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Agencies in this issue—

Detailed list of Contents appears inside.

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Contents

(Continued on next page)

List of CFR Parts Affected

(Codification Guide)

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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1967, and specifies how they are affected.

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3804

NATIONAL HIGHWAY WEEK, 1967

By the President of the United States of America

A Proclamation

There are now more than 100 million motor vehicle operators in the United States. They drive their automobiles and trucks nearly a trillion miles a year—over a network of 3.7 million miles of streets and roads that is the envy of the world.

These are impressive statistics, but they fail to convey the real contribution America's highways make to the economic and social life of the country. The best way of understanding that contribution is by considering what we would do without the road and system we have.

Today we are entering a new era in highway transportation. The creation of the Department of Transportation, and under it the Federal Highway Administration, marked a broadening of the Federal interest in total highway transportation.

We are becoming more and more concerned with the operation of those highways. We have begun an unprecedented effort to make our highways and the vehicles that operate on them as safe as man can achieve. We are engaged in a parallel effort to beautify our highways and roadsides, and to provide rest and recreation facilities for highway travelers.

The continued growth of highway travel reflects the demand of Americans for a greater mobility that broadens their opportunities for residence, recreation, and employment. The rapid growth of trucking reflects the increasing economy and efficiency of highway transport.

In serving these private and economic needs, however, we must always remember that highways are for the whole society's convenience and enjoyment. We must take pains to assure that highway development proceeds with a due respect for the needs of all our people—that it becomes neither an end in itself, nor an isolated phenomenon, unrelated to the orderly use of land.

Our unmatched achievements in highway transportation have been accomplished through a partnership of Federal, State, and local governments—in the finest tradition of democratic government. Those achievements should be acknowledged and celebrated by those who benefit from them.

THEREFORE, I LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim the week beginning September 24, 1967, as National Highway Week, and I urge Federal, State and local officials, as well as highway industry and other organizations, to hold appropriate ceremonies during that week in recognition of what highway transportation means to our Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of September in the year of our Lord nineteen hundred and sixty-seven, and of the Independence of the United States of America the one hundred and ninety-second.

Lyndon B. Johnson

[F.R. Doc. 67-11349; Filed, Sept. 25, 1967; 10:07 a.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Health, Education, and Welfare

Section 213.3316 is amended to show that the position of Special Assistant to the Assistant Secretary for Education (Physical Fitness) and Administrator, President's Council on Physical Fitness is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (10) is added to paragraph (j) of § 213.3316 as set out below.

§ 213.3316 Department of Health, Education, and Welfare.

* * * * *

(j) *Office of the Assistant Secretary for Education.* * * *

(10) Special Assistant to the Assistant Secretary for Education (Physical Fitness) and Administrator, President's Council on Physical Fitness.

* * * * *

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–58 Comp., p. 218)

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

[F.R. Doc. 67-11269; Filed, Sept. 25, 1967; 8:47 a.m.]

PART 213—EXCEPTED SERVICE

Department of Health, Education, and Welfare

Section 213.3316(o) is amended to show the placement of the newly established position of Administrator, Social and Rehabilitation Service in Schedule C.

§ 213.3316 Department of Health, Education, and Welfare.

* * * * *

(o) *Social and Rehabilitation Service.* * * *

(4) Administrator, Social and Rehabilitation Service.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–58 Comp., p. 218)

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

[F.R. Doc. 67-11270; Filed, Sept. 25, 1967; 8:48 a.m.]

Title 7—AGRICULTURE

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

PART 932—OLIVES GROWN IN CALIFORNIA

Changes in Percentage Tolerances for Canned Whole Ripe Olives

Notice was published on September 8, 1967, in the FEDERAL REGISTER (32 F.R. 12854) that the Department was giving consideration to a proposal of the Olive Administrative Committee (established pursuant to the marketing agreement and order as the agency to administer the provisions thereof) to amend the administration regulation (7 CFR 932.150) under the marketing agreement and Order No. 932 (7 CFR Part 932), regulating the handling of olives grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The notice afforded interested persons 10 days to file with the Department written data, views, or arguments pertaining to the proposal. Within this period, the Olive Administrative Committee submitted its recommendation that the amendment be effective only for the 1967 crop year which ends August 31, 1968. Four members of the committee, including the chairman, vice chairman, and two producer members, jointly filed their views in support of the proposal and requested that such amendment be effective only for the 1967 crop year which ends August 31, 1968. The recommended limitation of the amendment to the current crop year will afford the committee, as well as other interested parties, opportunity to fully evaluate the benefits, if any, derived therefrom, and will provide the committee with a reasonable basis for such recommendations as it deems appropriate concerning applicable tolerances for subsequent crop years.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice which was submitted by the Olive Administrative Committee, it is hereby found that the amendment of the administrative regulation, as hereinafter set forth, is in accordance with the provisions of the marketing agreement and order, and will tend to effectuate the declared purposes of the Agricultural Marketing Agreement Act of 1937, as amended. The administrative regulation, as amended, is hereby approved as follows:

