment No. 2 (39 FR 11445) dated March 28, 1974.)

Dated: May 2, 1974.

JAMES J. REDMOND,
Acting Superintendent.

[FR Doc.74-13793 Filed 6-14-74;8:45 am]

[Order No. 1]

ADMINISTRATIVE OFFICER, KENNEDY CENTER SUPPORT GROUP

Delegation of Authority

SECTION 1. *Administrative Officer.* The Administrative Officer may issue purchase orders not in excess of $2,000 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

(National Park Service Order No. 78 (38 FR 10477) dated April 27, 1973, as amended; National Capital Parks Order No. 5 (37 FR 14892) dated July 26, 1972; National Capital Parks Order No. 5 Amendment No. 1 (38 FR 19419) dated July 20, 1973; National Capital Parks Order No. 5, Amendment No. 2 (39 FR 11445) dated March 28, 1974.)

Dated: April 10, 1974.

OLOF R. ANDERSON,
General Manager.

[FR Doc.74-13796 Filed 6-14-74;8:45 am]

[Order No. 1]

ADMINISTRATIVE OFFICER, NATIONAL CAPITAL PARKS, WEST

Delegation of Authority

SECTION 1. *Administrative Officer.* The Administrative Officer may issue purchase orders not in excess of $2,000 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

(National Park Service Order No. 78 (38 FR 10477) dated April 27, 1973 as amended; National Capital Parks Order No. 5 (37 FR 14892) dated July 26, 1972; National Capital Parks Order No. 5, Amendment No. 1 (38 FR 19419) dated July 20, 1973; National Capital Parks Order No. 5, Amendment No. 2 (39 FR 11445) dated March 28, 1974)

Dated: April 12, 1974.

LUTHER C. BURNETT,
Superintendent.

[FR Doc.74-13794 Filed 6-14-74;8:45 am]

[Order No. 1]

ADMINISTRATIVE OFFICER, NATIONAL CAPITAL PARKS, EAST

Delegation of Authority

SECTION 1. *Administrative Officer.* The Administration Officer may issue purchase orders not in excess of $2,000 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

(National Park Service Order No. 78 (38 FR 10477) dated April 27, 1973, as amended; National Capital Parks Order No. 5 (37 FR 14892) dated July 26, 1972; National Capital Parks Order No. 5, Amendment No. 1 (38 FR 19419) dated July 20, 1973; National Capital Parks Order No. 5, Amendment No. 2 (39 FR 11445) dated March 28, 1974.)

Dated: April 8, 1974.

IRA J. HUTCHISON,
Superintendent.

[FR Doc.74-13797 Filed 6-14-74;8:45 am]

[Order No. 1]

ADMINISTRATIVE OFFICER, NATIONAL VISITOR CENTER

Delegation of Authority

SECTION 1. *Administrative Officer.* The Administrative Officer may issue purchase orders not in excess of $2,000 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

(National Park Service Order No. 78 (38 FR 10477) dated April 27, 1973 as amended; National Capital Parks Order No. 5 (37 FR 14892) dated July 26, 1972; National Capital Parks Order No. 5, Amendment No. 1 (38 FR 19419) dated July 20, 1973; National Capital Parks Order No. 5, Amendment No. 2 (39 FR 11445) dated March 28, 1974.)

Dated: April 19, 1974.

JAMES C. GROSS,
General Manager.

[FR Doc.74-13795 Filed 6-14-74;8:45 am]

[Order No. 1]

ADMINISTRATIVE OFFICER, WOLF TRAP FARM PARK

Delegation of Authority

SECTION 1. *Administrative Officer.* The Administrative Officer may issue purchase orders not in excess of $2,000 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

(National Park Service Order No. 78 (38 FR 10477) dated April 27, 1973, as amended; National Capital Parks Order No. 5 (37 FR 14892) dated July 26, 1972; National Capital Parks Order No. 5, Amendment No. 1 (38 FR 19419) dated July 20, 1973; National Capital Parks Order No. 5, Amendemnt No. 2 (39 FR 11445) dated March 28, 1974.)

Dated: April 22, 1974.

J. CLAIRE ST. JACQUES,
Director, Wolf Trap Farm Park.

[FR Doc. 74-13798 Filed 6-14-74;8:45 am]

[Order No. 7]

ASSISTANT SUPERINTENDENT ET AL., ROCKY MOUNTAIN NATIONAL PARK AND SHADOW MOUNTAIN NATIONAL RECREATION AREA

Delegation of Authority

SECTION 1. *Assistant Superintendent and Administrative Officer.* The Assistant Superintendent and Administrative Officer may execute and approve contracts not in excess of $100,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds. This authority may be exercised on behalf of any office or area under the supervision of the Superintendent of Rocky Mountain National Park.

SEC. 2. *Procurement and Property Management Officer.* The Procurement and Property Management Officer may execute and approve contracts not in excess of $25,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds. This authority may be exercised on behalf of any office or area under the supervision of the Superintendent of Rocky Mountain National Park.

SEC. 3. *Assistant Procurement and Property Management Officer and General Supply Assistant.* The Assistant Procurement and Property Management Officer and General Supply Assistant may issue purchase orders not in excess of $2,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds. This authority may be exercised on behalf of any office or area under the supervision of the Superintendent of Rocky Mountain National Park.

SEC. 4. *Chief Park Ranger, East District Park Ranger, West Unit Manager, Maintenance Foreman, Maintenance Supervisor, Maintenance General Foreman, and Shop Foreman.* The Chief Park Ranger, East District Park Ranger, West Unit Manager, Maintenance Foreman, Maintenance Supervisor, Maintenance General Foreman, and Shop Foreman may issue purchase orders not in excess of $100 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds. This authority may be exercised on behalf of any office or area under the supervision of the Superintendent of Rocky Mountain National Park.

SEC. 5. *Revocation.* This order supersedes Order No. 6, Rocky Mountain National Park, dated June 5, 1972, and published in 37 FR 14823, July 25, 1972.

(National Park Service Order No. 77 (38 FR 7478) as amended)

Dated: April 29, 1974.

ROGER J. CONTOR,
Superintendent, Rocky Mountain National Park and Shadow Mountain National Recreation Area.

[FR Doc.74-13800 Filed 6-14-74;8:45 am]

[Order No. 5, Amdt. 3]

SUPERINTENDENTS ET AL., MIDWEST REGION

Delegation of Authority

Midwest Region Order No. 5, approved March 1, 1972, and published in the FR of March 28, 1972 (37 FR 6324) and Amendment No. 1, approved October 12, 1972, and published in the FR of November 3, 1972 (37 FR 23464) and Amendment No. 2, approved May 3, 1973, and published in the FR of June 4, 1973 (38 FR 14697) are hereby amended to change the designation references from Director of Midwest Region to Regional Director, Midwest Region.

Section 1, paragraphs (f) and (g) are amended as follows:

(f) Authority to designate areas at which recreation fees will be charged, as specified by the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended.

(g) Authority to select from the fees established by 43 CFR Part 18 (38 FR 3385), specific fees to be charged at the designated areas in accordance with the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended.

Section 2, paragraphs (a) and (b) are hereby amended to read as follows:

(a) *Associate Regional Director, Administration.* The Associate Regional Director, Administration, is authorized to exercise all the procurement and contracting authority now or hereafter vested in the Regional Director, Midwest Region, except authority to contract for acquisition of land and related property, and options and offers to sell related thereto.

(b) *Regional Chief, Contracting and Property Management Division.* The Regional Chief, Contracting and Property Management Division, is authorized to exercise all the procurement and contracting authority now or hereafter vested in the Regional Director, Midwest Region, except authority to contract for acquisition of land and related property, and options and offers to sell related thereto.

(National Park Service Order No. 77, 38 FR 7478, published March 22, 1973, as amended; 38 FR 16789, published June 26, 1973; and 39 FR 4597 published February 5, 1974.)

Dated: May 15, 1974.

ROBERT L. GILES,
Acting Regional Director.

[FR Doc.74-13799 Filed 6-14-74;8:45 am]

Office of Hearings and Appeals

[Docket No. M74-100]

UNITED POCAHONTAS COAL CO.

Amendment to Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), United Pocahontas Coal Company has filed an amended petition to modify the application of 30 CFR 75.1405 to its Crumbler Mine No. 10 located near Crumbler, West Virginia.

30 CFR 75.1405 provides:

All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and uncouple without the necessity of persons going between the ends of such equipment. All haulage equipment without automatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30, 1970.

Petitioner's amendment to the original petition, published in FEDERAL REGISTER, Vol. 39, No. 82, Friday, April 26, 1974, at 14783, pertains to the alternate method as proposed in the original petition. In support of the amendment, Petitioner states the following:

(1) Since the petition was filed, Petitioner's representatives, in cooperation with local union and District UMWA representatives and technical representatives of Mining Enforcement and Safety Administration and a State Mine Inspector, have designed, installed and field tested a device, hereinafter called "Aligning Bar" which is permanently fastened to the rear end of the last car of a permanently coupled string of mine cars, and which makes unnecessary the use of the Hand Link Aligner to position the link when coupling strings of cars together. In coupling a string of cars to an electric locomotive the Hand Link Aligner would continue to be used by the motor crews.

(2) It is hereby proposed that the "Aligning Bar" be installed on the rear end of the last car of each string of cars used in mine haulage at this mine and that it be used as part of the alternate method being proposed in the subject petition for modification in conjunction with the Coupling Lever and in place of the Hand Link Aligner for coupling strings of mine haulage cars at the subject mine. The Hand Link Aligner would only be used in connection with coupling strings of mine cars to electric locomotives.

(3) The substitution of the "Aligning Bar" for the Hand Link Aligner, as proposed, is feasible at this mine since the mine cars involved are rotary dump cars with fixed ends (unlike front-end dump cars where one end of the car is pivoted to swing upwards when the car is being dumped).

(4) The safety feature of the "Aligning Bar" consists of its being used to position the link, as necessary for coupling, without the necessity of employees doing this by hand. The "Aligning Bar" accomplishes the same result achieved by the Hand Link Aligner but in more convenient form. It is not feasible to affix the "Aligning Bar" to the electric locomotives because coupling may need to be made from either end of the locomotive and the type of bumpers in use on the locomotives at this mine make it impractical to mount an "Aligning Bar." The Hand Link Aligners provide the same degree of safety as the "Aligning Bar," and by being maintained as an accessory on each electric locomotive will be always convenient for use by the motor crews.

(5) In view of the foregoing it is hereby proposed that the use of the Aligning Bar, as heretofore described, be included as part of the Alternate Method being proposed in the captioned Petition for Modification and the original petition is accordingly amended to so provide.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before July 17, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,
Director,
Office of Hearings and Appeals.

JUNE 5, 1974.

[FR Doc.74-13792 Filed 6-14-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Soil Conservation Service

PALUXY RIVER WATERSHED PROJECT, TEXAS

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 Paluxy River Watershed Project, Erath, Hood, and Somervell Counties, Texas, USDA–SCS–ES–WS–(ADM)–73–34–(F).

The environmental statement concerns a plan for watershed protection, flood prevention, and agricultural and nonagricultural water management. The plan includes conservation land treatment measures on about 55,279 acres of grassland and cropland, supplemented by 23 floodwater retarding structures and 3 multiple-purpose reservoirs.

The final environmental statement was transmitted to CEQ on June 5, 1974.

A limited supply is available at the following locations to fill single copy requests:

Soil Conservation Service, USDA, South Agriculture Building, Room 5227, 14th and Independence Avenue SW., Washington, D.C. 20250

Soil Conservation Service, USDA, First National Bank Building, P.O. Box 648, Temple, Texas 76501

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services)

Dated: June 5, 1974.

EUGENE C. BUIE,
Acting Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.74–13791 Filed 6–14–74;8:45 am]

SLEDGE BAYOU 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 Sledge Bayou Watershed Project, Quitman County, Mississippi, USDA–SCS–ES–WS–(ADM)–74–2 (F).

The environmental statement concerns a plan for watershed protection, flood prevention and agricultural drainage. The planned works of improvement provide for conservation land treatment, supplemented by about 32 miles of multiple purpose channel work. The channel work serves both flood prevention and drainage needs. The work consists of about 1.2 miles of new channel, 15.8 miles of enlargement by excavation and 15.0 miles of cleaning out channels that were dug in 1922. All streams in the watershed are ephemeral, flowing only during periods of surface runoff.

The final environmental statement has been filed with the Council on Environmental Quality.

A limited supply is available at the following location to fill single copy requests:

Soil Conservation Service, USDA, Room 502 Milner Building, Lamar at Pearl Streets, P.O. Box 610, Jackson, Mississippi 39205

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services)

Dated: June 7, 1974.

WILLIAM B. DAVEY,
Deputy Administrator for Water Resources, Soil Conservation Service.

[FR Doc.74–13790 Filed 6–14–74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

STRENGTHENING DEVELOPING INSTITUTIONS PROGRAM; BASIC AND ADVANCED INSTITUTIONAL DEVELOPMENT PROGRAMS

Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in section 304 of title III of the Higher Education Act of 1965, as amended (20 U.S.C. 1054), applications are being accepted from institutions of higher education for grants under both the Basic and Advanced Institutional Development Programs (title III, HEA, 20 U.S.C. 1051 et seq.).

Applications must be received by the U.S. Office of Education Application Control Center on or before October 31, 1974.

A. *Applications sent by mail.* An application sent by mail should be addressed as follows: Application Control Center, U.S. Office of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202, Attention: Basic 13.454 or Advanced 13.454. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail no later than the fifth calendar day prior to the closing date (or if such fifth calendar day is Saturday, Sunday, or Federal holiday, not later than the next following business day), as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.)

B. *Hand delivered applications.* An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, S.W., Washington, D.C. 20202. Hand delivered applications will not be accepted by the Application Control Center after 4 p.m. Washington, D.C. time, on the closing date.

C. *Program information and forms.* Information and application forms may be obtained from the Bureau of Postsecondary Education, Division of Institutional Development, Basic Institutional Development Branch and/or Advanced Institutional Development Branch, Regional Office Building Three, 7th and D Streets, SW., Washington, D.C. 20202.

(20 U.S.C. 1054)

Dated: June 7, 1974.

(Catalog of Federal Domestic Assistance Number 13.454; Strengthening Developing Institutions)

DUANE J. MATTHEIS,
Acting U.S. Commissioner of Education.

[FR Doc.74–13741 Filed 6–14–74;8:45 am]

Office of the Secretary

ASSISTANT SECRETARY FOR ADMINISTRATION AND MANAGEMENT ET AL.

Delegations of Authority

Notice is hereby given that delegations of authority have been made pursuant to section 203 (j), (k), and (n) of the Federal Property and Administrative Services Act of 1949, as amended, and Federal Civil Defense Administration (Defense Civil Preparedness Agency) Delegation 5, as follows:

1. Delegation from the Secretary, Department of Health, Education, and Welfare to the Assistant Secretary for Administration and Management of authorities vested in the Secretary by section 203 (j), (k), and (n) of said Act, as amended, and Federal Civil Defense Administration (Defense Civil Preparedness Agency) Delegation 5. The delegated authority may be redelegated.

2. Delegation from the Assistant Secretary for Administration and Management to the Director, Office of Facilities Engineering and Property Management, of all authorities vested in the Assistant Secretary for Administration and Management to administer the Federal surplus property program. The delegated authority may be redelegated.

3. Delegation from the Director, Office of Facilities Engineering and Property Management to the Director, Office of Surplus Property Utilization, of all authorities vested in the Director, Office of Facilities Engineering and Property Management to administer the Federal surplus property program. The delegated authority may be redelegated. This delegation is concurrent with a delegation to the Regional Directors.

4. Delegation from the Director, Office of Facilities Engineering and Property Management to the several Regional Di-

rectors of the Department of Health, Education, and Welfare of the authorities vested in the Director, Office of Facilities Engineering and Property Management to administer the Federal surplus property program. The delegated authority may be redelegated.

The authorities delegated herein supersede all previous delegations of authority on this subject matter and were effective upon execution.

Dated: June 5, 1974.

JOHN OTTINA,
Assistant Secretary for Administration and Management.

[FR Doc.74-13801 Filed 6-14-74;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Interstate Land Sales Registration

[Docket No. N-74-236]

THUNDERBIRD VALLEY ET AL.

Notice of Hearing

In the matters of Thunderbird Valley, Thunderbird Hills, Thunderbird Mobile Estates, Unit 1, Docket No. 74-14; Desert Sky, Docket No. 74-16; Conquistador Estates, Docket No. 74-22; et al.

Notice is hereby given that:

1. Thunderbird Valley, Inc., 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), were notified pursuant to 15 U.S.C. 1706(d) and 24 CFR 1710.45(b)(1) of Proceedings and Opportunity for Hearing in 39 FR 13799, 13800, March 17, 1974. This notice informed the Developer of information obtained by the Office of Interstate Land Sales Registration showing that changes had occurred which affected material facts in the Developer's Statement of Record for Thunderbird Valley, Thunderbird Hills, Thunderbird Mobile Estates, Unit 1, Graham County, Arizona; Desert Sky, Cochise County, Arizona; and Conquistador Estates, Graham County, Arizona. The Developer has failed to amend pertinent sections of the Statement of Record and Property Reports.

2. The Respondent filed an answer May 6, 1974, in answer to the allegations of the Notice of Proceedings and Opportunity for a Hearing.

3. The Answer of the Respondent is deemed to constitute a request for 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 John F. Cook, 4015 Wilson Boulevard, Arlington, Virginia, 10th Floor Hearing Room C on June 17, 1974 at 10 a.m.

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 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: June 12, 1974.,

GEORGE K. BERNSTEIN,
Interstate Land Sales Administrator.

[FR Doc.74-13911 Filed 6-14-74;8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 74-154]

PROPOSED BRIDGE ACROSS THE NANTICOKE RIVER, SHARPSTOWN, MARYLAND

Notice of Public Hearing

Notice is hereby given that the Commandant has authorized a public hearing to be held by the Commander, Fifth Coast Guard District, at 8 p.m., Wednesday, July 24, 1974 in the Wicomico County Courthouse, Salisbury, Maryland. This hearing is being held pursuant to the provisions of the Modified Preliminary Injunctive Order of the U.S. District Court for the District of Delaware, Civil Action No. 4767 dated May 10, 1974. This Order requires the conduct of a public hearing by the Commander, Fifth Coast Guard District, on the application of the State of Maryland dated May 10, 1974 for reinstatement of Bridge Permit Number 179-69 which expired on October 20, 1972 to construct a bridge across the Nanticoke River at Sharpstown, Maryland.

The plans approved by the expired Bridge Permit are for a fixed two lane highway bridge to carry the relocation of Maryland Route 313. The plans provide for a minimum vertical clearance of 40.0 feet above Mean High Water, and 47.7 feet above Mean Low Water. The minimum horizontal clearance normal to the axis of the channel is 80.0 feet.

The general areas of opposition to the reinstatement of this Bridge Permit to construct the proposed bridge with a minimum vertical clearance of 40.0 feet at Mean High Water are that this vertical clearance would:

a. Have an adverse impact on the ability of some commercial shipping presently using the Nanticoke River to reach Seaford, Delaware, located upstream of Sharpstown;

b. have an adverse impact and cause irreparable harm to recreational or noncommercial boating using the Nanticoke River upstream of Sharpstown;

c. prevent and curtail future growth of commercial shipping and recreational boating upstream of Sharpstown, and

d. would adversely affect the economic growth and development of Seaford as an economically viable area and the development of the Port of Seaford.

All interested persons may present data, views and comments, orally or in writing at this public hearing concerning the issues enumerated in a, b, c and d above.

The hearing will be informal. A Coast Guard representative who will preside at the hearing will make a brief opening statement describing the proposed bridge and announce the procedures to be followed at the hearing.

Each person who wishes to make an oral statement should notify the Commander, Fifth Coast Guard District (oan), 431 Crawford Street, Portsmouth, Virginia 23705 by July 19, 1974. Such notification should include the approximate time required to make the presentation. A transcript will be made of the hearing and may be purchased by the public.

Interested persons who are unable to attend this hearing may also participate in the consideration of this bridge permit application by submitting their comments in writing on or before August 7, 1974 to the Commander, Fifth Coast Guard District (oan). Each comment should state the reasons for any objections or proposed changes to the plans and the name and address of the person or organization submitting the comment. Copies of all written communications will be available for examination by interested persons at the office of the Commander, Fifth Coast Guard District (oan).

All comments received will be considered before final action is taken on the proposed bridge permit application. After the time set for the submission of comments, the Commander, Fifth Coast Guard District, will forward the record, including all written comments and his recommendations to the Commandant, U.S. Coast Guard, Washington, D.C. 20590. The Commandant will make the final determination on the bridge permit.

(Sec. 502, 60 Stat. 847, as amended (33 U.S.C. 525, 49 U.S.C. 1655(g)(6)(C)); 40 CFR 1.46(c)(10)))

Dated: June 7, 1974.

R. I. PRICE,
Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc.74-13789 Filed 6-14-74;8:45 am]

Federal Aviation Administration

[OE Docket No. 74-SW-2]

AVIATION SYSTEMS ASSOCIATES

Petition for and Grant of Review

On April 22, 1974, the Federal Aviation Administration Southwest Region issued a Determination of Hazard to Air Navigation under Aeronautical Study Number 73-SW-1808-OE. The determination concerns a proposal by Aviation

Systems Associates, Redondo Beach, California, to construct a television antenna tower near Port Isabel, Texas, at latitude 26°04'30" north, longitude 97°15'30" west. The overall height of the structure would be 1,439 feet above ground level and 1,449 feet above mean sea level.

The sponsor petitioned the Administrator of the FAA for a discretionary review of the determination on May 14, within the 30-day period specified in § 77.37 of Part 77 of the Federal Aviation Regulations. The petitioner states the following consideration as basis for the review:

1. That the determination of hazard is written in a manner which tends to confuse the issue and intermixes comments and considerations concerning two different sites studied.

2. That there is no aeronautical basis for the determination of hazard.

3. That changes to IFR procedures to accommodate the proposed structure were not considered.

Pursuant to the authority in § 77.37(c) of the Federal Aviation regulations, which has been delegated to me (30 FR 13023), the petition for discretionary review is hereby granted. The review will be conducted on the basis of written materials as set forth in Federal Aviation regulations, § 77.37(c)(1).

Interested persons may, within 30 days of the date of issuance of this notice, submit aeronautical information relevant to the question as to whether or not the proposed television antenna structure would have an adverse effect on the safe and efficient use of airspace by aircraft. Each submission must contain sufficient detail to establish a clear understanding of the reason for any claim. Submissions should be in triplicate and addressed to the Chief, Airspace Obstruction and Airports Branch, AAT-240, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591.

Pending final disposition of the petition, the Determination of Hazard to Air Navigation issued by the Southwest Region under Aeronautical Study Number 73-SW-1808-OE is not final.

Issued in Washington, D.C., on June 10, 1974.

RAYMOND G. BELANGER,
Director, Air Traffic Service.

[FR Doc.74-13747 Filed 6-14-74;8:45 am]

PROCEDURES FOR HANDLING AIRSPACE MATTERS

Proposed FAA Handbook Change; Extension of Comment Period

Public notice was given on April 11, 1974, of the Federal Aviation Administration proposal to amend paragraph 1453, Section 3, Chapter 25, Part 6, of FAA Handbook 7400.2B, to allow a finding of no substantial adverse effect on VFR en route operations when proposed structures are obstruction marked with the FAA approved high intensity obstruction lighting system, provided that all other guidelines for evaluating aeronautical effect have been satisfied. The notice provided interested parties an opportunity to comment on the proposed changes. Interested parties were invited to participate by submitting such written data, views or arguments as they might desire. Written comments were to have been submitted prior to June 1, 1974. Subsequently, interested persons have requested additional time in which to prepare their comments. Therefore, the period for comments is hereby extended to July 1, 1974.

Issued in Washington, D.C., on June 4, 1974.

RAYMOND G. BELANGER,
Director, Air Traffic Service.

[FR Doc.74-13748 Filed 6-14-74;8:45 am]

National Highway Traffic Safety Administration

BUICK AND CADILLAC ENGINE MOUNT FAILURES

Postponement of Public Proceeding

On June 3, 1974 (39 FR 19529), the NHTSA published notice of a public proceeding in the above-captioned matter, to be held on June 18, 1974. Due to procedural difficulties, the NHTSA has determined that the proceeding must be postponed. Notice of a new date for the proceeding will be published in the FEDERAL REGISTER.

(Sec. 113, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1402); delegations of authority at 49 CFR 1.51 and 49 CFR 501.8)

Issued on June 13, 1974.

ROBERT L. CARTER,
Associate Administrator, Motor Vehicle Programs.

[FR Doc.74-13919 Filed 6-14-74;8:45 am]

NATIONAL HIGHWAY SAFETY ADVISORY COMMITTEE AD HOC TASK FORCE ON ADJUDICATION

Notice of Public Meeting

On June 28-29, 1974, the National Highway Safety Advisory Committee's Ad Hoc Task Force on Adjudication will hold an open meeting at the Department of Transportation Headquarters Building, 400 Seventh Street, SW., Washington, D.C.

The National Highway Safety Advisory Committee is composed of 35 members appointed by the President in accordance with the Highway Safety Act of 1966 (23 U.S.C. 401 et seq.). The Committee consists of representatives of State and local governments, State legislatures, public and private interests contributing to, affected by, or concerned with highway safety, other public and private agencies, organizations, and groups demonstrating an active interest in highway safety, and research scientists and other experts in highway safety.

The Advisory Committee advises, consults with, and makes recommendations to the Secretary of Transportation on matters relating to the activities of the Department in the field of highway safety. The Committee is specifically authorized (1) to review research projects or programs, and (2) to review, prior to issuance, standards proposed to be issued by the Secretary under the national highway safety program.

The Ad Hoc Task Force on Adjudication will meet on June 28 from 9 a.m. to 4 p.m. in room 4234 with the following agenda:

Report on Effective Highway Safety Adjudication Mandatory Sanctions and Highway Safety.

On Saturday, June 29, the task force will meet from 9 a.m. to 12 noon in room 4234 with the following agenda:

Mandatory Sanctions and Highway Safety, continued.

The above meetings will be held subject to approval by the Secretary of Transportation.

Further information may be obtained from the Executive Secretariat, National Highway Traffic Safety Administration, Department of Transportation, 400 Seventh Street, SW., Washington, D.C. 20590, telephone 202-426-2872.

This notice is given pursuant to section 10(a)(2) of Public Law 92-463, Federal Advisory Committee Act (FACA), effective January 5, 1973.

Issued: June 11, 1974.

CALVIN BURKHART,
Executive Secretary.

[FR Doc.74-13835 Filed 6-14-74;8:45 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-409]

DAIRYLAND POWER COOPERATIVE

Notice of Request for Variance Involving Provisional Operating License

The Dairyland Power Cooperative of La Crosse, Wisconsin (licensee), is authorized by Provisional Operating License No. DPR-45 to operate a nuclear power reactor identified as the La Crosse Boiling Water Reactor (the facility), located in Vernon County, Wisconsin, at steady-state power levels up to 165 MWt. The licensee has requested a variance for the facility of the July 1, 1974, requirement for achieving compliance with the Commission's Interim Acceptance Criteria (36 FR 12247, June 29, 1971) for emergency core cooling systems for light-water reactors.

Notice is hereby given that the Director of Regulation is considering the requested variance which would extend the July 1, 1974 deadline for achieving compliance for the facility. The variance may be granted upon a finding that good cause has been shown, and that there is reasonable assurance that the granting of the variance will not adversely affect the health and safety of the public. The Director of Regulation will consider and issue a determination, together with

supporting reasons, with respect to the request for a variance. In that connection, the Director of Regulation invites the submission of views and comments by any interested persons. Such views and comments should be submitted in writing, addressed to the Director of Licensing, USAEC, Washington, D.C. 20545, not later than fourteen days after the date of publication of this notice.

A copy of the licensee's June 13, 1974, request and related correspondence and documents are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and the Sparta Free Library at P.O. Box 347, Sparta, Wisconsin 54565.

For the Atomic Energy Commission.

Dated at Bethesda, Maryland, this 13th day of June 1974.

DENNIS L. ZIEMANN,
Chief, Operating Reactors Branch #2, Directorate of Licensing.

[FR Doc.74-13921 Filed 6-14-74;8:45 am]

[Dockets Nos. 50-250, 50-251]

FLORIDA POWER & LIGHT CO.

Issuance of Amendments to Facility Operating Licenses

Notice is hereby given that the U.S. Atomic Energy Commission (the Commission) has issued Amendments No. 2 and No. 1, respectively, to Facility Operating Licenses Nos. DPR-31 and DPR-41 issued to Florida Power and Light Company which revised Technical Specifications for operation of the Turkey Point Plant Units 3 and 4, located in Dade County, Florida. The amendments are effective as of the date of issuance.

The change modifies the surveillance test interval for the containment spray system so that it is consistent with testing requirements of other plant safeguard systems and with intervals which have been found acceptable at other nuclear power generating plants.

The application for the change complies with the standards and requirements of the Act and the Commission's rules and regulations and the Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the amendments to the licenses.

For further details with respect to this action, see (1) the application for the change dated May 17, 1974, (2) Amendment No. 2 to License No. DPR-31 and Amendment No. 1 to License No. DPR-41, and (3) the letter to Florida Power and Light Company (transmitting Amendments 2 and 1) which includes an evaluation of the requested change. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Lilly Lawrence Bow Public Library, 212 N.W. First Avenue, Homestead, Florida 33030.

A copy of items (2) and (3) may be obtained upon request addressed to the United States Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing—Regulation.

Dated at Bethesda, Maryland, this 4th day of June 1974.

For the Atomic Energy Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors Branch #1, Directorate of Licensing.

[FR Doc.74-13776 Filed 6-14-74;8:45 am]

[Docket No. 50-160]

GEORGIA INSTITUTE OF TECHNOLOGY

Issuance of Amendment to Facility Operating License

No request for a hearing or petition for leave to intervene having been filed following publication of the notice of proposed action in the FEDERAL REGISTER on December 22, 1972 (37 FR 28312), the United States Atomic Energy Commission (the Commission) has issued Amendment No. 1 to Facility Operating License No. R-97 to the Georgia Institute of Technology (Georgia Tech), as proposed in that notice, except that the license wording has been modified to conform with the current Regulatory license format.

The license amendment authorizes Georgia Tech to operate its modified research reactor located on its campus in Atlanta, Georgia, at power levels up to 5 megawatts (thermal) for research and development activities. The amendment also authorizes an increase (from 11 kilograms to 33 kilograms) in the quantity of uranium 235 that Georgia Tech may receive, possess and use in connection with operation of the reactor.

The reactor facility has been inspected by a representative of the Commission and found to have been modified substantially in accordance with the provisions of Construction Permit No. CPRR-116.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment, and has concluded that the issuance of the license amendment will not be inimical to the common defense and security or to the health and safety of the public.

A copy of Amendment No. 1 to License No. R-97 with Technical Specifications and the Safety Evaluation dated December 19, 1972, are available for inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., or may be obtained upon request sent to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing—Regulation. The proposed Technical Specifications were made available for inspection at the above location on April 12, 1974.

Dated at Bethesda, Maryland, this 6th day of June 1974.

For the Atomic Energy Commission.

DENNIS L. ZIEMANN,
Chief, Operating Reactors Branch No. 2, Directorate of Licensing.

[FR Doc.74-13759 Filed 6-14-74;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 26664]

AIR PANAMA INTERNACIONAL, S.A.

Foreign Air Carrier Permit Renewal; Notice of Prehearing Conference and Hearing

Notice is hereby given that a prehearing conference in this proceeding is assigned to be held on August 29, 1974, at 10 a.m. (local time), in Room 503, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C., before Administrative Law Judge E. Robert Seaver.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before August 15, 1974.

Dated at Washington, D.C., June 12, 1974.

[SEAL] RALPH L. WISER,
Chief Administrative Law Judge.

[FR Doc.74-13804 Filed 6-14-74;8:45 am]

[Docket No. 26790; Order 74-6-54]

ALASKA AIRLINES, INC. ET AL.

Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of June 1974.

By tariff revisions [1] marked to become effective June 15, 1974, Alaska Airlines, Inc. (Alaska), Northwest Airlines, Inc. (Northwest), and Western Air Lines, Inc. (Western) propose to increase fares between Seattle and Anchorage 5.5 percent. Alaska also proposes to increase its fares between Seattle and Fairbanks, and between Anchorage and Fairbanks 5.5 percent; while Northwest would also increase its fares between Anchorage and points other than Portland, Seattle, and Spokane by nine percent.

In support of its proposal Alaska submits that the instant filing will complete its general fare increase of 5.5 percent in all markets—increases in other markets having become effective on April 15, 1974. The 5.5 percent increase is allegedly

[1] Revisions to Airline Tariff Publishers, Inc., Agent, Tariff C.A.B. No. 202.

necessary to offset higher fuel cost. It estimates that the instant proposal will provide $622,000 in additional revenue which, when added to the aforementioned April 15 increases, will produce an annual total of $1,793,000 additional revenue, which it claims will fall short of covering increased fuel costs of $2,028,000 for the same period. Alaska forecasts that it will earn an operating profit of $690,000 with the proposed increase and that its rate of return on investment will be 2.1 percent.

Northwest alleges that, in common with all other trunk carriers, it has been experiencing an unparalleled upward spiral in operating costs, and the intent of its filing is to bring fares more into line with costs, and to move closer towards rationalizing the structure of Anchorage fares. It estimates increased passenger revenue amounting to $3,221,000 from its proposal, which will increase its rate of return on States-Alaska investment from 2.72 percent to 5.94 percent.

Western also asserts that the proposed increases are needed to offset the continuing, severe escalation in the cost of fuel. The carrier estimates that the proposed increases would add $341,000 to revenues, based on the number of passengers carried in 1973, after applying a demand elasticity coefficient of −0.7. After adjusting 1973 results to reflect the instant fare increases, elimination of youth and family fares, and fuel costs as of March 1974, Western shows a net profit before taxes of $4,607,000.

Upon consideration of all relevant matters, the Board has determined that the proposals may be unjust or unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial, or otherwise unlawful, and should be investigated. The Board further concludes that these proposals should be suspended pending investigation.

We find several difficulties with the carriers' proposals to increase fares in the mainland-Alaska market at this time, both on the basis of deficiencies in individual carrier justifications, and on the basis of operating results in this rate entity as a whole. Our foremost concern is that the proposed coach fare levels are substantially in excess of the formula prescribed in Phase 9 (Fare Structure) of the Domestic Passenger-Fare Investigation (DPFI).

The Board recognizes that States-Alaska operations were not part of the DPFI, but nevertheless believes the Phase 9 ratemaking standards must be considered as a point of reference in evaluating domestic fares. Put another way, we must ask why, for example, the proposed coach fare in the largest market, Seattle-Anchorage, should be 15.2 percent higher than the fare produced by Phase 9. While there may be some higher costs traceable to operations at Anchorage, much of the cost of providing Alaskan service is incurred within the 48 contiguous states.

Turning to individual carrier data, the Board finds that Western's data is deficient in a number of respects. First, the carrier has provided no support or explanation of the derivation of its profit and loss summary for Alaskan services. No investment data are supplied, instead Alaskan profit is related to system rate of return, a totally inappropriate methodology.

Northwest forecasts a volume of service and traffic which produces a passenger load factor of 45 percent. Northwest's forecast available seat miles are 78 percent over that provided in 1973, but it asserts that in view of the volume of service which its competitors will offer,[2] its service pattern is the minimum it can operate and still remain competitive. The extent of the carrier's ability to fill this capacity is not known. Although, Alaskan oil development activity promises a rather sharp increase in traffic, we are reluctant to permit a significant fare increase until the magnitude of this source of traffic is more clearly defined.

We note that Alaska recently purchased three B–727 aircraft which had been leased. In addition, other debt transactions have materially altered its balance sheet. The carrier did not properly reflect these changes in the forecast data which accompanied its filing, nor did it reflect the fare increase permitted effective April 15, 1974. After adjusting for the foregoing factors, we estimate that the carrier would earn a 13 percent rate of return for the year ended March 31, 1975 without the requested increase.

In summary, the filings raise a number of questions bearing on the reasonableness of the requested increase which the carriers' justifications have not answered to our satisfaction, particularly the overall relationship of the fare structure in the States-Alaska market vis-a-vis fares for comparable distances elsewhere in the domestic system. For these reasons the Board concludes that the requested increases may be excessive and should be suspended.

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

It is ordered, That:

1. An investigation be instituted to determine whether the fares and provisions described in Appendix A [3] and rules, regulations and practices affecting such fares and provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful fares and provisions, and rules, regulations, or practices affecting such fares and provisions;

2. Pending hearing and decision by the Board, the fares and provisions described in Appendix A [3] are suspended and their use deferred to and including September 12, 1974, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The proceeding ordered herein be assigned for hearing before an Administrative Law Judge of the Board at a time and place hereafter to be designated; and

4. Copies of this order be filed in the aforesaid tariffs and served upon Alaska Airlines, Inc., Northwest Airlines, Inc., and Western Air Lines, Inc., which are hereby made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.74–13809 Filed 6–14–74;8:45 am]

[2] This summer Alaska Airlines will operate four nonstop round trips per day between Anchorage and Seattle, while Western will operate seven-round trips, two of which will be with DC–10 equipment. Northwest will provide three daily Seattle-Anchorage DC–10 round trips, a daily B–747 Chicago-Anchorage round trip and an Edmonton-Anchorage round trip.

[3] Filed as part of the original document.

[Order 74–6–56]

CERTAIN UNAUTHORIZED INDIRECT AIR CARRIERS

Order Granting Extension of Temporary Relief

Issued under delegated authority on June 11, 1974.

Extension of temporary relief granted to certain unauthorized indirect air carriers to transport household goods for the Department of Defense.

From time to time, at the request of the Department of Defense (DOD), the Board has granted relief from provisions of the Federal Aviation Act of 1958 (the Act) to permit otherwise unauthorized indirect air carriers to transport used household goods [1] of Department of Defense personnel. A condition for obtaining such relief was that the firm seeking it have on file with the Board an application for air freight forwarder authority. The relief was to expire 180 days after the Board's decision in the Household Goods Air Freight Forwarder Investigation, Docket 20812, became final [2] or, as to each individual company, upon Board disposition of such company's application for interstate and/or international air freight forwarder authority, whichever event shall occur first.[3]

Since the processing of a number of the applications could not be concluded prior to the expiration of the temporary relief, the Department of the

[1] The term "used household goods" means personal effects (including unaccompanied baggage) and property used or to be used in a dwelling, when a part of the equipment or the supply of such dwelling, but specifically excludes (1) furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals or other establishments, when a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments, and (2) objects of art (other than personal effects), displays and exhibits.

[2] Order on reconsideration issued October 16, 1972. Temporary relief was to expire April 16, 1973.

[3] Order 71–10–56, dated October 13, 1971.

Army, acting in behalf of DOD, requested extension of such relief. The Board initially extended the temporary relief for 90 days and subsequently granted further extensions.[4] Such relief is to expire on June 18, 1974.

Delays have been encountered in resolving control and/or interlocking relationship matters, some of which are complex. As a result, the applications of the two applicants named in the appendix will not be completed prior to expiration of the extended deadline. Furthermore, by letter dated July 6, 1973, the Department of the Army requested an extension of the temporary relief for a reasonable period in those cases where processing could not be completed by the time limit previously set. We construe that letter to be a request for whatever additional extension of the temporay relief is necessary to complete the processing.

In view of these circumstances and DOD's request, it is found, pursuant to authority delegated by the Board, that further extension of the temporary relief to those carriers named in the appendix hereto is in the public interest, and that such relief should be extended to September 18, 1974.

Accordingly, it is ordered:

1. That pursuant to sections 101(3) and 204 of the Federal Aviation Act of 1958, as amended, the carriers listed in the appendix hereto are hereby relieved from the provisions of Title IV of the Act to the extent necessary to transport by air used household goods of personnel of DOD upon tender by the Department;

2. That the relief granted herein shall become effective June 19, 1974, and terminate on September 18, 1974, or as to each individual company named in the appendix hereto, upon Board disposition of such company's application for interstate and/or international air freight forwarder authority, whichever event shall occur first;

3. That this order may be amended or revoked at any time in the discretion of the Board without hearing; and

4. That copies of this order shall be served on the Military Traffic Management and Terminal Service, U.S. Army, and the companies listed in the appendix hereto.

This order shall be published in the FEDERAL REGISTER.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file their petitions by June 14, 1974.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review is filed, or the Board gives notice that it will review this order on its own motion.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[4] Order 73-4-57, dated April 12, 1973, as supplemented by Order 73-7-56, dated July 13, 1973, Order 73-9-53, dated September 13, 1973, Order 73-12-13, dated December 4, 1973, and Order 74-3-29, dated March 7, 1974.

APPENDIX

Garrett Forwarding Company
2055 Garrett Way
P.O. Box 4048
Pocatello, Idaho 83201

Smyth Worldwide Movers, Inc.
11616 Aurora Avenue, North
Seattle, Washington 98133

[FR Doc.74-13806 Filed 6-14-74;8:45 am]

[Docket No. 25474]

HAWAII FARES INVESTIGATION

Notice of Reassignment of Proceeding

This proceeding is hereby reassigned from Administrative Law Judge Hyman Goldberg to Administrative Law Judge Robert M. Johnson. Future communications should be addressed to Judge Johnson.

Dated at Washington, D.C., June 11, 1974.

[SEAL] RALPH L. WISER,
Chief Administrative Law Judge.

[FR Doc.74-13805 Filed 6-14-74;8:45 am]

[Dockets Nos. 25513, 25280; Order 74-6-51]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Passenger Fare and Cargo Rate Matters

Issued under delegated authority on June 11, 1974.

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 have been assigned the above C.A.B. agreement numbers.

Agreement C.A.B. 24419 proposes general increases of two percent in passenger fares and three percent in cargo rates to compensate for escalating fuel prices, for traffic between Europe/Middle East on the one hand, and Africa (except to/from East Africa) on the other. The agreement has indirect application in air transportation insofar as it involves normal fares and general cargo rates, which are combinable with fares and rates to/from U.S. points. Agreemment C.A.B. 24418 proposes a general four percent increase in passenger fares, to compensate for escalating fuel prices, between Europe/Middle East/Africa (except to/from East Africa) on the one hand, and Asia/Australia/Australasia (except to/from Southwest Pacific) on the other. This agreement has direct application only insofar as it involves fares and rates to/from Guam, and as with Agreement C.A.B. 24419 has indirect application with respect to normal fares and general cargo rates. Agreement C.A.B. 24420 amends IATA Resolution 022j governing currency-related surcharges on U.S.-originating air cargo transportation, by providing for imposition of the surcharge in cases where specific commodity rates are specified from points other than New York. This amendment was occasioned by the action of the 17th Joint Specific Commodity Rate Board to adopt rates for gladioli from Miami to various European points.

The agreements, which for the most part have only limited application in air transportation, appear reasonable and are consistent with prior agreements approved by the Board, and will herein be approved.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found that the following resolutions, incorporated in the agreements indicated, are adverse to the public interest or in violation of the Act:

Agreement C.A.B.	IATA No.	Title	Application
24418	005u	General Increases in Passenger Fares	2/3; 1/2/3 (except to/from S.W. Pacific);
24419:			
R-1	005t	General Increases in Passenger Fares	2 (Europe/Middle East-Africa, except to/from East Africa).
R-2	005tt	General Increases in Cargo Rates	2 (Europe/Middle East-Africa, except to/from East Africa).
24420		JT12(Mail 845)022]	

Accordingly, it is ordered, That:

Agreements C.A.B. 24418 and C.A.B. 24419, R-1 and R-2, and C.A.B. 24420 be and hereby are approved.

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 become 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.74-13807 Filed 6-14-74;8:45 am]

[Docket No. 26531; Order 74-6-53]

NATIONAL AIRLINES, INC.

Order Authorizing Discussions

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 11th day of June 1974.

By application, dated March 22, 1974, National Airlines, Inc. (National) requests that the Board authorize National, Delta Air Lines, Inc. (Delta) and Eastern Air Lines, Inc. (Eastern) to engage in discussions looking toward an agreement on night coach departure times in the New York/Newark-Miami/Fort Lauderdale markets.

In support of its request, National asserts that the three carriers, for competitive reasons, have all scheduled departures to each city in both directions at the very moment the night coach fares become applicable (i.e. 9 p.m. in New

York/Newark; and 10 p.m. in Miami/Fort Lauderdale). As a result of these scheduling practices, large quantities of fuel are being wasted as the carriers' aircraft line up on the runway, with engines running, waiting for takeoff clearance.[1] National believes that, if the carriers could agree on separate departure times for each of the airport-to-airport operations,[2] substantial fuel savings would result.[3] Furthermore, it contends that new scheduling practices could be adopted without any attendant anti-competitive impact among the discussants.

No comments relative to the application have been received.

Upon consideration of the application and other relevant facts, the Board concludes that the discussions requested by National, looking toward an agreement with Delta and Eastern concerning night coach departure times in the New York/Newark-Miami/Fort Lauderdale markets, will serve the public interest and fulfill an important transportation need by providing the forum for the carriers to discuss the elimination of a wasteful fuel practice. The request will, therefore, be granted.

Under the new Federal Energy Office (FEO) regulations[4] the trunkline carriers' future fuel levels, to the extent they exceed the present 95% allocation level, are wholly dependent on the amount of fuel received by the carriers from the local suppliers. While it appears that these supplies will increase as a result of the lifting of the Arab oil embargo, the foreseeable future demand for aviation fuel is going to outstrip supplies by probably a considerable amount. Accordingly, the carriers are encouraged to eliminate wasteful fuel practices and utilize their available fuel in the most productive manner.[5] At the present time each carrier in the New York/Newark-Miami/Fort Lauderdale market operates a flight from each of the airports at those points at precisely the time that night coach fares become applicable. This abundance of single-time departures (six at each airport) has resulted in a wasteful utilization of fuel as the aircraft taxi out to the runways and hold for takeoff clearance. By simply agreeing to stagger the departure times at each particular airport (i.e., 9 p.m. from New York-Miami and 9:15 p.m. from New York-Fort Lauderdale) the competing carriers would reduce by one half the number of single-time departures and, thus, substantially reduce the amount of excess fuel being used while the carriers wait in line for takeoff clearance. Moreover, these fuel-savings could be achieved in this manner without adversely affecting the level of service being offered to the traveling public or the competitive practices in these markets.[6]

Accordingly, it is ordered, That:

1. The application of National Airlines, Inc. for authority to hold inter-carrier discussions concerning night coach departure times in the New York/Newark-Miami/Fort Lauderdale markets be and it hereby is granted, subject to the following conditions:

(a) participation in the discussions shall be open to National Airlines, Inc., Eastern Air Lines, Inc. and Delta Air Lines, Inc.;

(b) representatives of the Board and all other interested persons shall be permitted to attend the discussions as observers;

(c) the discussions shall be held in Washington, D.C. at a time, date and place determined by the discussants;

(d) the discussants shall file notices and agendas of the discussion meetings with the Board's Docket Section, and shall send notices and agendas to all other persons who so request, at least 7 calendar days before each meeting;

(e) the discussants shall keep complete and detailed minutes of the discussions, and complete details of all actions agreed to by the discussants, and shall file such minutes with the Board's Docket Section and send such minutes to all other persons who so request within 7 calendar days after each meeting;

(f) any agreement or agreements reached as a result of these discussions shall be filed with the Board for prior approval, in accordance with section 412 of the Act and 14 CFR 261 and 302, Subpart P;

(g) this authorization shall expire after 90 days from the date of service of this order; and

(h) this authorization may be extended, modified, or revoked at any time by the Board or by the undersigned; and

2. This order shall be served on the Department of Justice and all certificated route and supplemental air carriers.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.74-13808 Filed 6-14-74;8:45 am]

[1] Data presented by National for the month of February 1974 indicates that the carriers, on the average, wait 15-20 minutes for takeoff clearance.

[2] For example, all flights to Miami from a particular New York-area airport could leave at 9:00 p.m. and those to Fort Lauderdale at a later time (or vice-versa). This would cut in half the number of same time departures to Florida as well as the amount of fuel used while waiting for takeoff.

[3] National states that during the month of February 1974 it used 17,277 gallons of fuel while taxiing and holding in the departure sequence.

[4] 39 FR 15959, May 6, 1974.

[5] See, letter from FEO Administrator John Sawhill, dated May 19, 1974, filed in Dockets 25989, 26014, 26076 and 26333 concerning the necessity of the airlines maintaining their fuel conservation programs and alleviating wasteful fuel practices.

[6] We believe there may be some merit in National's assertion that any unilateral change would be competitively damaging since the public looks to the earliest departure within the applicable night coach fare period.

CONSUMER PRODUCT SAFETY COMMISSION

WHEEL ESTATES, INC.

Denial of Petition Regarding Fuel Flow Monitoring Systems

Section 10 of the Consumer Product Safety Act (Public Law 92-573, 86 Stat. 1217; 15 U.S.C. 2059) provides that any interested person may petition the Consumer Product Safety Commission to commence a proceeding for the issuance of a consumer product safety rule. Section 10 of the Act also provides that if the Commission denies such petition, it shall publish in the FEDERAL REGISTER its reasons for such denial.

On February 14, 1974, Wheel Estates, Inc., Oakdale, Pennsylvania, petitioned the Consumer Product Safety Commission to commence a proceeding for the issuance of a consumer product safety rule that would lessen the hazards of liquid fuel handling at the point of final use. The petitioner emphasized the need for fuel flow monitoring systems in both small gasoline engines and portable liquid fuel heating and lighting equipment. The petitioner cautioned that the hazards associated with the handling of liquid fuels at the point of final use are inherent in the fuel itself: flammability and the liberation of flammable vapor.

The Commission is aware of the potential for injury that results from the filling of small gasoline tanks. However, the Commission finds that it can best deal with the hazards posed by the handling of liquid fuels when viewing these hazards against the circumstances in which they occur. For this reason, the Commission has decided to approach the issue of liquid fuel handling on a case-by-case basis. The petition is, therefore, denied, without prejudice.

In the near future, the Commission will publish a notice in the FEDERAL REGISTER requesting interested parties to submit proposals for the development of a standard that will reduce unreasonable risks of injury associated with lawn mowers. One of the hazards that must be addressed in the development of this standard is the problem of the overfilling of fuel tanks and/or the spilling of gasoline.

The Commission is also concerned with the issue of liquid fuel handling in the area of space heaters and it is anticipated that the problem of the overfilling of fuel tanks will again be addressed as a potential hazard.

The Commission's determination to address the issue of liquid fuel handling on a case-by-case basis necessitates the denial of the petition to commence proceedings under section 10(a) of the Consumer Product Safety Act (15 U.S.C. 2059) for the issuance of a consumer product safety rule to reduce the hazards of liquid fuel handling.

Therefore, pursuant to section 10(d) of the Consumer Product Safety Act (Public Law 92-573, 86 Stat. 1217; 15 U.S.C. 2059(d)), notice is hereby given of the Commission's denial of the above-described Wheel Estates, Inc. petition.

A copy of the petition may be seen during working hours, Monday through Friday, in the Office of the Secretary, Consumer Product Safety Commission, 1750 K Street, NW., Washington, D.C.

Dated: June 12, 1974.

SADYE E. DUNN,
Secretary, Consumer Product Safety Commission.

[FR Doc.74-13772 Filed 6-14-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[OPP-32000/67]

NOTICE OF RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 979), and its procedures for implementation. This policy provides that EPA will, upon receipt of every application, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-37, East Tower, 401 M Street SW., Washington, D.C. 20460.

On or before August 16, 1974, any person who (a) is or has been an applicant, (b) desires to assert a claim for compensation under section 3(c)(1)(D) against another applicant proposing to use supportive data previously submitted and approved, and (c) wishes to preserve his opportunity for determination of reasonable compensation by the Administrator must notify the Administrator and the applicant named in the FEDERAL REGISTER of his claim by certified mail. Every such claimant must include, at a minimum, the information listed in this interim policy published on November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy in regard to usage of existing supportive data for registration will be processed in accordance with existing procedures. Applications submitted under 2(c) will be held for the 60-day period before commencing processing. If claims are not received, the application will be processed in normal procedure. However, if claims are received within 60 days, the applicants against whom the particular claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after August 16, 1974.

APPLICATIONS RECEIVED

EPA File Symbol 15887-L. Agricultural Chemicals of Dallas, 3707 East Kiest Boulevard, Dallas, Texas 75203. *HI BRAND Pyrethrins Oil Base 2.5%*. Active Ingredients: Pyrethrins 2.5%; Petroleum distillate 97.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 15887-U. Agricultural Chemicals of Dallas, 3707 East Kiest Boulevard, Dallas, Texas 75203. *HI BRAND Roach Spray Concentrate*. Active Ingredients: Pyrethrins 1.50%; Piperonyl butoxide, technical 7.50%; Petroleum distillate 91.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 12016-A. Anderson-Stolz Corp., 1727-33 Walnut Street, Kansas City, Missouri 64108. *Sol-Vet 426X*. Active Ingredients: Disodium cyanodithioimidocarbonate 6.35%; Ethylenediamine 2.40%; Potassium N-methyldithiocarbamate 8.75%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 662-LG. BASF Wyandotte Corporation, 1609 Biddle Avenue, Wyandotte, Michigan 48192. *Chlorine*. Active Ingredients: Chlorine 100%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 19760-I. Cardinal Chemical Company, 257 Dutchess Turnpike, Poughkeepsie, New York 12603. *Cardinal P-D Roach & Ant Liquid Spray*. Active Ingredients: Pyrethrins 0.052%; Piperonyl Butoxide, Technical 0.250%; Chlorpyrifos [O,O-diethyl O-(3,5,6-trichloro-2-pyridyl) phosphorothioate] 0.500%; Petroleum Distillate 98.736%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 3125-163. Chemagro Corporation, P.O. Box 4913, Kansas City, Missouri 64120. *Dasanit Spray Concentrate Insecticide-Nematocide*. Active Ingredients: *O,O*-Diethyl *O*-[*p*-(methyl-sulfinyl) phenyl] phosphorothioate 63%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 3125-170. Chemagro Corporation, P.O. Box 4913, Kansas City, Missouri 64120. *Baygon 5% Granular Insecticide*. Active Ingredients: *o*-Isopropoxyphenyl methylcarbamate 5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 7173-RLR. Chempar Chemical Co., Inc., 260 Madison Avenue, New York, New York 10016. *Chempar Rozol Pellets Rat Bait*. Active Ingredients: 2-[(p-chlorophenyl) phenylacetyl]-1,3-indandione 0.005%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 100-LGO. Home and Garden Products, Agricultural Division, Ciba-Geigy Corporation, P.O. Box 11422, Greensboro, North Carolina 27409. *Spectracide Rose and Flower Spray*. Active Ingredients: O,O-diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 0.500%; pyrethrins 0.025%; technical piperonyl butoxide (equivalent to 0.200% (butycarbityl) (6-propylpiperonyl) ether and 0.050% other related compounds) 0.250%; Folpet (n-trichloromethyl thiophthalimide 0.500%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 682-II. Crop King Chemicals, Box 1016, Yakima, Washington 98907. *Dieldrin 280*. Active Ingredients: Dieldrin (Hexachloroepoxy octahydro-endo, exo-dimethano naphthalene 23.8%; Related Compounds 4.2%) 28%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2938-T. Culligan USA, One Culligan Parkway, Northbrook, Illinois 60062. *Chemical Treatment M-24*. Active Ingredients: Disodium cyanodithioimidocarbonate 3.18%; Ethylenediamine 1.20%; Potassium N-methyldithiocarbamate 4.37%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 464-LNU. The Dow Chemical Company, P.O. Box 1706, Midland, Michigan 48640. *Dow Ronnel 6 Insecticidal Concentrate*. Active Ingredients: Ronnel [O,O-dimethyl O-(2,4,5-trichlorophenyl) phosphorothioate] 51.3%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 5602-RUR. Hub States Corporation, 2000 North Illinois Street, Indianapolis, Indiana 46202. *Hub States Sani-Mint Cleaner-Deodorizer-Disinfectant-Fungicide*. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 2.25%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 2.25%; Sodium Carbonate 3.00%; Tetrasodium ethylenediamine tetraacetate 1.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 3618-EA. Industrial Colloids & Chemicals Inc., P.O. Box 1946, Knoxville, Tennessee 37901. *Industrial Formula Malathion 50% Emulsifiable Concentrate*. Active Ingredients: Malathion 50.0%; Methylated Napthalenes 39.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2342-OGG. Kerr-McGee Chemical Corp., Kerr-McGee Center, Oklahoma City, Oklahoma 73125. *Fasco Aldrin Liquid-4*. Active Ingredients: Aldrin 42.55%; Aromatic petroleum derivative solvents 48.60%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 1021-1258. McLaughlin Gormley King Company, 1715 5th Street S.E., Minneapolis, Minnesota 55414. *Pyrocide Stabilized Growers Spray*. Active Ingredients: Pyrethrins 1.40%; Petroleum distillate 5.60%; Aromatic petroleum distillate 48.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1812-ERG. Parramore & Griffin, P.O. Box 188, Valdosta, Georgia 31601. *Methozin Tobacco Dust*. Active Ingredients: Methomyl [S-methyl-N-(methylcarbamoyl) oxy] thioacetimidate 2.25%; Zineb (zinc ethylene bisdithiocarbamate) 6.50%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 655-338. Prentiss Drug & Chemical Co., Inc., 363 Seventh Avenue, New York, New York 10001. *Prentox DDVP-Carbamate Concentrate—An Insecticide For Formulating Use*. Active Ingredients: o-Isopropoxyphenyl Methylcarbamate 10.00%; 2,2-dichlorovinyl dimethyl phosphate 2.00%; Related compounds 0.14%; Epichlorohydrin 0.50%; 2-Butoxyethanol 86.72%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 5741-RN. Spartan Chemical Company, Inc., 110 N. Westwood Avenue, Toledo, Ohio 43607. *Spartan F-1 Industrial Strength Insecticide*. Active Ingredients: Pyrethrins 0.5%; Piperonyl Butoxide, Technical 4.0%; Petroleum Distillate 5.3%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2724-ELL. Thuron Industries, Inc., 12200 Denton Drive, Dallas, Texas 75234. *Thuron Tick Collar*. Active Ingredients: o-Isopropoxyphenyl methylcarbamate 9.4%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 400-89. Uniroyal Chemical, Division of Uniroyal, Inc., Amity Road, Bethany, Connecticut 06525. *Omite-6E Agricultural Miticide*. Active Ingredients: Propargite 2-(p-tert-butylphenoxy) cyclohexyl 2-propynyl sulfite 68.1%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2829-RNA. Ventron Corporation, Chemicals Division, Congress Street, Beverly, Massachusetts 01915. *Durotex—7665 Controls Mold and Mildew*

Organisms and Rot and Decay Organisms in Textiles. Active Ingredients: Fatty acid esters of pentachlorophenol (C6-C20) 4.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Cymbol 2829-RNT. Ventron Corporation, Chemicals Division, Congress Street, Beverly, Massachusetts 01915. *Durotex-7665 Controls Mold and Mildew Organisms and Rot and Decay Organisms in Textiles.* Active Ingredients: Fatty acid esters of Penthachlorophenol (C6-C20) 38%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 2829-RNI. Ventron Corporation, Chemicals Division, Congress Street, Beverly, Massachusetts 01915. *Durotex-7665P Controls Mold and Mildew Organisms and Rot and Decay Organisms in Textiles.* Active Ingredients: Fatty acid esters of pentachlorophenol (C6-C20) 4.0%. Method of Support: Application proceeds under 2(b) of interim policy.

REPUBLISHED ITEMS

The following item represents a correction and/or change in the list of Applications Received previously published in the FEDERAL REGISTER of May 31, 1974 (39 FR 19267).

EPA Reg. No. 3770-108. Economy Products Company, P.O. Box 427, Shenandoah, Iowa 51601. *Sevin 5% Dust Insecticide.* Correction: Originally published as P.O. Box 47.

Dated: June 7, 1974.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.74-13591 Filed 6-14-74;8:45 am]

FEDERAL ENERGY OFFICE

PETROLEUM INDUSTRY ADVISORY COMMITTEE (INDEPENDENT SECTOR), NORTHEAST GROUP

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770) notice is hereby given that the Northeast Group of the Petroleum Industry Advisory Committee (Independent Sector) will meet June 27, 1974, at 2 p.m., Room 3140-A, 12th & Pennsylvania Ave NW., Washington, D.C.

The Committee was established to advise the Administrator, Federal Energy Office (FEO), with respect to general petroleum aspects of interests and problems related to the policy and implementation of programs to meet the current national energy crisis.

The agenda for the meeting is as follows:

A. Presentation of Reports to Administrator, i.e., Allocation Programs, Fuel Oil Supplies
B. Mandatory Allocation Program and Regulations:
1. Continuation of Program
2. Simplification and Amendment of Middle Distillate Regulations
3. Restrictions on Home Heating Oil Retailers
4. Competitive Bidding
5. Supplies for Winter Delivery
C. Review of FEO Conservation Policy Toward Utilities
D. Price Regulations
1. Crude Oil Price Equalization
2. Inventory Appreciation
E. Importation of Foreign Heating Oil During Summer Months

The meeting is open to the public; however, space and facilities are limited.

The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Oral statements or participation by the public in the meeting will not be permitted, but any member of the public who wishes to file a written statement with the Committee shall be permitted to do so, either before or after the meeting.

Further information concerning this meeting may be obtained from Ivan Maple, Federal Energy Office, Washington, D.C., phone number (202) 961-8520.

Minutes of the meeting will be made available for public inspection at the Federal Energy Office, Washington, D.C.

Issued at Washington, D.C. on June 12, 1974.

WILLIAM N. WALKER,
General Counsel.

[FR Doc.74-13803 Filed 6-14-74;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. E-8799]

ARKANSAS-MISSOURI POWER CO.

Agreement Letter

JUNE 13, 1974.

Take notice that on May 16, 1974 Arkansas-Missouri Power Company (Ark-Mo) tendered for filing a Letter of Agreement between Ark-Mo and Arkansas Electric Cooperative (Arkco).

Ark-Mo states that this agreement provides for the sale by Ark-Mo of short-term firm power for the period between June 1, 1974 to May 31, 1975. Because of the inability of Arkco to obtain additional power from its regular sources, Ark-Mo was asked to supply the power provided for in the enclosed agreement. It is estimated that the revenue from the sale will be about $972,000 for the 12 month period.

Ark-Mo proposes an effective date of June 1, 1974 for said agreement.

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 Stree 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 June 17, 1974. 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.74-13941 Filed 6-14-74;8:45 am]

[Docket No. E-8823]

SOUTH CAROLINA ELECTRIC & GAS CO.

Proposed Changes in Rates and Charges

JUNE 11, 1974.

Take notice that South Carolina Electric & Gas Company (SCE&G) on May 31, 1974, tendered for filing proposed changes in its rates and charges to its 3 municipal, five rural electric cooperatives, and one public power body sales-for-resale customers, as embodied in SCE&G's proposed Rate Schedule WR. The proposed changes, which SCE&G proposes to put into effect as of July 1, 1974, would increase revenues from jurisdictional sales and service by approximately $1,662,195.00, based on the twelve-month period ending June 30, 1974.

SCE&G states that it expects to earn a rate of return of 4.67 percent from service to these sales-for-resale customers during the calendar 1974 test year in the absence of rate relief. SCE&G further states that the proposed rates are designed to enable SCE&G to improve the rate of return earned from its service to sales-for-resale customers, which the Company believes is necessary if it is to attract the necessary amounts of capital if it is to continue to provide adequate service to its present and future customers.

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 June 19, 1974. 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 desiring 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.74-13940 Filed 6-14-74;8:45 am]

FEDERAL PREVAILING RATE ADVISORY COMMITTEE

NOTICE OF COMMITTEE MEETINGS

Pursuant to the provisions of section 10 of Public Law 92-463, effective January 5, 1973, notice is hereby given that meetings of the Federal Prevailing Rate Advisory Committee will be held on:

Thursday, July 11, 1974
Thursday, July 18, 1974
Thursday, July 25, 1974

The meetings will convene at 10 a.m. and will be held in Room 5A06A, Civil Service Commission Building, 1900 E Street, NW., Washington, D.C.

The committee's primary responsibility is to study the prevailing rate system

and from time to time advise the Civil Service Commission thereon.

At these scheduled meetings, the committee will consider proposed plans for implementation of Public Law 92–392, which law establishes pay systems for Federal prevailing rate employees.

The meetings will be closed to the public on the basis of a determination under section 10(d) of the Federal Advisory Committee Act (Public Law 92–463) that the closing is necessary in order to provide the members with the opportunity to advance proposals and counterproposals in meaningful debate on issues related solely to the Federal Wage System with the view toward ultimately formulating advisory policy recommendations for the consideration of the Civil Service Commission.

However, members of the public who wish to do so, are invited to submit material in writing to the Chairman concerning matters felt to be deserving of the committee's attention. Additional information concerning these meetings may be obtained by contacting the Chairman, Federal Prevailing Rate Advisory Committee, Room 5451, 1900 E Street, NW., Washintgon, D.C. 20415.

DAVID T. ROADLEY,
Chairman, Federal Prevailing Rate Advisory Committee.

JUNE 12, 1974.

[FR Doc.74–13773 Filed 6–14–74;8:45 am]

FEDERAL RESERVE SYSTEM

EUCLID STREET STATE BANK

Order Approving Application for Merger of Banks

Euclid Street State Bank, San Antonio, Texas, 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 merger of that bank with Main Bank and Trust, San Antonio, Texas, under the name of Main Bank and Trust.

As required by the Act, notice of the proposed merger, in form approved by the Board, 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 First International Bancshares, Inc., Dallas, Texas, to acquire the successor by merger to Main Bank and Trust, San Antonio, Texas, provided that said merger shall not be made (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 Dallas pursuant to delegated authority.

By order of the Board of Governors,[1] effective June 7, 1974.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.74–13755 Filed 6–14–74;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 100 percent, less directors' qualifying shares, of the voting shares of the successor by merger to Main Bank and Trust, San Antonio, Texas. 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 the 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 is the largest banking organization in Texas and presently controls sixteen banks[1] with aggregate deposits of approximately 2.6 billion, representing approximately 7 per cent of total commercial bank deposits in Texas.[2] Approval of this application would increase Applicant's share of Statewide deposits by only .3 of 1 per cent and would have no appreciable effect upon the concentration of banking resources in the State.

Bank is the fifth largest of 39 banking organizations in the San Antonio banking market (approximated by the San Antonio SMSA) and holds $94.1 million in deposits, or about 4.5 per cent of total commercial bank deposits in the market. The three largest banking organizations in the market presently control approximately 51 per cent of total deposits. The acquisition of Bank would effect Applicant's initial entry into the San Antonio banking market, thereby introducing Applicant as an additional competitive force. There is no substantial existing competition between Bank and any of Applicant's banking subsidiaries, the nearest of which is approximately 140 miles northeast of Bank. In view of distances involved, the number of banks in intervening areas, and Texas' prohibitive branching laws, it is unlikely that any substantial future competition will develop between Bank and any of Applicant's banking subsidiaries. Ease of entry into the market would not be significantly diminished, for numerous other medium-sized banks remain as potential entry points for bank holding companies presently unrepresented in the market.

Applicant does not appear to be a likely de novo entrant into the market. In addition to the number and size of the bank holding companies presently in the market, the market itself is only moderately attractive for de novo entry. The Board concludes that consummation of the proposed acquisition would not have a significant adverse effect on existing or potential competition.

The financial and managerial resources and future prospects of Applicant, its subsidiaries, and Bank are regarded as generally satisfactory and consistent with approval. Although there is no evidence in the record that the banking needs of the community are not presently being adequately served, Applicant's acquisition of Bank would permit Bank to better serve its customers by improving its trust services, international services and those services related to factoring and industrial development activities. Considerations of the convenience and needs of the community to be served lend weight toward approval. It is the Board's judgment that consummation of the proposed acquisition is in the public interest and should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (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,[3] effective June 7, 1974.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.74–13756 Filed 6–14–74;8:45 am]

[1] In addition Applicant indirectly controls interests of less than 25 per cent in two banks; Applicant has agreed to divest its minority interests in the two banks. Also, on May 13, 1974, the Board approved Applicant's proposal for the acquisition of First National Bank of Cleburne, Cleburne, Texas.

[2] All deposit figures are as of June 30, 1973, and reflect holding company formations and acquisitions approved by the Board through May 1, 1974.

[1] Voting for this action: Chairman Burns and Governors Mitchell, Brimmer, Sheehan, Bucher, Holland, and Wallich.

[3] Voting for this action: Chairman Burns and Governors Mitchell, Brimmer, Sheehan, Bucher, Holland, and Wallich.

INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

LAXARE, INC.

Applications for Renewal Permits Electric Face Equipment Standard; Opportunity for Public Hearing

Applications for Renewal Permits for Noncompliance with the Electric Face Equipment Standard prescribed by the

Federal Coal Mine Health and Safety Act of 1969 have been received for items of equipment in underground coal mines as follows:

(1) ICP Docket No. 4337–000, Laxare, Inc., Mine No. 1–B, Mine ID No. 46 03830 0, Peytona, West Virginia,
ICP Permit No. 4337–001 (Joy 12–RB Cutter, Ser. No. 16766),
ICP Permit No. 4337–002 (Joy 14–BU Loader, Ser. No. 9153),
ICP Permit No. 4337–006 (Joy 18 SC Shuttle Car, Ser. No. ET 9721).
(2) ICP Docket No. 4338–000, Laxare, Inc., Mine No. 1, Mine ID No. 46 01284 0, Peytona, West Virginia,
ICP Permit No. 4338–003 (Galis Roof Drill, Ser. No. 310–981373),
ICP Permit No. 4338–005 (Joy 18SC Shuttle Car, Ser. No. ET 8906),
ICP Permit No. 4338–006 (Joy 18SC Shuttle Car, Ser. No. ET 8905).

In accordance with the provisions of § 504.7(b) of Title 30, Code of Federal Regulations, notice is hereby given that requests for public hearing as to an application for a renewal permit may be filed on or before July 2, 1974. Requests for public hearing must be filed in accordance with 30 CFR Part 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the Panel upon request.

A copy of each application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Room 800, 1730 K Street, NW., Washington, D.C. 20006.

C. DONALD NAGLE,
Vice Chairman,
Interim Compliance Panel.

JUNE 12, 1974.

[FR Doc.74–13750 Filed 6–14–74;8:45 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 74–37]

SPACE PROGRAM ADVISORY COUNCIL PHYSICAL SCIENCES COMMITTEE

Notice of Meeting

The Physical Sciences Committee of the NASA Space Program Advisory Council will meet at the George C. Marshall Space Flight Center of the National Aeronautics and Space Administration on July 11 and 12, 1974. The meeting will be held in the tenth floor conference room of the Main Administration Building (Building 4200), located at Marshall Space Flight Center, Alabama 35812. The meeting is open to members of the public, from 8:30 am to 5 pm on July 11, 1974, and from 8:30 am to 4 pm on July 12, 1974, on a first-come, first-served basis to within the 80-seat capacity of the room. Visitors will be requested to sign a visitor's register.

The Physical Sciences Committee serves only in an advisory capacity to NASA. The Committee is concerned with all aspects of the physical sciences which are relevant to the space program, including lunar and planetary exploration, astronomy, and space physics. The Committee has 14 members including the Chairman, Dr. Michael B. McElroy. For further information regarding the meeting, please contact Mr. Guenter Strobel: area code 202/755–3645. The agenda for the meeting is as follows:

11 JULY 1974

Time	*Topic*
8:30 am–9 am	*Whitney Report Implementation Status*—Dr. Smith *Action:* The Committee will receive a report on the status of implementing the Task Force Report on Selecting Investigators. The Committee is requested to assess and advise NASA on the issues raised and on the implementing status.
9 am–9:30 am	*HEAO Status Report*—Dr. Schardt *Action:* The Committee is requested to comment and advise on the current planning for the HEAO program.
9:30 am–10:30 am.	*Planetary Exploration Status*—Mr. Kraemer *Action:* The status of Mariner 10 retargeting, Pioneer 10 & 11, Pioneer Venus Payload, and Viking experiments, will be presented to keep the Committee currently informed. The Committee is requested to comment on impact of program decisions and changes in mission status as they affect strategy of planetary missions.
10:30 am–12 pm	*Committee Reports and Issues*—Dr. McElroy, Chairman *Action:* The Committee members will use this period to discuss pertinent issues they wish to raise with NASA, and to assess issues NASA raises with the Committee, so that the Committee can recommend the most effective way its advice can assist NASA.
12 pm–1 pm	Lunch
1 pm–5 pm	*Large Space Telescope (LST)*—Dr. C. O'Dell, et al. *Action:* The status of Program Planning for the LST will be presented followed by a tour of three LST engineering areas: Flexible Mirror Test Facility, Full Scale Mock-up area, and the Neutral Bouyancy Simulator. The Committee is required to consult and advise NASA on the timeliness and effectiveness of NASA programs. To fulfill this responsibility, it is necessary that the Committee periodically review the status of those programs, and recommend future actions.
5 pm	Adjourn.

JULY 12, 1974

Time	*Topic*
8:30 am–9:30 am	*Lunar Polar Orbiter Planing Status*—Dr. Hinners. *Action:* The status of the Lunar Polar Orbiter Mission planning will be presented to the Committee. The Committee is requested to comment and advise on the current planning status.
9:30 am–10:30 am	*Post Mission Scientific Activities*—Chairman *Action:* The Committee members will use this time to discuss methods of maximizing science return following completion of the flight phase of missions. The Committee will make recommendations to NASA concerning continuing support of science activities in these periods.
10:30 am–12 pm	*SR&T Program Issues* — Chairman *Action:* The Committee will use this period to discuss position papers on SR&T prepared by designated Committee members. The Committee will review and comment on SR&T program management, and will recommend new directions and emphasis in SR&T.
12 pm–1 pm	Lunch.
1 pm–2 pm	*FY 76 Budget Issues*—Dr. Naugle. *Action:* NASA and the Committee will discuss the budget for FY 76 and beyond, including the projection of space science programs in physics, astronomy, planetary exploration, and lunar science. The Committee is requested to give NASA advice and recommendations regarding the alternatives and priorities of future space science programs based upon budget projection guidelines. The Committee is specifically requested to advise NASA on the priorities of FY 76 new starts.
2 pm–4 pm	*Committee Working Papers*—Chairman *Action:* The members of the Committee will use this period to prepare individual working papers and draft committee reports to NASA.
4 pm	Adjourn.

BOYD C. MYERS, II,
Assistant Associate Administrator for Organization and Management, National Aeronautics and Space Administration.

JUNE 11,1974.

[FR Doc.74–13770 Filed 6–14–74;8:45 am]

[Notice 74-36]

SPACE PROGRAM ADVISORY COUNCIL AD HOC SUBCOMMITTEE ON SCIENTIST-ASTRONAUTS

Notice of Establishment

Pursuant to section 9(a) (2) of the Federal Advisory Committee Act (Public Law 92-463), and after consultation with the Office of Management and Budget, the NASA Administrator has determined that the establishment of the Ad Hoc Subcommittee on Scientist-Astronauts, as an element of the NASA Space Program Advisory Council, is in the public interest in connection with the performance of duties imposed upon NASA by law.

The functions of this Ad Hoc Subcommittee will include the review of the scientist-astronaut program to date and the study of alternative aproaches to the effective participation of scientists as onboard specialists in Space Shuttle operations. The Ad Hoc Subcommittee will provide advice and recommendations on future steps to take in order to employ scientist-astronauts in the shuttle program most effectively. The reason for establishing this Ad Hoc Subcommittee is to ensure that the scientist-astronaut program as developed for Space Shuttle operations is responsive to the views and needs of the scientific community, which will comprise one of the major user groups for the shuttle.

BOYD C. MYERS, II,
Assistant Associate Administrator for Organization and Management, National Aeronautics and Space Administration.

JUNE 10, 1974.

[FR Doc.74-13771 Filed 6-14-74;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on June 12, 1974 (44 USC 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable, the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (x) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this Daily List may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503, (202-395-4529).

NEW FORMS

DEPARTMENT OF COMMERCE

Bureau of the Census:
- Survey of Philanthropy Questionnaire, Forms PHL-1, PHL-2, Single time, Hulett/Planchon, Individuals.
- Schedule for New York City Housing Vacancy Survey and Supplemental Form; Visitation Letter, Forms H-100, H-100A, H-100L, Single time, Sunderhauf, Households in New York City.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources Administration:
- Study of the Utilization of New Health Practitioners in Remote Practice Settings, Form HRABHRD 0606, Single time, Raynsford/Wann, MD's, new health practitioners' families.
- Survey of Dental Practice in South Texas, Form REG 6065, Single time, Reese, Dentists.
- Continuing Education in Management of Health Services Systems, Form HRABHRD 0605, Annual, Planchon, Individuals.
- The Optimal Demand and Supply of Physician's Assistants, Form HRABHRD 0610, Occasional, Raynsford, Primary care physicians & physicians.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources Administration:
- Physician's Associates' Careers, Form HRABHRD 0610, Occasional, Ranysford, Physicians associates students & graduates etc.
- Nursing Manpower Study, Region II, Form REG 20607, Single time, Raynsford, Employers of nursing personnel.
- Demonstration Project Related to the Education and Utilization of Child Health Associates, From HRABHRD 0606, Occasional, Ranysford/Reese, Physicians, child health associates.
- Center for Disease Control, The Relationship of Nutritional Status and Immunity Levels to Socioeconomic Stratification, Form CDC BSS 0521, Single time, Reese, Households with children age 1-4 in two Tennessee counties.

Food and Drug Administration: Survey of Direct and Indirect Food Additives, Form FDA 0605, Occasional, Wann, Manufacturers, users formulators of food additives.

DEPARTMENT OF THE INTERIOR

Bureau of Mines: Sand and Gravel Supplement, Form 6-1273-A-XI, Triennial, Weiner, Commercial & government producers of sand & gravel.

NATIONAL SCIENCE FOUNDATION

Three-Year Integrated Human Sciences Program for Middle Schools: Form ——, Single time, Planchon, Students, parents teachers, & school administrators.

REVISIONS

DEPARTMENT OF AGRICULTURE

Statistical Reporting Service: Weekly and Monthly Turkey Hatchery Survey, Form ——, Weekly, Lowry, Turkey hatcheries.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social and Rehabilitation Service: Statistical Report on Medical Care: Recipients, Payments Services, Form SRS NCSS 2082, Annual, Sunderhauf, State medicaid agencies (Title XIX).

DEPARTMENT OF THE INTERIOR

Bureau of Mines:
- Industrial Sand and Gravel, Form 6-1273-A, Annual, Weiner, Commercial producers of sand and gravel.
- Construction Sand and Gravel, Form 6-1274-A, Annual, Weiner, Commercial & govt. producers of sand & gravel.

THE RENEGOTIATION BOARD

Confidential Reply: Forms RB 171-B, RB 171-C, Weekly, Caywood, Employers.

EXTENSIONS

DEPARTMENT OF AGRICULTURE

Agricultural Research Service: Food Facility Survey Form, Form TF 31, Occasional, Lowry, Wholesale food distributors & processors.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education:
- Application for Federal Assistance (Nonconstruction Programs) for Educational TV under ESAA—Instructions and Supplementary Questionnaire, Form OE 328, Annual, Evinger (x).
- Application for Federal Assistance (Nonconstruction Programs) under ESEA Title III, Section 306—Instructions and Supplementary Questionnaire, Form OE 208, Annual, Evinger (x).
- Application for Federal Assistance (Nonconstruction Programs), Instructions for Foreign Language and Area Studies, Form OE 324, Annual, Evinger (x).
- LEA Title I Comparability Reports—General Information, Form B——Detailed School Data, Forms OE 4524 A and B, Annual, Evinger (x).
- State Educational Agency Comment-ESSA Form OE 235, Occasional, Evinger (x).
- Preapplication for Federal Assistance (Construction Programs), Non-commercial Educational Broadcasting Facilities Program, Form OE 323, Annual, Evinger (x).

Office of Education, Application for Federal Assistance (Construction Programs), Non-Commerical Educational Broadcasting Facilities Program, Form OE 323-1, Annual, Evinger (x).
- Application for Federal Assistance (Construction Programs), Non-Commercial Educational Broadcasting Facilities Program, Form OE 323-1, Annual, Evinger, (x).
- Education, Form OE 326-1, Annual, Evinger (x).

Health Resources Administration: Student Selected Process in Schools of Nursing, Form HRABHRD 0610, Single time, Planchon, Deans or admissions officers of RN schools.

PHILIP D. LARSEN,
Budget and Management Officer.

[FR Doc.74-13860 Filed 6-14-74;8:45 am]

OFFICE OF TELECOMMUNICATIONS POLICY

ELECTROMAGNETIC RADIATION MANAGEMENT ADVISORY BOARD

Notice of Public Meeting

Notice is hereby given that the Electromagnetic Radiation Management Advisory Council (ERMAC) will meet at 9:30 a.m. in Room 712, 1800 G Street, NW., Washington, D.C., on Wednesday, June 26, 1974.

The principal agenda item will be continuing discussions on a recommended approach toward a scientific review of selected program areas.

The meeting will be open to the public; any member of the public will be permitted to file a written statement with the Council, before or after the meeting.

The names of the members of the Council, a copy of the agenda, a summary of the meeting, and other information pertaining to the meeting may be obtained from Lt. Cmdr. David C. Brown, Office of Telecommunications Policy, Washington, D.C. 20504 (telephone: 202-395-4737).

Dated: June 11, 1974.

BRYAN M. EAGLE,
Advisory Committee Management Officer.

[FR Doc.74-13767 Filed 6-14-74;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

EQUITY FUNDING CORPORATION OF AMERICA

Suspension of Trading

JUNE 10, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, warrants to purchase the stock, 9½ percent debentures due 1990, 5½ percent convertible subordinated debentures due 1991, and all other securities of Equity Funding Corporation of America being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from June 11, 1974, through June 20, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-13818 Filed 6-14-74;8:45 am]

[812-3607]

FIRST INSURED MUNICIPAL TRUST FUND

Filing of Application

JUNE 10, 1974.

Notice is hereby given that First Insured Muncipal Trust Fund ("Applicant"), a unit investment trust registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 6(c) of the Act for an order for exemption from the provisions of section 14(a) of the Act, and Rule 19b-1 and Rule 22c-1 under the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

Applicant is sponsored by Van Kampen, Wauterlek & Brown, Inc. ("Sponsor"), 300 West Washington Street, Chicago, Illinois 60606. The Evaluator is Standard & Poor's Corporation. Applicant represents that the objective of each of its series (Series 1 and subsequent series) is to seek tax-exempt income and conservation of capital through an investment in tax-exempt bonds. All of such bonds will be obligations issued by or on behalf of states, counties, territories or municipalities of the United States and authorities or political subdivisions thereof, the interest of which, in the opinion of counsel to the various issuers of such bonds, is exempt from all Federal income taxes under existing law. The Sponsor will seek to obtain a commitment from MGIC Indemnity Corporation in respect to each series to guarantee the timely payment of interest and principal when due on the bonds in its portfolio in the event of nonpayment thereof by the bond issuer.

On February 28, 1974, a registration statement on Form S-6 under the Securities Act of 1933 ("Securities Act") was filed for 7,500 units of undivided interest in Series 1 of Applicant. This registration statement has not yet become effective. On January 10, 1974, Applicant also filed a Notification of Registration on Form N-8A for said Series and on February 28, 1974, filed a registration statement on Form N-8B-2 under the Act for said Series.

Each series of Applicant (Series 1 and subsequent series) will be governed by the provisions of a trust indenture and agreement ("Indenture") to be entered into by the Sponsor and a corporation organized and doing business under the laws of the United States or a state thereof, which is authorized under such laws to exercise corporate trust powers and having at all times an aggregate capital, surplus, and undivided profits of not less than $5,000,000 ("Trustee"). It is contemplated that the United States Trust Company of New York will serve as Trustee for Series 1 and subsequent series. A separate Indenture will be entered into each time a series is created and activated and the bonds which comprise its portfolio are deposited with the Trustee. Each series will be substantially identical except as to size, number of units and the individual bonds in its portfolio.

Section 14(a) of the Act, in substance, provides that no registered investment company and no principal underwriter for such a company shall make a public offering of securities of which such company is the issuer unless (1) the company has a net worth of at least $100,000; (2) at the time of a previous public offering it had a net worth of $100,000; or (3) provision is made that a net worth of $100,000 will be obtained from not more than twenty-five responsible persons within ninety days, or the entire proceeds received, including sales charge, will be refunded.

Applicant represents that the bonds for a portfolio of a series of Applicant are to be delivered to the Trustee on the date of deposit, and from that time on, except for the payment of limited amounts of expenses specified in the Indenture, including the premiums on portfolio insurance, such bonds are held in the custody of the Trustee subject to the Indenture which, in substance, provides that the Trustee may dispose of the bonds when events occur which may affect their investment stability and distribute the proceeds thereof in partial liquidation to unit holders. However, there is no provision permitting the bonds to be pledged or subjected to any debt by Applicant, except to the extent that MGIC Indemnity Corporation is secured and succeeds to the rights of Applicant in respect of any amounts of interest or principal it may pay on a defaulted bond.

The Sponsor has represented that no series of Applicant will be created which will contain in its portfolio on the date of deposit, bonds having a principal amount of less than $5,000,000. In the event the value of such a series should decrease to $1,000,000 (20% of the amount of the bonds initially deposited) or less, for any reason, the Trustee may, and when so directed by the Sponsor shall, terminate the trust and liquidate such series, provided, however, that in connection with any such liquidation it shall not be necessary for the Trustee to dispose of any Bond or Bonds in default because of nonpayment of principal or interest by the issuer thereof if retention of such Bond or Bonds, until due, shall be deemed to be in the best interests of units holders. Thus, Applicant represents that it is highly unlikely that, except during the course of liquidation, the net worth of any series would ever decline to $100,000 or less.

As a further basis for the requested exemption, the Sponsor also represents that, in the event that the net worth of any series of Applicant should be reduced to less than $100,000 within 90 days after the registration statement under the Securities Act becomes effective in respect of that series, the Sponsor will repurchase all units which have been sold prior to such date at the same price paid by the original purchaser, including sales charge.

In addition, on the day of the deposit of the bonds comprising the portfolio of any series of Applicant, the Sponsor will instruct the Trustee that, in the event the Sponsor as the owner of units of any such series of Applicant, which have not previously been sold to the public, shall tender such unsold units to the Trustee for redemption in an amount constituting more than 60 percent of the number of units which such series of Applicant is authorized to have outstanding, and that thereby the net worth of such series is reduced to less than 40 percent of the principal amount of bonds originally deposited therein, the Trustee shall terminate such series in the manner provided in the Indenture relating thereto and the Sponsor will refund, on demand, to each purchaser of units of any such series, the entire sales charge paid by such purchaser without any deduction whatsoever.

In light of these representations and undertakings, Applicant requests that the Commission issue an order exempting all series of Applicant (Series 1 and subsequent series) from the provisions of section 14(a) of the Act subject to future series being substantially identical in all material respects to Series 1 except as to size, number of units and identity of portfolio bonds.

Applicant states that distributions of principal constituting capital gains to unit holders may arise in the following circumstances: (1) if an issuer calls or redeems an issue held in the portfolio; and (2) if bonds are sold in order to provide funds necessary to meet redemptions by unit holders. Applicant states that capital gains are not anticipated to arise from sales of bonds made by the Trustee at the request of the Sponsor to provide stability, i.e., after default in payments of principal interest on such bonds or the occurrence of other market or credit factors which, in the opinion of the Sponsor, would make retention of such bonds in Applicant detrimental to the interests of the unit holders. Portfolio insurance terminates as to any bond when it is sold by the Trustee.

Rule 19b–1(b) provides, in part, that no registered investment company which is not a "regulated investment company" as defined in section 851 of the Internal Revenue Code of 1954 ("Code") shall make more than one distribution of long-term capital gains in any one taxable year of such investment company.

Each series of Applicant is or will be a registered investment company which is not a regulated investment company under the Code. From time to time bonds in a portfolio of a series of Applicant may be redeemed by the issuer thereof or may be sold by the Trustee for the purpose of providing either investment stability, as described below, or funds for the redemption of units. These transactions may give rise to a problem under Rule 19b–1 when the funds distributed from Applicant's Principal Account involve a long-term capital gain.

The Indenture establishes record and distribution dates for the distribution to unit holders of their pro rata share of the cash balance of the Interest and Principal Accounts computed as of such record dates. Since the Trustee has no authority to reinvest funds received upon the disposition of bonds, it is in the best interests of unit holders that it be permitted to distribute such funds promptly. Initially it is contemplated that distributions will be made semi-annually from the Principal Account and monthly, quarterly or semi-annually from the Interest Account, depending upon the plan of distribution chosen by unit holders.

The primary objective of Applicant is tax-exempt income through an investment in tax-exempt bonds. In the case of normal distributions, it is expected that virtually the entire amount will represent interest received on portfolio Bonds. Applicant states that when sums are distributed from the Principal Account, the amount thereof which represents long-term capital gains will be minimal in comparison to the total amount of the distribution and will have been realized almost entirely as a result of activities of persons other than the Applicant, the Sponsor or the Trustee. Accordingly, Applicant requests that the Commission grant an exemption from the provisions of Rule 19b–1 to permit distributions to be made as proposed under the Indenture for Series 1 and for such additional series as may be created in the future, even though on occasion the distributions may include a capital gain to the unit holder.

Rule 22c–1 provides, in part, that redeemable securities of registered investment companies may not be sold, redeemed or repurchased except at a price based on the current net asset value which is next computed after receipt of a tender of such security for redemption or of an order to purchase or sell such security. For the purpose of the Rule, the current net asset value of any such security shall be that computed on each day during which the New York Stock Exchange is open for trading, not less frequently than once daily as of the time of the close of trading on such Exchange.

Applicant represents that during the initial public offering, it will fully comply with the Rule, since it is intended that there will be an evaluation made each day the New York Stock Exchange is open for trading. The first evaluation after receipt of an order for sale, purchase or redemption of units is the evaluation which will govern the terms of such transaction. Applicant further represents that the Sponsor intends to maintain a market for the units and continuously to offer to purchase units at prices based upon the aggregate offering price of the bonds in Applicant's portfolio. For purposes of the secondary market transactions, an evaluation will only be made as of the last business day of the preceding week when the Applicant has notice that a transaction has occurred.

Applicant asserts that the pricing by the Sponsor in the secondary market in no way affects the assets of Applicant since all units of any series of Applicant are issued and outstanding prior to any offering thereof to the public. Moreover, the units represent an interest in a fixed portfolio of bonds which is subject only to limited change. Therefore, the relation of a unit to Applicant is not affected in any manner by the price at which other outstanding units are sold. Finally, because of the nature of the bonds in the portfolio, price changes are expected to be gradual and to depend largely on general changes in interest rates.

The application states that the Sponsor has undertaken to adopt a procedure whereby the Evaluator, without a formal evaluation, will provide the Sponsor with estimated evaluations on trading days. In the case of a repurchase, if the Evaluator cannot state that the previous Friday's price is at least equal to the current offering price, the Sponsor will order a full evaluation. In case of resale, if the Evaluator cannot state that the previous Friday's price is no more than one-half point ($5.00 per $1,000 principal amount of underlying bonds) greater than the current offering price, a full evaluation will be ordered. The result of this procedure is that a unit holder wishing to sell units will not receive from the Sponsor an amount less than might be received from Applicant upon redemption, and a purchaser of such units from the Sponsor will not pay more than one-half point in excess of the current net asset value, plus the sales charge.

Thus, under these circumstances, after the initial distribution is completed, the Sponsor believes that it would be appropriate for Applicant and its unit holders to be relieved of the cost of daily evaluations and in lieu thereof to permit evaluations to be made as of the close of trading on the New York Stock Exchange on the last business day of the preceding week when transactions occur with each such evaluation to be effective for transactions during the ensuing week. Applicant requests an exemption from the provisions of Rule 22c–1 for Series 1 and for all subsequently created series of Applicant insofar as the Rule may apply after completion of the primary distribution of units of such series.

Section 6(c) of the Act provides, in part, that the Commission may conditionally or unconditionally exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions from any provisions of the Act or of any rule or regulation under the Act, if and to the extent such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may not later than July 5, 1974, 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in the case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein will be issued by the Commission as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-13816 Filed 6-14-74;8:45 am]

[File No. 500-1]

INDUSTRIES INTERNATIONAL, INC.

Suspension of Trading

JUNE 10, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Industries International, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from June 11, 1974 through June 20, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-13815 Filed 6-14-74;8:45 am]

[811-2176]

LEISURE FUND, INC.

Filing of Application

JUNE 7, 1974.

Notice is hereby given that Leisure Fund, Incorporated ("Applicant"), 84 State Street, Boston, Massachusetts, 02109, registered as a closed-end, non-diversified management investment company under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations set forth therein, which are summarized below.

Applicant was organized as a corporation under the laws of the Commonwealth of Massachusetts on April 9, 1970, and registered under the Act on March 11, 1971, by filing a Notification of Registration on Form N-8A. Applicant has never filed a Registration Statement on Form N-8B-1 nor any Registration Statement under the Securities Act of 1933.

Applicant represents that its Board of Directors determined not to proceed with a proposed public offering of Applicant's securities because of unfavorable conditions of the securities markets. Applicant has no shareholders or assets, is not making any public offering of its securities and does not propose to make any public offering.

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

Notice is further given that any interested person may, not later than July 3, 1974, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the Applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following July 3, 1974 unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing or advise as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-13819 Filed 6-14-74;8:45 am]

[75-5511]

NARRAGANSETT ELECTRIC CO.

Proposed Issue and Sale of First Mortgage Bonds at Competitive Bidding

JUNE 7, 1974.

Notice is hereby given that The Narragansett Electric Company ("Narragansett"), 280 Melrose Street, Providence, Rhode Island 02901, an electric utility subsidiary company of New England Electric System ("NEES"), a registered holding company, has filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(b), 9(a), 10, and 12 of the Act and Rules 42 and 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Narragansett proposes to issue and sell $25,000,000 aggregate principal amount of its First Mortgage Bonds, Series K, ---- %, to mature not more than 30 years from August 1, 1974. Such bonds will be sold pursuant to the competitive bidding requirements of Rule 50 and the interest rate (which shall be a multiple of ⅛ of 1% and the price exclusive of accrued interest (which shall be not less than 100% nor more than 102.75% of the principal amount) will be determined by the competitive bidding. The bonds will be issued under the First Mortgage and Indenture and Deed of Trust dated as of September 1, 1944, between Narragansett and Rhode Island Hospital Trust National Bank, Trustee, as heretofore supplemented and amended and as to be further supplemented by a tenth Supplemental Indenture to be dated as of August 1, 1974. Narragansett shall notify prospective bidders no later than the second full business day prior to the time designated for the submission of bids of (i) the maturity date of the bonds and (ii) whether or not the bonds shall be redeemable during the first five years of their term in connection with a refunding of the bonds at a lesser effective interest cost to Narragansett.

The proceeds from the sale of the bonds will be applied first to the payment of $21,925,000, Series A Bonds maturing September 1, 1974, and second to the payment of outstanding short term notes payable which were issued to pay for capitalizable expenditures or to reimburse the treasury therefor.

It is stated that the terms and conditions for bids for the Series K Bonds provide that Narragansett may postpone the bidding or reject all bids. In addition, the terms of purchase of the Series K Bonds entitle the purchasers to terminate their commitments to purchase on grounds of materially changed market conditions. If for these reasons or for any other reasons Narragansett does not sell the Series K Bonds prior to the maturity of the Series A Bonds, Narragansett states it must have funds available on short notice to pay the Series A Bonds at their maturity. Accordingly, Narragansett expects to make arrangements to provide the required funds to redeem the Series A Bonds from short-term borrowings or from NEES. Such borrowing would require authorization by this Commission and by the holders of Narragansett preferred stock. If such authorization is sought, it will be the subject of a separate filing with this Commission.

The application-declaration states that the Department of Business Regulation of Rhode Island has jurisdiction over the issue and sale of the bonds, and that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. The fees and expenses to be paid by Narragansett are estimated at $90,000, including service fees, at cost, of New England Power Service Company, a wholly-owned subsidiary company of NEES, of $30,000. The fees of counsel for the underwriters are to be paid by the successful bidders and will be supplied by amendment.

Notice is further given that any interested person may, not later than July 10, 1974, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-13817 Filed 6-14-74;8:45 am]

[File No. 500-1]

ZENITH DEVELOPMENT CORP.

Suspension of Trading

JUNE 10, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Zenith Development Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from June 11, 1974 through June 20, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-13814 Filed 6-14-74;8:45 am]

VETERANS ADMINISTRATION

ENVIRONMENTAL IMPACT PROGRAM

Revision of Guidelines

On page 3324 of the FEDERAL REGISTER of January 25, 1974, there was published proposed amendments to VA guidelines (37 FR 8591, published April 28, 1972) for preparation of environmental statements required by section 102(2)(C) of the National Environmental Policy Act of 1969 (Pub. L. 91-190). Interested persons were given 30 days in which to submit comments, suggestions, or objections regarding the proposed amendments to the guidelines.

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

Approved: June 11, 1974.

By direction of the Administrator.

[SEAL] R. L. ROUDEBUSH, *Deputy Administrator.*

1. Paragraph 7b(1)(c)2 is amended to read as follows:

CHAPTER 9—VA ENVIRONMENTAL IMPACT PROGRAM

* * * * *

7. *Plans and procedures.* * * *

b. Each of these considerations is explained in more detail below, in the order of their listing:

(1) *Consultation with Federal, State, and local agencies, the CEQ, and the OMB.* * * *

(c) Coordination of 102 statements with responsible agencies will be done as follows:

* * * * *

2. A 60-day time limit for reply is established. The period will begin on the day the notice of availability of a draft 102 statement is published in the FEDERAL REGISTER by the VA. The VA will endeavor to comply with requests for an extension of time up to 15 days. After this time period has passed, it may be presumed that the concerned agency has no comment to make.

* * * * *

2. Paragraph 8a and c(3) is amended to read as follows:

8. *Initiating and controlling the preparation, coordination and administration of 102 statements.* a. Under the general direction of the Deputy Administrator, the "Central Point" in the VA for the control and administration of the program concerning 102 statements will be located in DM&S, under the Assistant Chief Medical Director for Administration, in Engineering Service.

* * * * *

c. The Office of Construction, the Department of Medicine and Surgery, the Department of Veterans Benefits and staff office heads having cognizance of any of the categories of VA actions or administrative responsibilities related thereto outlined in paragraph 3 will:

* * * * *

(3) Provide information to the "Central Point" at inception of any action or at the earliest possible time so that assistance may be given in the environmental assessment process in determining the need for a 102 statement. The final decision as to the need for a 102 statement will be made by the "Central Point." Prepare a publicly available record briefly setting forth the reasons when a determination is made not to make a 102 statement on a proposed action when:

(a) A 102 statement would normally be made.

(b) An action is similar to those on which the VA has prepared 102 statements.

(c) An announcement was previously made that a 102 statement would be prepared.

(d) The VA has made a negative determination in response to a request from the CEQ for a 102 statement.

* * * * *

[FR Doc.74-13782 Filed 6-14-74;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 530]

ASSIGNMENT OF HEARINGS

JUNE 12, 1974.

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 issue as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

No. 35897, Continuous Movement of Chemicals & Petroleum Products in Bulk, is continued to June 27, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

No. 35786, Feed Grains To New England, reconvened for prehearing conference on June 26, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 134323 Sub-61, Jay Lines, Inc., now assigned July 8, 1974, and MC-F-12114, Preston Trucking Company, Inc.—Purchase (Portion)—Express/S.D.Z. (Irvin Klein, Trustee), now assigned July 10, 1974, at New York, N.Y., will be held in Room E-2222, 26 Federal Plaza.

MC 10794 Sub 4, Perrow Motor Freight Lines, Inc. now assigned July 22, 1974, will be held in Room C, 2nd Floor, State Office Bldg., 1900 Washington St., East, Charleston, West Virginia.

MC-C-8261, Coastal Cities Coach Co.—Investigation And Revocation of Certificates—now assigned July 9, 1974, at Newark, N.J., will be held in Room 730, Tax Court, Federal Office Building, 970 Broad Street.

MC 119777 Sub 276, Ligon Specialized Hauler, Inc., now assigned June 17, 1974, at St. Louis, Mo., at the Downtowner Motor Inn, 12th and Washington St., St. Louis, Mo., instead of the St. Louis University Law School.

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

[FR Doc.74-13826 Filed 6-14-74;8:45 am]

[Section 5a Application 113]

AUTOMOTIVE CARRIERS ASSOCIATION

Application for Approval of Agreement

MAY 30, 1974.

The Commission is in receipt of the above-entitled and numbered application for approval of an agreement under the provisions of Section 5a of the Interstate Commerce Act.

Filed March 14, 1974 by: Paul Zola, Suite 1402, 230 West 41st St., New York, N.Y. 10036; Attorney-In-Fact.

Agreement involves: Organization and procedures between and among common carriers by motor vehicle, members of the Automotive Carriers Association, relating to the joint consideration, initiation or establishment of rates, charges, rules, regulations, classifications, respecting transportation of automobiles in driveaway service (together with the baggage, sporting equipment and personal effects of the owners thereof) from, to and between all points and places within the 50 United States.

The complete application may be inspected at the Office of the Commission in Washington, D.C.

Any person desiring to protest and participate in this proceeding shall notify the Commission in writing on or before July 8, 1974. As provided by the general rules of practice of the Commission, persons other than applicants should fully disclose their interest, and the position they intend to take with respect to the application. Otherwise, the Commission, in its discretion, may proceed to investigation and determine the matters involved, without public hearing.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-13830 Filed 6-14-74;8:45 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 12, 1974.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1100.40) and filed on or before July 5, 1974.

FSA No. 42840—*Fresh Meats and Packinghouse Products from Madison, Nebraska.* Filed by Western Trunk Line Committee, Agent (No. A-2707), for interested rail carriers. Rates on fresh meats and packinghouse products, in straight or mixed carloads, as described in the application, from Madison, Nebraska, to specified points in southern territory.

Grounds for relief—Market competition.

Tariff—Supplement 14 to Western Trunk Line Committee, Agent, tariff 287-G, I.C.C. No. A-4899. Rates are published to become effective on July 12, 1974.

FSA No. 42841—*Beet or Cane Sugar to Points in Iowa, Minnesota and Wisconsin.* Filed by Western Trunk Line Committee, Agent (No. A-2706), for interested rail carriers. Rates on sugar, beet or cane, dry, in bulk, in carloads, as described in the application, from points in Montana, trans-continental and western trunkline territories, to specified points in Iowa, Minnesota and Wisconsin.

Grounds for relief—Rate relationship and return shipment of commodities.

Tariffs—Supplement 154 to Western Trunk Line Committee, Agent, tariff 159-O, I.C.C. No. A-4481, and 3 other schedules named in the application. Rates are published to become effective on July 15, 1974.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-13827 Filed 6-14-74;8:45 am]

[Notice 105]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

JUNE 17, 1974.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-35456. By order of June 10, 1974, the Motor Carrier Board approved the lease to Joseph K. Hewitt, doing business as Ed Miller Trucking Company, Baltimore, Md., of Certificates Nos. MC-118182 and MC-118182 (Sub-No. 3) issued January 13, 1966, and December 2, 1970, respectively, authorizing the transportation of bananas from Baltimore, Md., New York, N.Y., Norfolk, Va., Philadelphia, Pa., and Weehawken, N.J., to named points in Virginia, Pennsylvania, Maryland, New Jersey, New York, and the District of Columbia; and from Wilmington, Del., and Port Newark, N.J., to points in Delaware, New York, New Jersey, described parts of Maryland and Pennsylvania, and the District of Columbia, respectively. Ronald N. Middleton, Esq., Attorney for Applicants, 1900 Land Title Building, Philadelphia, Pa. 19110.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-13829 Filed 6-14-74;8:45 am]

[Notice 83]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 7, 1974.

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 Part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

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

MOTOR CARRIERS OF PROPERTY

No. MC 25798 (Sub-No. 258 TA), filed May 29, 1974. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, P.O. Box 1186, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, and *agricultural commodities*, exempt from economic regulation under Section 203(b)(6) of the Act when transported in mixed loads with bananas, from Mobile, Ala., to points in Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, New Mexico, Ohio, Oklahoma, Texas, and Wisconsin, restricted to traffic having an immediate prior movement by water, for 180 days. SUPPORTING SHIPPER: Del Monte Banana Company, 1201 Brickell Ave., Miami, Fla. 33101. SEND PROTESTS TO: District Supervisor Joseph B. Teichert, Interstate Commerce Commission, Bureau of Operations, 5255 NW. 87th Avenue, Room 208, Miami, Fla. 33166.

No. MC 52574 (Sub-No. 46 TA), filed May 30, 1974. Applicant: ELIZABETH

FREIGHT FORWARDING CORP., 120 South 20th Street, Irvington, N.J. 07111. Applicant's representative: Edward F. Bowes, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products*, from Wilmington, Del., to Edison Township, N.J., for the account of Gourmet Bakers, Inc., for 90 days. SUPPORTING SHIPPER: Gourmet Bakers, Inc., P.O. Box B, Edison, N.J. 08817. SEND PROTESTS TO: District Supervisor Robert S. H. Vance, Interstate Commerce Commission, Bureau of Operations, 9 Clinton Street, Newark, N.J. 07102.

No. MC 55898 (Sub-No. 51 TA), filed May 28, 1974. Applicant: DECATO BROS., INC., P.O. Box 310, Lebanon, N.H. 03766. Applicant's representative: David M. Marshall, 135 State Street, Springfield, Mass. 01103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum and gypsum products*, between Buchanan, N.Y., on the one hand, and, on the other, ports of entry on the International Boundary line between the United States and Canada located at Rouses Point and Champlain, N.Y., for 180 days. SUPPORTING SHIPPER: Georgia-Pacific Corporation, Gypsum Division, 1062 Lancaster Ave., Rosemont, Pa. 19010. SEND PROTESTS TO: District Supervisor Ross J. Seymour, Interstate Commerce Commission, Bureau of Operations, 313 Federal Building, Concord, N.H. 03301.

NOTE.—Applicant will interline at Rouses Point and Champlain, N.Y., with Canadian carriers for movements into Canada.

No. MC 103993 (Sub-No. 810 TA), filed May 28, 1974. Applicant: MORGAN DRIVE-AWAY, INC., 2800 W. Lexington Avenue, Elkhart, Ind. 46514. Applicant's repersentative: Paul D. Borghesani (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from Franklin Parish, La., to points in Arkansas, Texas, Oklahoma, Mississippi, Tennessee, and Alabama, for 180 days. SUPPORTING SHIPPER: Franklin Homes, Inc., P.O. Box 907, Winnsboro, La. 71295. SEND PROTESTS TO: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 W. Wayne St., Room 204, Ft. Wayne, Ind. 46802.

No. MC 103993 (Sub-No. 811 TA), filed May 28, 1974. Applicant: MORGAN DRIVE-AWAY, INC., 2800 W. Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Amusement rides*, on undercarriages, from points in St. Charles County, Mo., to points in the United States (except Alaska and Hawaii), for 180 days. SUPPORTING SHIPPER: Hampton Amusement Corp., Portage Des Sioux, Mo. 63373. SEND PROTESTS TO: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 W. Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 105774 (Sub-No. 2 TA), filed May 28, 1974. Applicant: C. E. JOHNSON, 704 North First Street, Box 403, Osborne, Kans. 67473. Applicant's representative: Marvin Johnson (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles and parts and material* to be used in the manufacture of agricultural machinery, from Fort Collins, Colo., Dallas, Tex., Kansas City, Mo., Quincy, Skokie, and Chicago, Ill., to Clay Center and Osborne, Kans., and (2) *Agricultural machinery and parts*, from Clay Center and Osborne, Kans., to points in Texas, New Mexico, Oklahoma, Colorado, Missouri, Iowa, Nebraska, South Dakota, North Dakota, Montana, Wyoming, Utah, Idaho, Illinois, and Indiana, for 180 days. SUPPORTING SHIPPERS: Gilmore-Tatge Mfg. Co., Inc., Clay Center, Kans. 67432; Osborne Manufacturing Co., Inc., P.O. Box 390, Osborne, Kans. 67473; and Kaser Implement, Inc., 130–136 North First St., Osborne, Kans. 67473. SEND PROTESTS TO: Thomas P. O'Hara, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 234 Federal Building, Topeka, Kans. 66603.

No. MC 105813 (Sub-No. 195 TA), filed May 29, 1974. Applicant: BELFORD TRUCKING CO., INC., Off: 3500 NW., 79th Avenue, Mail: 154 M.I.A. Station, Miami, Fla. 33148. Applicant's representative: Arnold L. Burke, 127 N. Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities* exempt from economic regulation under Section 203(b)(6) of the Act, when transported in mixed loads with bananas, from Mobile, Ala., to points in Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nevada, Nebraska, New Hampshire, New Jersey, New Mexico, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wyoming, and the District of Columbia, restricted to the transportation of traffic having immediate prior move by water, for 180 days. SUPPORTING SHIPPER: Del Monte Banana Company, 1201 Brickell Avenue, Miami, Fla. 33101. SEND PROTESTS TO: District Supervisor Joseph B. Teichert, Interstate Commerce Commission, Bureau of Operations, 5255 NW., 87th Ave., Room 208, Miami, Fla. 33166.

No. MC 107002 (Sub-No. 453 TA), filed May 31, 1974. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, U.S. Highway 80 West, Jackson, Miss. 39205. Applicant's representative: John J. Borth, P.O. Box 1123, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from the plant site of Phillips Petroleum Co., near Chatom, Ala., to Columbus, Dawson, Alapaha, Woodbury, Macon, and Montezuma, Ga.; Tallulah, La.; and Corinth, New Albany, Oxford, Vicksburg, Booneville, and Falkner, Miss., for 180 days. SUPPORTING SHIPPER: Phillips Petroleum Company, 149 Phillips Building Annex, Bartlesville, Okla. 74004. 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 107496 (Sub-No. 956 TA), filed May 30, 1974. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, P.O. Box 855 (Box ZIP 50304), Des Moines, Iowa 50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphuric acid*, in bulk, in tank vehicles, from Davenport, Iowa, to points in Illinois, Missouri, and Iowa, for 150 days. SUPPORTING SHIPPER: Thompson Hayword Chemical Company, 2040 West River Drive, Davenport, Iowa 52802. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 109584 (Sub-No. 155 TA), filed May 29, 1974. Applicant: ARIZONA-PACIFIC TANK LINES, 5773 South Prince Street, P.O. Box 192, Littleton, Colo. 80120. Applicant's representative: Kenneth A. Willhite (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Syrup*, in bulk, in tank vehicles, from Emeryville, Calif., to Richmond, Utah, for 180 days. SUPPORTING SHIPPER: Nulomoline of California, Div. of Liquid Sugars, Inc., P.O. Box 96, Oakland, Calif. 94604. SEND PROTESTS TO: District Supervisor Roger L. Buchanan, 2022 Federal Building, Interstate Commerce Commission, Denver, Colo. 80202.

No. MC 116077 (Sub-No. 354 TA), filed May 31, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 West Loop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: J. C. Browder (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sulphur trioxide*, in bulk, in tank vehicles, from Houston, Tex., to Lockland, Ohio, for 180 days. SUPPORTING SHIPPER: R. C. Messemer, Product Transportation Manager, Stauffer Chemical Company, Westport, Conn. 06880. SEND PROTESTS TO: District Supervisor Mensing, Interstate

Commerce Commission, Bureau of Operations, 515 Rusk Avenue, Room 8610, Federal Bldg., Houston, Tex. 77002.

No. MC 116133 (Sub-No. 11 TA), filed May 31, 1974. Applicant: POLLARD DELIVERY SERVICE, INC., Washington National Airport, Hanger No. 8, Room 213, Washington, D.C. 20001. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hand power tools, replacement parts and components thereof*, from the plant site of Black & Decker Manufacturing Co., Hampstead, Md., to John F. Kennedy International Airport, New York, N.Y., restricted to traffic having an immediately subsequent movement by air, for 180 days. SUPPORTING SHIPPER: Black & Decker Manufacturing Co., P.O. Box 197, Hampstead, Md. 21074. SEND PROTESTS TO: W. C. Hersman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th & Constitution Avenue NW., Washington, D.C. 20423.

No. MC 117344 (Sub-No. 233 TA), filed May 21, 1974. Applicant: THE MAXWELL CO., a Corporation, 10380 Evendale Drive, P.O. Box 15010, Cincinnati, Ohio 45215. Applicant's representative: John C. Spencer (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphur trioxide*, in bulk, in shipper-owned tank trailers, from Columbia Park (Hamilton County), Ohio, to Baltimore, Md., and Kansas City, Kans., for 150 days. SUPPORTING SHIPPER: The Procter & Gamble Manufacturing Company, P.O. Box 599, Cincinnati, Ohio 45201. SEND PROTESTS TO: Paul J. Lowry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 5514–B Federal Bldg., 550 Main Street, Cincinnati, Ohio 45202.

No. MC 117820 (Sub-No. 6 TA), filed May 30, 1974. Applicant: AURELIA TRUCKING CO., a Corporation, 2136 Pine Grove Avenue, Port Huron, Mich. 48060. Applicant's representative: Robert D. Schuler, 100 West Long Lake Road, Bloomfield Hills, Mich. 48013. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, as described in Sections A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 272, in vehicles equipped with mechanical refrigeration, from DeWitt (Clinton County), Mich., to points in New York, Ohio, Pennsylvania, and Virginia, for 180 days. SUPPORTING BEEFER: Michigan Beef Company, Box 400, Round Lake Road, DeWitt, Mich. 48820. SEND PROTESTS TO: Melvin F. Kirsch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1110 Broderick Tower, 10 Witherell, Detroit, Mich. 48226.

No. MC 117940 (Sub-No. 132 TA), filed May 22, 1974. Applicant: NATIONWIDE CARRIERS, INC., P.O. Box 104, Maple Plain, Minn. 55359. Applicant's representative: Donald L. Stern, Suite 530, Univac Building, 7100 W. Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities* exempt from economic regulation under section 203(b)(6) of the Act, when transported in mixed loads with bananas, from Mobile, Ala., to points in Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Missouri, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia, restricted to the transportation of traffic having an immediate prior move by water, for 180 days. SUPPORTING SHIPPER: Del Monte Banana Company, 1201 Brickell Avenue, Miami, Fla. 33101. SEND PROTESTS TO: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and U.S. Court House, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 118016 (Sub-No. 2 TA), filed May 30, 1974. Applicant: BURKETT TRUCKING CO., INC., 2508 East Roosevelt, P.O. Box 4173 (Box zip 72204), Little Rock, Ark. 72202). Applicant's representative: Thomas J. Presson, P.O. Box 71, Redfield, Ark. 72132. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and exempt agricultural commodities* when transported in same vehicle with bananas, from Mobile, Ala., to points in Colorado, Kansas, Oklahoma, Arkansas, Texas, and Missouri, for 180 days. SUPPORTING SHIPPER: Del Monte Banana Company, 1201 Brickell Avenue, Miami, Fla. 33101. SEND PROTESTS TO: District Supervisor William H. Land, Jr., Interstate Commerce Commission, Bureau of Operations, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201.

No. MC 119792 (Sub-No. 42 TA), filed May 31, 1974. Applicant: CHICAGO SOUTHERN TRANSPORTATION COMPANY, a Corporation, 3215 S. Hamilton Avenue, Chicago, Ill. 60608. Applicant's representative: Jack H. Blanshan, 29 S. LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities* exempt from economic regulation under section 203(b)(6) of the Act, when transported in mixed shipments with bananas, from Mobile, Ala., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Minnesota, and Wisconsin, restricted to traffic having an immediate prior movement by water, for 180 days. SUPPORTING SHIPPER: Mr. Ben E. Klein, Del Monte Banana Company, 1201 Brickell Ave., Miami, Fla. 33101. SEND PROTESTS TO: Robert G. Anderson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 124032 (Sub-No. 12 TA), filed May 29, 1974. Applicant: REED'S FUEL COMPANY, a Corporation, 4080 Commercial Street, Springfield, Oreg. 97477. Applicant's representative: Lawrence V. Smart, Jr., 419 NW. 23rd Avenue, Portland, Oreg. 97210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood*, between the facilities of Cress-Ply, Inc., near Creswell, Oreg., on the one hand, and, on the other, Eugene, Oreg., for 180 days. SUPPORTING SHIPPER: Cress-Ply, Inc., 82898 N. Butte Road, Creswell, Oreg. 97462. SEND PROTESTS TO: A. E. Odoms, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 114 Pioneer Courthouse, Portland, Oreg. 97204.

No. MC 124111 (Sub-No. 47 TA), filed May 22, 1974. Applicant: OHIO EASTERN EXPRESS, INC., P.O. Box 2297, 300 West Perkins Avenue, Sandusky, Ohio 44870. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities*, the transportation of which is otherwise exempt from economic regulation under Section 203(b)(6) of the Act in mixed loads with bananas, from Georgetown, S.C., to Louisville, Ky., and St. Louis, Mo., and points in New York, New Jersey, Illinois, Indiana, Michigan, Ohio, Pennsylvania, West Virginia, Maryland, Delaware, Connecticut, Wisconsin, and the District of Columbia, for 180 days. SUPPORTING SHIPPER; Castle & Cooke Foods, Division of Castle & Cooke, Inc., 350 Vanderbilt Motor Parkway, Hauppauge, N.Y. 11787. SEND PROTESTS TO: Keith D. Warner, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 313 Federal Office Building, 234 Summit Street, Toledo, Ohio 43604.

No. MC 125271 (Sub-No. 3 TA), filed May 28, 1974. Applicant: DONALD E. KRAKE, doing business as Haines TRANSFER CO., Box 28, Haines, Alaska 99827. Applicant's representative: Joseph C. Lawton (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* requiring special equipment, between points in Alaska south and east of the United States-Canada boundary line north of Haines, Alaska, for 180 days. SUPPORTING SHIPPERS: There are approximately 8 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: Hugh H. Chaffe, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 1532, Anchorage, Alaska 99510.

No. MC 125533 (Sub-No. 8 TA), filed May 30, 1974. Applicant: GEORGE W. KUGLER, INC., 2800 East Waterloo Road, P.O. Box 6064, Ellet Sta-

tion, Akron, Ohio 44312. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, plastic conduit and fittings therefor*, and *materials, supplies, and accessories* used in the installation thereof, moving from the plantsite of Carlon Products Corporation located in Mantua Township, Portage County, Ohio, to points in Indiana and Michigan, restricted to deliveries to jobsites of telephone and electric utilities companies, for 180 days. SUPPORTING SHIPPER: Carlon Products Corporation, Carlon Division of Indiana Head, Inc., Three Commerce Park Square, 23200 Chagrin Blvd., Cleveland, Ohio 44122. SEND PROTESTS TO: Franklin D. Bail, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Bldg., 1240 East Ninth Street, Cleveland, Ohio 44199.

No. MC 125533 (Sub-No. 9 TA), filed May 30, 1974. Applicant: GEORGE W. KUGLER, INC., 2800 East Waterloo Road, P.O. Box 6064, Ellet Station, Akron, Ohio 44312. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, plastic conduit and fittings therefor*, and *materials, supplies, and accessories* used in the installation thereof, moving from the plantsite of Carlon Products Corporation in Mantua Township, Portage County, Ohio, to points in New York, restricted to deliveries to jobsites of telephone and electric utilities companies, for 180 days. SUPPORTING SHIPPER: Carlon Products Corporation, Carlon Division of Indian Head, Inc., Three Commerce Park Square, 23200 Chagrin Blvd., Cleveland, Ohio 44122. SEND PROTESTS TO: Franklin D. Bail, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 181 Federal Office Building, 1240 East Ninth Street, Cleveland, Ohio 44199.

No. MC 126899 (Sub-No. 77 TA), filed May 28, 1974. Applicant: USHER TRANSPORT, INC., 3925 Old Benton Road, P.O. Box 3051, Paducah, Ky. 42001. 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: *Malt beverages*, in containers, and *related advertising materials* and *empty malt beverage containers* on return, from Dubuque, Iowa, to points in Wisconsin (except Prairie du Chien and Spring Green, Wis.), for 180 days. SUPPORTING SHIPPER: Joseph S. Pickett & Sons., Inc., E. 4th St. Ext., Dubuque, Iowa 52001. SEND PROTESTS TO: Floyd A. Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 435 Federal Office Building 167 North Main Street, Memphis, Tenn. 38103.

No. MC 127115 (Sub-No. 9 TA), filed May 24, 1974. Applicant: MILLERS TRANSPORT, INC., 510 4th North Street, Hyrum, Utah 84319. Applicant's representative: Harry D. Pugsley, Suite 400, 315 East 2nd South, Salt Lake City, Utah 84111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foam and cellular expanded plastics, rubber and related accessories*, from Compton, City of Commerce, and Oakland, Calif., and Portland, Oreg., to points in Utah and Idaho south of Idaho County, and to Reno and Elko, Nev., for 180 days. SUPPORTING SHIPPER: United Foam Company, 4542 E. Dunham St., Los Angeles, Calif. 90023 (Frank A. Distaso, General Manager). SEND PROTESTS TO: Lyle D. Helfer, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5301 Federal Building, 125 South State Street, Salt Lake City, Utah 84138.

No. MC 128383 (Sub-No. 55 TA), filed May 29, 1974. Applicant: PINTO TRUCKING SERVICE, INC., 1414 Calcon Hook Road, Sharon Hill, Pa. 19079. Applicant's representative: Gerald K. Gimmel, 303 N. Frederick Avenue, 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), in vehicles equipped with roller bed floors, between Chicago O'Hare International Airport at Chicago, Ill., and Douglas Municipal Airport at Charlotte, N.C., restricted to the transportation of traffic having a prior or subseqeunt movement by air or moving in a substitute for air service for direct or indirect air carriers, for 180 days. SUPPORTING SHIPPERS: Air Express International/Wings & Wheels Express, 7701 Frosch Road, Charlotte, N.C. 28214, and Airborne Freight Corporation, 3313 Piper Lane, Charlotte, N.C. SEND PROTESTS TO: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Federal Building, Room 3238, 600 Arch St., Philadelphia, Pa. 19106.

No. MC 129704 (Sub-No. 1 TA), filed May 3, 1974. Applicant: CLARENCE B. BLANKENSHIP, doing business as TROY CAB CO., 2136 Burdic, P.O. Box 34, Troy, Mich. 48084. Applicant's representative: Robert E. McFarland, 635 Elm Street, Birmingham, Mich. 48011. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, classes A and B explosives, household goods as defined by the Commissions, and commodities requiring special handling), in straight trucks, between the plant sites of TRW, Inc., and suppliers of TRW, Inc., located in Detroit, Mich., and the commercial zone thereof and the facility of TRW, Inc., located at 902 Lyons Road at or near Portland, Ionio County, Mich., on the one hand, and, on the other, the plant sites of TRW, Inc., located on Highway 11 W at or near Rogersville, Hawkins County, Tenn., and the plant site of TRW, Inc., located on Snapp Ferry Road at or near Greenville, Greene County, Tenn., restricted against the transportation of shipments weighing more than 3,000 pounds in the aggregate from one consignor at one location to one consignee at one location during a single day, for 180 days. SUPPORTING SHIPPER: TRW, Inc., 34201 Van Dyke, Sterling Heights, Mich. 48092. SEND PROTESTS TO: Melvin F. Kirsch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1110 Broderick Tower, 10 Witherell Avenue, Detroit, Mich. 48226.

No. MC 134022 (Sub-No. 10 TA), filed May 30, 1974. Applicant: RICHARD A. ZIMA, doing business as ZIPCO, 4008 Schuster Drive, P.O. Box 115, West Bend, Wis. 53095. Applicant's representative: Nancy J. Johnson, 4506 Regent Street, Suite 100, Madison, Wis. 53705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and related advertising materials, premiums, equipment, and supplies* when shipped therewith, from Dubuque, Iowa, to Germantown, Brown Deer, and Cedarburg, Wis., for 180 days. SUPPORTING SHIPPER: Wetzler Dist. Co., Inc., W63 N 147 Washington Ave., Cedarburg, Wis. 53012 (Robert Stecker, President). SEND PROTESTS TO: District Supervisor John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 134734 (Sub-No. 16 TA), filed May 31, 1974. Applicant: NATIONAL TRANSPORTATION, INC., P.O. Box 37461, Millard, Nebr. 68137. Applicant's representative: Lanny N. Fauss, P.O. Box 37906, Omaha, Nebr. 68137. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cranberry products* (except in bulk), fresh, frozen, and sealed hermetically sealed containers, from Kenosha, Wis., to St. Joseph, Joplin, and Springfield, Mo.; Little Rock, Ark.; Atlanta, Ga.; Birmingham, Montgomery, and DeArmanville, Ala.; Shreveport, Harahan, Baton Rouge, and New Orleans, La.; Tupelo and Jackson, Miss.; Markham, Wash.; and their commercial zones, for 180 days. SUPPORTING SHIPPER: Ocean Spray Cranberries, Inc., Mrs. Florence Quick, Traffic Manager, Cranberry Lane, Kenosha, Wis. SEND PROTESTS TO: District Supervisor Carroll Russell, Interstate Commerce Commission, Bureau of Operations, Suite 620, Union Pacific Plaza, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 138452 (Sub-No. 4 TA), filed May 29, 1974. Applicant: JOSEF T. KRAUS, doing business as JOSEF KRAUS TRUCKING CO., Route 2, Box 262–H, Sherwood, Oreg. 97140. Applicant's representative: Philip C. Skofstad, 3076 E. Burnside Street, Portland, Oreg. 97214. Authority sought to operate

as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beds, fixtures, and materials* used in the manufacturing of furniture and bedding, between Los Angeles, Calif. and Glendale, Ariz., on the one hand, and, on the other hand, Portland, Medford, Eugene, and Salem, Oreg.; Seattle, Tacoma, and Spokane, Wash.; Boise, Nampa, Caldwell, Twin Falls, and Pocatello, Idaho; and Salt Lake City, Utah, for 180 days. SUPPORTING SHIPPER: Leggett & Platt Incorporated, 600 W. Mound, Carthage, Mo. 64836. SEND PROTESTS TO: A. E. Odoms, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 114 Pioneer Courthouse, Portland, Oreg. 97204.

No. MC 139021 (Sub-No. 3 TA), filed May 30, 1974. Applicant: 212 AUTO SALES, INC., 325 U.S. Highway 20 East, P.O. Box 251, Michigan City, Ind. 46360. Applicant's representative: Karl L. Gotting, 1200 Bank of Lansing Bldg., Lansing, Mich. 48933. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used cars and pick-up trucks*, in truckway service for Barnett Chrysler-Plymouth of White Bear Lake, Minn., sold at auctions between the auction sites of Grand Rapids Auto Auction, Inc. at or near Hudsonville, Mich.; Flint Auto Auction, Flint, Mich.; and Appco Auto Auction, Detroit, Mich., on the one hand, and White Bear Lake, Minn., on the other hand, for 180 days. SUPPORTING SHIPPER: Barnett Chrysler-Plymouth, 3610 N. Highway 61, White Bear Lake, Minn. SEND PROTESTS TO: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 W. Wayne St., Room 204, Ft. Wayne, Ind. 46802.

No. MC 139413 (Sub-No. 2 TA), filed May 28, 1974. Applicant: ST. LAMBERT TRANSPORT INC., 189 Dupont Street, St-Lambert of Levis, County of Levis, St. Lambert, Canada. Applicant's representative: Marshall Kragen, 666 Eleventh Street, Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, between ports of entry on the United States-Canada boundary line located in Maine, on the one hand, and points in Maine, on the other, restricted to the transportation of shipments having an immediately prior or subsequent movement in foreign commerce, for 180 days. SUPPORTING SHIPPERS: Le Bouef & Sirois Lumber Company, 28 Exchange St., Ashland, Maine and Turcot Lumber Inc., Industrial Centre, St-Romuald, County of Levis, Quebec, Canada. SEND PROTESTS TO: District Supervisor Ross J. Seymour, Interstate Commerce Commission, Bureau of Operations, 313 Federal Building, Concord, N.H. 03301.

No. MC 139716 TA (CORRECTION), filed April 18, 1974, published in the FEDERAL REGISTER issue of May 6, 1974, and republished as corrected this issue. Applicant: TEXAS NEBRASKA EXPRESS, INC., 3902 West South Omaha Bridge Road, Council Bluffs, Iowa 51501. Applicant's representative: Robert V. Dwyer, Jr., 1601 Woodmen Tower, Omaha, Nebr. 68102.

NOTE.—The purpose of this republication is to add Indiana as a destination state, which was omitted in previous publication. The rest of the application will remain the same.

No. MC 139804 (Sub-No. 1 TA), filed May 31, 1974. Applicant: ESKELSON TRUCKING, INC., Enderlin, N. Dak. 58027. Applicant's representative: Charles E. Johnson, 425 Gate City Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Waste treatment systems and parts and accessories* for waste treatment systems, from Enderlin, N. Dak., to points in Minnesota, Iowa, North Dakota, South Dakota, Montana, Washington, Oregon, Idaho, Texas, California, Louisiana, New Mexico, Ohio, New York, Massachusetts, Maine, Pennsylvania, Michigan, Wisconsin, Florida, and Missouri, for 180 days. SUPPORTING SHIPPERS: Multi-Flo, Inc., 500 Webster Street, Dayton, Ohio 45401 and Enderlin Plastics, Enderlin, N. Dak. 58027. SEND PROTESTS TO: Joseph H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 139837 (Sub-No. 1 TA), filed May 28, 1974. Applicant: K & I DISTRIBUTORS, INC., 911 Schnelker Court, New Haven, Ind. 46774. Applicant's representative: Robert W. Loser II, 1009 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is distributed by Amway Corporation, including but not limited to *cosmetics, toiletries, fire extinguishers and component parts, cookware, dishes, soaps, cleaning compounds, and solvents* (except commodities in bulk) and *advertising materials*, (1) from Huntington, Ind., to points in Indiana on and north of Indiana State Highway 46 and (2) from Columbus, Ind., to points in Indiana on and south of a line commencing at the point where U.S. Highway 36 intersects with Indiana-Illinois state line, thence along U.S. Highway 36 in an easterly direction to Indianapolis, Ind., thence along U.S. Highway 40 to the point where U.S. Highway 40 intersects with the Indiana-Ohio state line, and points in Kentucky on and west of U.S. Highway 431 and (3) from Louisville, Ky., to points in Kentucky on and east of U.S. Highway 431 and points in Indiana on and south of Interstate Highway 64, for 180 days. RESTRICTION: The operations authorized herein are limited to a transportation service to be performed under a continuing contract, or contracts with Amway Corp., Ada, Mich. SUPPORTING SHIPPER: Amway Corporation, 7575 East Fulton Road, Ada, Mich. 49301. SEND PROTESTS TO: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 W. Wayne St., Room 204, Ft. Wayne, Ind. 46802.

No. MC 139840 TA, filed May 28, 1974. Applicant: FREDERICK M. PRICE, SR., doing business as P & H CARTAGE AND GARAGE, 2531 East Pontiac Street, Ft. Wayne, Ind. 46803. Applicant's representative: James M. Prickett, 395 Lincoln Bank Tower, Ft. Wayne, Ind. 46802. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Freight of all kinds*, having an immediately prior or subsequent movement via rail, between Cincinnati, Ohio and Fort Wayne, Ind., for 180 days. SUPPORTING SHIPPER: The American Thread Co., Inc., P.O. Box 729, Old Fort, N.C. 28762. SEND PROTESTS TO: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 W. Wayne St., Room 204, Ft. Wayne, Ind. 46802.

No. MC 139847 TA, filed May 29, 1974. Applicant: W–W TRANSPORTATION CO., INC., P.O. Box 1204, Wausau, Wis. 54401. Applicant's representative: Michael J. Wyngaard, 329 West Wilson Street, Madison, Wis. 53703. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building and housing units*, complete, knocked down, or in sections, and *component parts thereof, wood products, composition wood products, and parts and accessories* for each of these commodities (a) between points in Marathon County, Wis., and Wapello County, Iowa; and (b) from points in Marathon County, Wis., and Wapello County, Iowa, to points in the United States (except Alaska and Hawaii); and (2) *returned shipments and materials, equipment, and supplies* used or useful in the manufacture, sale, distribution, erection, and completion of the commodities named in part (1) of the application, (a) between points in Marathon County, Wis., and Wapello County, Iowa, and (b) from points in the United States (except Alaska and Hawaii), to points in Marathon County, Wis., and Wapello County, Iowa, for 180 days. RESTRICTION: Restricted to transportation service to be performed under a continuing contract or contracts with Wausau Homes, Incorporated, of Wausau, Wis. SUPPORTING SHIPPER: Wausau Homes, Incorporated, 901 Cherry Street, Wausau, Wis. 54401. SEND PROTESTS TO: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 139 West Wilson Street, Room 202, Madison, Wis. 53703.

No. MC 139849 TA, filed May 28, 1974. Applicant: ACTIVE TRUCK LINE, INC., 15666 Slover Avenue, Fontana, Calif. 92335. Applicant's representative: Milton C. White (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Iron or steel storage tanks*, knocked down with the necessary *supplies and equipment* to assemble

or maintain the storage tanks, between the warehouse facilities of G.A.T.X., Inc., at Fontana, Calif., and the Storage Tank installation or job site facilities in Arizona, for 180 days. SUPPORTING SHIPPER: General American Transportation Corp., Plate & Welding Division, Western Region, 520 West 2000 South, Orem, Utah 84057. 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 139850 TA, filed May 30, 1974. Applicant: FOUR STAR TRANSPORTATION, INC., 301–12 Park Building, Council Bluffs, Iowa 51501. Applicant's representative: Jack H. Blanshan, 29 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plant sites and storage facilities utilized by American Beef Packers, Inc., located at or near Cactus, Tex., to points in California, Mississippi, Alabama, Georgia, Florida, North Carolina, Tennessee, South Carolina, Ohio, Virginia, Maryland, District of Columbia, Delaware, New Jersey, New York, Rhode Island, Pennsylvania, Connecticut, and Massachusetts, restricted to the transportation of traffic originating at the above named origin point and destined to the named destinations, for 180 days. SUPPORTING SHIPPER: American Beef Packers, Inc., Ralph L. McGee, General Traffic Manager, 7000 W. Center Road, Omaha, Nebr. 68106. SEND PROTESTS TO: District Supervisor Carroll Russell, Interstate Commerce Commission, Bureau of Operations, Suite 620, Union Pacific Plaza, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 139851 TA, filed May 30, 1974. Applicant: EARL DAVIS BOONE, Route 1, Box 37, Dudley, N.C. 28333. Applicant's representative: Earl Davis Boone (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodies in bulk), having prior or subsequent movement by air, between Raleigh-Durham Airport, Wake County, N.C., on the one hand, and, on the other, points in Wayne, Lenoir, Durham, Johnston, and Harnett Counties, N.C., for 180 days. SUPPORTING SHIPPER: ICI America, Inc., P.O. Box 208, Goldsboro, N.C. 27530. SEND PROTESTS TO: Archie W. Andrews, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 26896, Raleigh, N.C. 27611.

No. MC 139852 TA, filed May 30, 1974. Applicant: E. C. BLACK, doing business as BLACK TRUCKING COMPANY, Route 1, York, S.C. 29754. Applicant's representative: Joseph M. Epting, P.O. Box 11414, Columbia, S.C. 29211. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Galvanized and vinyl coated chain link fence, fencing accessories, pipes, gates, and reinforcing concrete wire mesh*, from Rock Hill, S.C., to points in North Carolina, for 180 days. SUPPORTING SHIPPER: National Fence Manufacturing Co., Inc., 4301 46th Street, Bladensburg, Md. 20710. SEND PROTESTS TO: E. E. Strotheid, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 302, 1400 Building, 1400 Pickens St., Columbia, S.C. 29201.

MOTOR CARRIERS OF PASSENGERS

No. MC 3647 (Sub-No. 453 TA), filed May 30, 1974. Applicant: TRANSPORT OF NEW JERSEY, a Corporation, 180 Boyden Avenue, Maplewood, N.J. 07040. Applicant's representative: John F. Ward (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express and newspapers* in the same vehicle with passengers, between Mount Holly and Prospertown, Jackson Township, N.J., serving no intermediate points, and from Mount Holly, N.J., over New Jersey County Highway No. 537, to Prospertown, Jackson Township, N.J., and return over the same route, for 150 days.

NOTE.—The purpose of this application is to enable applicant to serve the location of Great Adventure Zoo and Amusement Park, Prospertown, N.J., and applicant intends to join this route with its existing routes. Applicant will also tack with Docket No. MC 3647.

SUPPORTING SHIPPERS: Great Adventure, Inc., per Senior Vice President, Richard Weston, Prospertown, N.J., and 35 support appendices as: Rev. Roosevelt Alstons, 2428 W. Allegheny Ave., Philadelphia, Pa.; William Bittner, 5923 North St., Philadelphia, Pa.; and Mr. and Mrs. Edward Surnteck, 6603 Erdaick St., Philadelphia, Pa. SEND PROTESTS TO: District Supervisor Robert S. H. Vance, Interstate Commerce Commission, Bureau of Operations, 9 Clinton Street, Newark, N.J. 07102.

No. MC 112934 (Sub-No. 5 TA), filed June 4, 1974. Applicant: AUTOBUSES INTERNACIONALES S. de R. L., 208 Palo Verde, Meadow Vista, N. Mex. 88063. Applicant's representative: Edwin E. Piper, Jr., 1115 Simms Building, Albuquerque, N. Mex. 87101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, (1) Between Meadow Vista-Anapra, N. Mex. and boundary of the United States at or near El Paso, Tex.: From Meadow Vista, N. Mex., over unspecified streets to the boundary of the United States and Mexico and the Port of Entry thereon, thence over unspecified streets through Anapra to New Mexico Highway 273, thence over New Mexico Highway 273 to junction with Texas Highway 20, thence over Texas Highway 20 to El Paso, Tex.; thence through El Paso, Tex., over unspecified city streets and thence over the Stanton Street, Santa Fe Street, and any other Downtown Bridges to Ports of Entry and the boundary between the United States and Mexico, and return over the same route, serving all intermediate points; (2) Between the boundary of the United States at or near El Paso, Tex. and the boundary of the United States and Mexico at or near Caseta, Mexico: From the boundary of the United States at or near El Paso, Tex., and the Ports of Entry thereon, over the Stanton Street, Santa Fe and any other Downtown Bridges through El Paso, Tex., over unspecified city streets, to junction with Texas Highway 20, thence over Texas Highway 20 through Ysleta, Tex., to junction with Texas Farm Road 258 through Socorro and San Elizario, to Clint, Tex., and junction with Texas Highway 20, thence over Texas Highway 20 to Fabens, Tex., thence over Texas Farm Road 1109 to the boundary of the United States and Mexico at or near Caseta, Mexico, and return over the same route, serving all intermediate points; (3) Between the boundary of the United States and Mexico at or near Ciudad Rio Bravo, Mexico and Ysleta, Tex.: From the boundary of the United States and Mexico at or near Ciudad Rio Bravo, Mexico, and the Port of Entry thereon, over Zaragosa Road to Ysleta, Tex. and return over the same route, serving all intermediate points; (4) Between the boundary of the United States and Mexico near Columbus, N. Mex. and Deming, N. Mex.: From the Port of Entry at the boundary of the United States and Mexico, near Columbus, N. Mex., over New Mexico Highway 11 through Columbus, N. Mex., to Deming, N. Mex. and return over the same route, serving all intermediate points; (5) Between Fabens, Tex. and the boundary of the United States and Mexico at or near El Porvenir, Mexico: From Fabens, Tex., over Texas Highway 20 through Fort Hancock, Tex., to undesignated road leading to the Port of Entry and boundary between the United States and Mexico at or near El Porvenir, Mexico, and return over the same route, serving all involved intermediate points, for 180 days. RESTRICTION: Restricted to transportation in foreign commerce with no interstate transportation except that interstate movements originating at or destined to Anapra and Meadow Vista, N. Mex., shall be authorized. Note: The authority under (1) will be tacked with the authority under (2) at the common point of El Paso, Tex.; the authority under (2) will be tacked with the authority under (3) at the common point of Ysleta, Tex.; and the authority under (5) will be tacked with the authority under (2) at the common point of Fabens, Tex. SUPPORTING SHIPPERS: There are approximately 92 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: John H. Kirkemo, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1106

Federal Office Building, 517 Gold Avenue, SW., Albuquerque, N. Mex. 87101.

No. MC 139210 (Sub-No. 1 TA), filed May 31, 1974. Applicant: WESLEE ENTERPRISES INC., doing business as ALASKA-YUKON MOTORCOACHES, 1440 Washington Building, 1325 4th Avenue, Seattle, Wash. 98101. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: REGULAR ROUTES: (a) *Passengers and their baggage, and express* in the same vehicle with passengers, (1) Between Fairbanks and Valdex, Alaska: From Fairbanks over Alaska Highway 2 to junction Alaska Highway 4, thence over Alaska Highway 4 to Valdez, and return over the same route, serving all intermediate points; (2) between Anchorage and Valdez, Alaska: From Anchorage over Alaska Highway 1 to junction Alaska Highway 4, thence over Alaska Highway 4 to Valdez, and return over the same route, serving all intermediate points; (3) between Anchorage, Alaska, and the International Boundary line between the United States and Canada at the Yukon Territory: From Anchorage over Alaska Highway 1 to junction Alaska Highway 2, thence over Alaska Highway 2 to the International Boundary line between the United States and Canada at the Yukon Territory, and return over the same route, serving all intermediate points; (4) between the International Boundary line between the United States and Canada at British Columbia and Haines, Alaska: From British Columbia over Alaska Highway 7 to Haines, also serving Porcupine, and return over the same routes, serving all intermediate points; and (5) between Haines, Alaska, and Skagway, Alaska: From Haines over Alaska Marine Highway to Skagway, and return over the same route, serving all intermediate points. IRREGULAR ROUTES: (b) *Passengers and their baggage, and express* in the same vehicle with passengers, in one-way roundtrip charter operations between the terminal points on the regular routes specified in (a) above on the one hand, and, on the other, points in Alaska, for 180 days. SUPPORTING SHIPPER: Phil Senour Travel, doing business as Alaska Air-Sea Tour, 1205 Vance Bldg., Seattle, Wash. 98101. SEND PROTESTS TO: L. D. Boone, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 6049 Federal Office Bldg., Seattle, Wash. 98104.

NOTE.—Applicant will interline with Alaskan Coachways, Ltd., at Tok, Alaska.

No. MC 139838 TA, filed May 28, 1974. Applicant: JEFFREY S. HOWARD, doing business as ADVANCE COACH LINES, 14029 S.E. 10th, Bellevue, Wash. 98007. Applicant's representative: George H. Hart, 1100 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in charter operations, between points in King County, Wash., on the one hand, and, on the other, points in Oregon, California, Nevada, Utah, Idaho, Montana, and Washington, for 180 days. SUPPORTING SHIPPERS: There are approximately 8 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: L. D. Boone, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 6049 Federal Office Building, Seattle, Wash. 98104.

By the Commission.

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

[FR Doc.74-13831 Filed 6-14-74;8:45 am]

[Notice 84]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 11, 1974.

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 Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

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

MOTOR CARRIERS OF PROPERTY

No. MC 52709 (Sub-No. 325 TA), filed May 30, 1974. Applicant: RINGSBY TRUCK LINES, INC., 5773 South Prince Street, P.O. Box 192, Littleton, Colo. 80120. Applicant's representative: Alvin J. Meiklejohn, Jr., Suite 1600 Lincoln Center, 1660 Lincoln Street, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: (1) *General commodities* (except classes A and B explosives, livestock, uncrated used household goods and office furniture, and articles too large to load on enclosed trucks or trailers), from Los Angeles, Calif., to Grand Junction, Colo., serving no intermediate points: From Los Angeles over U.S. Highway 66 to Barstow, Calif., thence over U.S. Highway 91 to Spanish Fork, Utah, and thence over U.S. Highway 50 to Grand Junction; (2) *Crated household goods, butter, and returned empty wine containers*, from Grand Junction, Colo., to Los Angeles, Calif., serving no intermediate points: From Grand Junction over the above-specified route to Los Angeles. RESTRICTION: The service authorized above is subject to the condition that said carrier shall not also operate as a private carrier of property by motor vehicle, in interstate or foreign commerce, between Grand Junction, Colo., and Los Angeles, Calif.; (3) *General commodities* (except those of unusual value, classes A and B explosives, livestock, commodities in bulk, and those requiring special equipment other than refrigerated equipment), from Grand Junction, Colo., to Los Angeles, Calif., serving no intermediate points: from Grand Junction over the above-specified route to Los Angeles, and return over the same route with no transportation for compensation except as otherwise authorized;

(4) *General commodities* (except those of unusual value, classes A and B explosives, other than small arms ammunition, household goods, as defined by the Commission, livestock, and commodities in bulk), between Los Angeles, Calif., and San Bernardino, Calif., serving all intermediate points and the off-route points within 25 miles of Los Angeles: from Los Angeles over U.S. Highway 99 to junction U.S. Highway 91 at or near Colton, Calif., thence over U.S. Highway 91 to San Bernardino, and return over the same route; between Los Angeles, Calif., and Pomona, Calif., serving all intermediate points and off-route points within 25 miles of Los Angeles: from Los Angeles over Valley Boulevard to Pomona, and return over the same route; between Los Angeles, Calif., and Long Beach, Calif., serving all intermediate points and off-route points within 25 miles of Los Angeles and Long Beach: from Los Angeles over U.S. Highway 6 to junction Alternate U.S. Highway 101, thence over Alternate U.S. Highway 101 to Long Beach, and return over the some route; between Long Beach, Calif., and Colton, Calif., serving all intermediate points and off-route points within 25 miles of Long Beach: from Long Beach over U.S. Highway 91 to Colton, and return over the same route; between Junction U.S. Highway 99 and unnumbered Highway (approximately 3 miles west of Colton, Calif.) and Junction U.S. Highway 91 and unnumbered Highway north of San Bernardino, Calif., serving all intermediate points: from Junction U.S. Highway 99 and unnumbered highway (approximately 3 miles west of Colton) over said unnumbered highway via Rialto, Calif., to Junction U.S. Highway

91 (north of San Bernardino) and return over the same route; (5) General commodities (except explosives and wool) between Los Angeles, Calif., and Junction U.S. Highway 6 and Nevada Highway 47, serving all intermediate points and the off-route points of Monolith, Ransburg, and Atolia, Calif., and points within 30 miles of First and Main Streets, Los Angeles, Calif.: from Los Angeles over U.S. Highway 6 to junction Nevada Highway 47, and return over the same route;

(6) *General commodities* (except classes A and B explosives, livestock, wool, and petroleum products in tank trucks), from Tonopah, Nev., to Salt Lake City, Utah, serving all intermediate points on the authorized portion of U.S. Highway 6 (except Ely, Nev.), and the off-route points within five miles of Salt Lake City, Utah, and serving Tonopah for joinder purposes only: from Tonopah over U.S. Highway 6 to Ely, Nev., and thence over Alternate U.S. Highway 50 to Salt Lake City, and return over the same route with no transportation for compensation except as otherwise authorized; (7) *General commodities* (except household goods as defined by the Commission, commodities in bulk, and those requiring special equipment other than refrigeration), between Reno, Nev., and Tonopah, Nev., serving all intermediate points (except points between Reno and Hawthorne, Nev.), and serving those points east of Hawthorne including Tonopah for joinder purposes only; from Reno over U.S. Highway 40 or Interstate Highway 80 to junction Alternate U.S. Highway 95, thence over Alternate U.S. Highway 95 to junction U.S. Highway 95, thence over U.S. Highway 95 to Tonopah, and return over the same route; (8) *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Tonopah, Nev., and Las Vegas, Nev., serving no intermediate points and serving Tonopah for joinder purposes only: from Tonopah over U.S. Highway 95 to Las Vegas, and return over the same route;

(9) *Classes A and B explosives*, between Lathrop Wells, Nev., and Las Vegas, Nev., serving no intermediate points, but serving the off-route point of the site of the United States Atomic Energy Project, near Indian Springs, Nev., restricted to the transportation of shipments originating at or destined to said off-route point: from Lathrop Wells over U.S. Highway 95 to Las Vegas, and return over the same route. RESTRICTION: The authority granted herein to the extent it authorizes the transportation of Dangerous Explosives is limited in point of time to a period expiring December 24, 1978. (10) Explosives, between Los Angeles, Calif., and Silverpeak, Nev., serving all intermediate points and the off-route points within 30 miles of First and Main Streets, Los Angeles, Calif., and all off-route points in Nevada within 80 miles of Silverpeak, Nev., and the off-route points of Monolith, Randsburg, Atolia, Muroc Army Air Field, and Flingt Test Station, located approximately 20 miles from Mojave, Seal Beach, Port Hueneme, Point Magu, located approximately five miles from Port Hueneme, and the U.S. Naval Testing Station located approximately eight miles from Inyokern, Calif.; from Los Angeles on U.S. Highway 6 via Mojave, Calif., to Blair Junction, Nev., and thence over Nevada Highway 47 to Silverpeak and return over the same route; between Mojave, Calif., and Beatty, Nev., serving no intermediate points, but serving the off-route points in Nevada within 80 miles of Silverpeak, Nev.: from Mojave over U.S. Highway 466 via Barstow, Calif., to Baker, Calif., thence over California Highway 127 to the California-Nevada State line, thence over Nevada Highway 29 to junction U.S. Highway 95, thence over U.S. Highway 95 to Beatty, and return over the same route; from Tonopah, Nev., to Salt Lake City, Utah, serving all intermediate points in Nevada: from Tonopah over U.S. Highway 6 to Ely, Nev., and thence over Alternate U.S. Highway 50 to Salt Lake City, and return over the same route with no transportation for compensation except as otherwise authorized; between Los Angeles, Calif., and Barstow, Calif., as alternate routes for operating convenience only, serving no intermediate points: from Los Angeles over U.S. Highway 66 to Barstow, and return over the same route; from Los Angeles over U.S. Highway 99 to junction U.S. Highway 395, thence over U.S. Highway 395 to junction U.S. Highway 66, and thence over U.S. Highway 66 to Barstow, and return over the same route.

Alternate routes for operating convenience only: (11) *General commodities* (except Classes A and B explosives, livestock, wool, household goods as defined by the Commission, commodities, in bulk, and those requiring special equipment), between Salt Lake City, Utah and San Bernardino, Calif., serving the intermediate point of Barstow, Calif., and with service at Barstow and San Bernardino, Calif., for the purpose of joinder only: from Salt Lake City over U.S. Highway 91 through Las Vegas, Nev., to Barstow, Calif., thence over U.S. Highway 66 to San Bernardino, and return over the same route; (12) *General commodities* (except Classes A and B explosives, livestock, wool, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Los Angeles, Calif. and San Bernardino, Calif., serving no intermediate points; from Los Angeles over U.S. Highway 99 to junction U.S. Highway 91, and thence over U.S. Highway 91 to San Bernardino, and return over the same route; (13) *General commodities* (except household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) between Basalt, Nev. and junction Nevada Highway 10 and U.S. Highway 96 (near Mina, Nev.), serving no intermediate points: from Basalt over Nevada Highway 10 to junction U.S. Highway 95, and return over the same route; (14) *General commodities* (except wool, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between junction U.S. Highways 395 and 6 at or near Bishop, Calif. and Reno, Nev., serving no intermediate points: from junction U.S. Highways 395 and 6 over U.S. Highway 395 to Reno, and return over the same route.

REGULAR ROUTES: (15) *General commodities*, from Salt Lake City, Utah, to Tonopah, Nev., serving the intermediate and off-route points of Currant, Lockes and Hot Creek, Nev. and points within five miles of each, for delivery only, and serving Tonopah for joinder purposes only: from Salt Lake City, Utah over Alternate U.S. Highway 50 (or over Interstate Highway 80 to Wendover, Utah, thence over Alternate U.S. Highway 50) to Ely, Nev., thence over U.S. Highway 6 to Tonopah, Nev.; (16) *Classes A and B explosives*, between Las Vegas, Nev. and Tonopah, Nev., serving no intermediate points, but serving the off-route point of the site of Tonopah Ballistics Range, Tonopah, Nev., restricted to the transportation of shipments originating at or destined to said off-route point: from Las Vegas over U.S. Highway 95 to Tonopah, and return over the same route. Restriction: The authority granted herein to the extent it authorizes the transportation of Dangerous Explosives is limited in point of time to a period expiring with April 4, 1974; (17) *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Denver, Colo. and Los Angeles, Calif., as an alternate route for operating convenience in connection with carrier's regular route operations between Denver and Los Angeles, serving no intermediate points: from Denver over Interstate Highway 25 to junction U.S. Highway 160 at or near Walsenburg, Colo., thence over U.S. Highway 160 to junction Colorado Highway 159 at or near Fort Garland, Colo., thence over Colorado Highway 159 to the Colorado-New Mexico state line, thence over New Mexico Highway 3 to junction U.S. Highway 64 at or near Taos, N. Mex., thence over U.S. Highway 64 to Santa Fe, N. Mex., thence over Interstate Highway 25 (and, pending completion of Interstate Highway 25, over U.S. Highway 85 and New Mexico Highway 422), to Albuquerque, N. Mex., thence over Interstate Highway 40 (and, pending completion of Interstate Highway 40, over U.S. Highway 66) to junction U.S. Highway 89 near Ash Fork, Ariz., thence over U.S. Highway 89 to junction Arizona Highway 71 at or near Congress, Ariz., thence over Arizona Highway 71 to junction U.S. Highway 60 at or near Aguila, Ariz., thence over U.S. Highway 60 to junction Interstate Highway 10 near Quartzite, Ariz., and thence over Interstate Highway 10 to Los Angeles, and return over the same route.

ALTERNATE ROUTE FOR OPERATING CONVENIENCE ONLY: (18) *Gen-*

eral commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Denver, Colo. and Los Angeles, Calif., in connection with carrier's authorized regular route operations between Denver, Colo. and Los Angeles, Calif., serving no intermediate points: from Denver over U.S. Highway 285 to junction Colorado Highway 112 near Center, Colo., thence over Colorado Highway 112 to junction U.S. Highway 160 at or near Del Norte, Colo., thence over U.S. Highway 160 to junction U.S. Highway 666 at or near Cortez, Colo., thence over U.S. Highway 666 to junction Colorado Highway 40, approximately six miles north of the New Mexico-Colorado state line, thence over Colorado Highway 40 to the Colorado-New Mexico state line, thence over New Mexico Highway 364 to the New Mexico-Arizona state line, thence over Arizona Highway 364 to junction Arizona Highway 64 at or near Carrizo, Ariz., thence over Arizona Highway 64 to junction U.S. Highway 89, approximately 11 miles west of Tuba City, Ariz., thence over U.S. Highway 89 to junction Arizona Highway 71 at or near Congress, Ariz., thence over Arizona Highway 71 to junction U.S. Highway 60 at or near Aguila, Ariz., thence over U.S. Highway 60 to junction Interstate Highway 10 near Quartzsite, Ariz., and thence over Interstate Highway 10 to Los Angeles and return over the same route. RESTRICTION: The authority granted, herein and carrier's existing authority between the involved termini shall be construed as comprising only a single operating right, not severable by sale or otherwise.

REGULAR ROUTES: (19) *General commodities* (except those of unusual value, Classes A and B explosives, livestock, commodities in bulk, and those requiring special equipment other than refrigerated equipment), serving Las Vegas, Nev., as an intermediate point in connection with carrier's regular route operations between Grand Junction, Colo., and Los Angeles, Calif. RESTRICTION: The service authorized under the commodity description next above is restricted against the transportation of traffic (a) originating at points in California on the one hand, and destined on the other to Las Vegas, Nev. and (b) originating at Las Vegas, Nev., on the one hand and destined on the other to points in California; (20) *Classes A and B explosives and commodities requiring special equipment,* between Grand Junction, Colo. and Las Vegas, Nev., serving no intermediate points: from Grand Junction over U.S. Highway 50 to junction Utah Highway 24, thence over Utah Highway 24 to junction unnumbered highway, thence over unnumbered highway to junction Utah Highway 62, thence over Utah Highway 62 to junction Utah Highway 22, thence over Utah Highway 22 to junction U.S. Highway 89, thence over U.S. Highway 89 to junction Utah Highway 20, thence over Utah Highway 20 to junction U.S. Highway 91, and thence over U.S. Highway 91 to Las Vegas, and return over the same route; (21) *Classes A and B explosives,* between Las Vegas, Nev. and junction U.S. Highway 91 and California Highway 127, serving no intermediate points and serving junction U.S. Highway 91 and California Highway 127 for purpose of joinder only: from Las Vegas over U.S. Highway 91 to junction California Highway 127, and return over the same route. RESTRICTION: The service authorized herein is subject to the following conditions: The authority granted herein shall not be severable, by sale or otherwise, from the authority in Certificates Nos. MC 52709. The authority granted herein to the extent it authorizes the transportation of Classes A and B explosives shall be limited in point of time, to a period expiring May 24, 1976.

ALTERNATE ROUTES FOR OPERATING CONVENIENCE ONLY: (22) *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Albuquerque, N. Mex. and Kansas City, Mo., serving no intermediate points, and serving Albuquerque for purposes of joinder only: from Albuquerque over U.S. Highway 66 to junction U.S. Highway 54 at or near Santa Rosa, N. Mex., thence over U.S. Highway 54 to junction Kansas Highway 61 at or near Pratt, Kans., thence over Kansas Highway 61 to junction U.S. Highway 50, thence over U.S. Highway 50 to Kansas City, and return over the same route; between junction U.S. Highway 54 and Kansas Highway 61 and junction U.S. Highway 50 and the Kansas Turnpike at or near Emporia, Kans., serving no intermediate points, and serving the termini for purposes of joinder only: from junction U.S. Highway 54 and Kansas Highway 61 over U.S. Highway 54 to junction the Kansas Turnpike at or near Wichita, Kans., thence over the Kansas Turnpike (Interstate Highway 35) to junction U.S. Highway 50, and return over the same route. RESTRICTION: The operations authorized next above are limited to the transportation of traffic moving between Albuquerque, N. Mex. and Kansas City, Kans. Between Santa Fe, N. Mex. and junction U.S. Highways 54 and 160 at or near Plains, Kans., serving no intermediate points, and serving Santa Fe and junction U.S. Highways 54 and 160 for purposes of joinder only: from Santa Fe over U.S. Highway 85 to junction U.S. Highway 56 to junction U.S. Highway 270 at or near Hugoton, Kans., thence over U.S. Highway 270 to junction U.S. Highway 83 about 10 miles north of Liberal, Kans., thence over U.S. Highway 83 to junction U.S. Highway 160, thence over U.S. Highway 160 to junction U.S. Highway 54, and return over the same route.

RESTRICTION: The operations authorized next above are limited to the transportation of traffic moving between Santa Fe, N. Mex. and Kansas City, Mo. Between junction U.S. Highways 54 and 81 at or near Wichita, Kans., and Kansas City, Mo., serving no intermediate points, and serving junction U.S. Highways 54 and 81 for purposes of joinder only: from junction U.S. Highways 54 and 81 over U.S. Highway 81 to junction Interstate Highway 70 at or near Salina, Kans., thence over Interstate Highway 70 to Kansas City, Mo., and return over the same route; and between junction Kansas Turnpike and U.S. Highway 50, and junction Kansas Turnpike and Interstate Highway 70 at Tecumseh, Kans., serving no intermediate points, and serving junction of Kansas Turnpike and U.S. Highway 50, and Kansas Turnpike and Interstate Highway 70 for purposes of joinder only: from junction Kansas Turnpike and U.S. Highway 50 over the Kansas Turnpike to junction Interstate Highway 70 and return over the same route. RESTRICTION: The operations authorized under the two routes next above are limited to the transportation of traffic moving between Albuquerque and Santa Fe, N. Mex., on the one hand, and, on the other, Kansas City, Mo.

REGULAR AND IRREGULAR ROUTES: (23) *Classes A and B explosives,* between the points authorized and over the routes described in carrier's presently-held certificates authorizing the transportation of general commodities (except among other commodities, classes A and B explosives) in California, Colorado, Illinois, Indiana, Iowa, Kansas, Missouri, Nebraska, Nevada, Utah, and Wyoming. RESTRICTION: The service authorized herein is subject to all existing territorial restrictions applicable to operations in the above states, except that no authority is granted to transport classes A and B explosives (1) between points both of which are east of U.S. Highway 85 and (2) originating at the Corn Husker Ordnance Plant near Grand Island, Nebr. This certificate shall be of no further force and effect after November 24, 1975.

ALTERNATE ROUTES FOR OPERATING CONVENIENCE ONLY: (24) *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between junction Interstate Highways 15 and 40 at or near Barstow, Calif., and Kingman, Ariz., in connection with carrier's authorized regular and alternate route operations, serving no intermediate points, and serving Kingman for joinder purposes only, from junction Interstate Highways 15 and 40 over Interstate Highway 40 (also U.S. Highway 66) to Kingman, and return over the same route; between Kingman, Ariz., and Ash Fork, Ariz., in connection with carrier's authorized regular and alternate route operations, serving no intermediate points, and serving the termini for joinder purposes only: from Kingman over U.S. Highway 66 to junction Interstate Highway 40, thence over U.S. Highway 66 (also Interstate Highway 40) to Ash Fork, and return over the same route; between Beaumont, Calif., and Riverside, Calif., in connection with carrier's authorized regular and alternate route operations, serving no intermediate points, and serving Beaumont

for joinder purposes only: from Beaumont over California Highway 60 to Riverside, and return over the same route; between junction U.S. Highway 395 and California Highway 14 and Beechers Corners, Calif., in connection with carrier's authorized regular and alternate route operations, serving no intemediate points and serving said junction and Beechers Corners for joinder purposes only: from junction U.S. Highway 395 and California Highway 14 over U.S. Highway 395 to Beechers Corners, and return over the same route; between Beechers Corners, Calif., and junction U.S. Highway 395 and Interstate Highway 15 near Cajon Summit, Calif., in connection with carrier's authorized regular and alternate route operations, serving no intermediate points and serving the termini for joinder purposes only: from Beechers Corners over U.S. Highway 395 to junction Interstate Highway 15 and return over the same route; between Las Vegas, Nev., and Kingman, Ariz., in connection with carrier's authorized regular and alternate route operations, serving no intermediate points, and serving Las Vegas and Kingman for joinder purposes only: from Las Vegas over U.S. Highway 93 to Kingman and return over the same route;

(25) *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between junction U.S. Highway 50 and Interstate Highway 70 at or near Green River, Utah and Salina, Utah, in connection with carrier's authorized regular and alternate route operations, serving no intermediate points, and serving the termini for joinder purposes only: from junction U.S. Highway 50 and Interstate Highway 70 over Interstate Highway 70 to junction Utah Highway 4, thence over Utah Highway 4 to Salina, and return over the same route; between Salina, Utah, and junction U.S. Highway 91 (also Interstate Highway 15) and Utah Highway 63 at or near Scipio, Utah, in connection with carrier's authorized regular and alternate route operations, serving no intermediate points, and serving the termini for joinder purposes only: from Salina over Utah Highway 63 to junction U.S. Highway 91 (also Interstate Highway 15) and Utah Highway 63 and return over the same route.

REGULAR ROUTES: (26) *General commodities* (except articles of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), over an alternate route for operating convenience only, between Price, Utah, and Cove Fort, Utah, serving no intermediate points and with service at the termini for joinder of routes only: from Price over Utah Highway 10 to Salini, Utah, thence over U.S. Highway 89 to Sevier, Utah, and thence over Utah Highway 13 to Cove Fort, and return over the same route, for 180 days. RESTRICTION: All routes and authority segments above will be tacked except where expressly restricted.

NOTE.—The purpose of this application is to enable the applicant to retain the operating rights which it is not selling in MC–F–12212 and applicant states that it will tack.

SUPPORTING SHIPPERS: There are approximately 56 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 Roger L. Buchanan, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 110525 (Sub-No. 1097 TA), filed May 23, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 E. Lancaster Avenue, P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils*, in bulk, in tank vehicles, from Macon, Ga., to points in Wisconsin, for 180 days. SUPPORTING SHIPPER: The Procter & Gamble Distributing Co., P.O. Box 599, Cincinnati, Ohio 45201. SEND PROTESTS TO: Peter R. Guman, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Federal Building, Room 3238, 600 Arch Street, Philadelphia, Pa. 19106.

No. MC 111729 (Sub-No. 441 TA), filed May 30, 1974. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New unused furniture* measuring less than 132 inches in length and girth combined and weighing no more than 65 pounds per article or package, from Conway, N.H., to points in Connecticut, Maine, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont, for 90 days. SUPPORTING SHIPPER: Yield House, Conway, N.H. 03818. SEND PROTESTS TO: Anthony D. Giaimo, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 117940 (Sub-No. 127 TA) (AMENDMENT), filed May 7, 1974, published in the FEDERAL REGISTER issue of May 23, 1974, and republished as amended this issue. Applicant: NATIONWIDE CARRIERS, INC., P.O. Box 104, Maple Plain, Minn. 55359. Applicant's representative: Donald L. Stern, Suite 530, Univac Building, 7100 W. Center Road, Omaha, Nebr. 68106.

NOTE.—The purpose of this republication is to add some more additional states to the territory in the application, which was omitted in previous publication in error. The additional states are Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, and New York. The rest of the application will remain the same.

No. MC 123056 (Sub-No. 2 TA), filed May 15, 1974. Applicant: GENE McGINNIS, doing business as FREDONIA TRUCK LINE, Route 4, Fredonia, Kans. 66736. Applicant's representative: W. R. Casey, Box 1470, Decatur, Ill. 62525. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Soybean flour and soybean grits* (except in bulk, in tank vehicles), from Fredonia, Kans., to points in Arizona, Arkansas, California, Colorado, Idaho, Kansas, Louisiana, Missouri, Montana, Nevada, Nebraska, New Mexico, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming, for 180 days. SUPPORTING SHIPPER: Archer Daniels Midland Company, P.O. Box 1470, Decatur, Ill. 62525. SEND PROTESTS TO: M. E. Taylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 501 Petroleum Building, Wichita, Kans. 67202.

No. MC 127096 (Sub-No. 1 TA), filed May 28, 1974. Applicant: HENNES TRUCKING CO., a Corporation, 338 South 17th Street, Milwaukee, Wis. 53233. Applicant's representative: Paul F. Beery, 8 East Broad Street, 9th Floor, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, in tank vehicles, from Charleston, W. Va., to points in West Virginia, for 180 days. RESTRICTION: To the transportation of traffic having an immediately prior movement by rail and originating at the plantsite of Columbia Cement Corporation at Newton Township, Muskingum County, Ohio. SUPPORTING SHIPPER: Columbia Cement Corporation, 3059 E. Mound Street, Columbus, Ohio 43209 (Darrell L. Miller, Manager, Credit & Traffic). SEND PROTESTS TO: District Supervisor John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 138189 (Sub-No. 1 TA), filed May 30, 1974. Applicant: CAMP BAGGAGE SERVICE, INC., 108–30 66th Road, Forest Hills, N.Y. 11375. Applicant's representative: David Levmore, 143–39 84th Drive, Briarwood, N.Y. 11435. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Campers' baggage and personal effects* seasonally, from June 15 through August 31, from New York, N.Y.; points in Westchester, Rockland and Nassau Counties, N.Y.; and points in Hudson, Essex, Bergen, and Union Counties, N.J., to Great Barrington, Mass., and Honesdale, Pa., and return, for 180 days. SUPPORTING SHIPPER: Camp Hachshara Moshava of N.Y., Inc., 200 Park Avenue South, New York, N.Y. 10003; Tora Va'avoda Center, Inc., 200 Park Avenue South, New York, N.Y. 10003; and Camp Kadima, 153–06 76th Road, Flushing, N.Y. 11367. SEND PRO-

TESTS TO: Paul W. Assenza, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza. New York. N.Y. 10007.

No. MC 139713 (Sub-No. 1 TA), filed May 21, 1974. Applicant: DONALD M. NASS, doing business as DON NASS TRUCKING, 136 High Street, Box 299, 301 Mills Street, Clinton, Wis. 53014. Applicant's representative: Nancy J. Johnson, 4506 Regent Street, Madison, Wis. 53705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, related advertising equipment, materials, and supplies* when shipped therewith and *return of empty containers and rejected shipments*, from Milwaukee, Wis., to Freeport and Rockford, Ill., for 180 days. SUPPORTING SHIPPERS: John Knobel & Sons, 115 East Spring, Freeport, Ill. 61032, and Blue Ribbon Distributors, 1670 Northbrook Ct., Rockford, Ill. 61103. SEND PROTESTS TO: Barney L. Hardin, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 139 W. Wilson St., Room 202, Madison, Wis. 53703.

No. MC 139802 (Sub-No. 1 TA), filed May 28, 1974. Applicant: DEAN BACHKORA, BILL PEDEN, AND GARY L. BACHKORA, doing business as BPB TRANSPORTATION, 3705 Santa Maria No. 24, Laredo, Tex. 78040. Applicant's representative: Bill R. Davis, Suite 101, Emerson Center, Atlanta, Ga. 30339. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Used clothing, rugs, rags*, in bales and (2) *used appliances* when moving in the same vehicle and at the same time as the commodities named in (1) above, from Miami, Fort Lauderdale, West Palm Beach, St. Petersburg, Tampa, Orlando, Jacksonville, Panama City, Pensacola, and Tallahassee, Fla., to Laredo, Tex., for 180 days. SUPPORTING SHIPPER: Galvan Second Hand Stores, 1119 Santa Maria, Laredo, Tex. 78040. SEND PROTESTS TO: District Supervisor Richard H. Dawkins, Interstate Commerce Commission, Bureau of Operations, 301 Broadway Bldg., Room 206, San Antonio, Tex 78205.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74–13828 Filed 6–14–74;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

Correction

JUNE 5, 1974.

In FR Doc. 74–13270 appearing at page 20439 in the issue of Monday, June 10, 1974, the comments date in the fourth line of the second paragraph should be changed from June 10, 1974, to June 20, 1974.

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