The provisions of § 932.150 *Changes in the percentage tolerances for canned whole ripe olives* are hereby amended in the following respects:

The language in § 932.150 preceding paragraph (a) thereof is revised and paragraph (e) is added to read as follows:

§ 932.150 Changes in the percentage tolerances for canned whole ripe olives.

Except as otherwise provided in paragraph (e) of this section, the percentage tolerances for canned whole ripe olives, set forth in § 932.52(a)(2), are changed as follows:

* * * * *

(e) During the crop year ending August 31, 1968, the respective percentages of 25 percent and 35 percent set forth in this section shall read 30 percent and 40 percent, respectively.

It is hereby further found that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) harvesting of the 1967 crop of olives is starting and the increased percentage tolerances provided herein for undersize olives should be applicable for the full crop year; (2) the changes in the undersize tolerances were unanimously recommended by the Olive Administrative Committee. It requested that the aforesaid tolerances only be applicable to the 1967 crop year which ends August 31, 1968, in order to afford additional time for the committee to continue its study of this matter and develop proper percentage requirements for the olive varieties; (3) no written data, views, or arguments in opposition to the aforesaid tolerances have been filed; (4) in order to maximize the handling of the 1967 crop, the industry should have knowledge as promptly as possible of the revised tolerances for undersize olives; and (5) the amendment of the administrative regulation relieves restrictions on the handling of olives.

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

Dated: September 21, 1967.

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

[F.R. Doc. 67-11253; Filed, Sept. 25, 1967; 8:46 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1966 and Subsequent Crops Corn Supp.; Amdt. 1]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1966 and Subsequent Crops Corn Loan and Purchase Program

MISCELLANEOUS AMENDMENTS

The regulations issued by the Commodity Credit Corporation published in 31 F.R. 10464, containing provisions for price support loans and purchases applicable to the 1966 and subsequent crops of corn are amended as follows:

1. In § 1421.2364, paragraph (c)(1) is amended to add the grade eligibility requirements for warehouse-storage loans on the 1967 and subsequent crops of corn, and paragraph (c)(3) is amended to establish 15 percent moisture as the maximum moisture content in corn of the 1967 and subsequent crops eligible for a warehouse-storage loan. The amended subparagraphs read as follows:

§ 1421.2364 Eligible corn.

* * * * *

(c) *Warehouse stored loan grade requirements.* * * *

(1) Corn of the 1966 crop must, except for moisture, grade No. 3 or better, or No. 4 or better on the factor of test weight only but otherwise No. 3 or better. Corn of 1967 and subsequent crops must, except for moisture, grade No. 3 or better.

* * * * *

(3) Corn of the 1966 crop must not contain over 14 percent moisture, and corn of the 1967 and subsequent crops must not contain over 15 percent moisture, unless the warehouse receipt representing any such corn is accompanied by a supplemental certificate which provides that the warehouseman will deliver corn (i) containing not over 14 percent moisture if the certificate is issued with respect to 1966 crop corn or (ii) containing not over 15 percent moisture if the certificate is issued with respect to 1967 or subsequent crops of corn and (iii) which is otherwise of an eligible quality. The grade, grading factors, and the quantity shown on the supplemental certificate must be as specified in § 1421.-2367(c).

2. In § 1421.2366, paragraph (a) is amended to add a provision for determining the quantity of 1967 and subsequent crops of corn which has been dried or blended to reduce the moisture content. The amended paragraph reads as follows:

§ 1421.2366 Determination of quantity.

* * * * *

(a) *In warehouse.* The quantity of corn on which a warehouse storage loan shall be made and the quantity delivered to or acquired by CCC in an approved warehouse shall be the net weight specified on the warehouse receipt or on the supplemental certificate, if applicable. If the corn has been dried or blended to reduce the moisture content, the quantity specified on the warehouse receipt or the supplemental certificate, if applicable, shall represent the quantity after drying or blending, and such quantity shall reflect a minimum percentage of shrink in the receiving weight of 1.2 times the percentage difference between the percentage of the moisture in the corn, when received, and 14 percent with respect to 1966 crop corn, and 15 percent with respect to 1967 and subsequent crops of corn.

* * * * *

3. In § 1421.2367, paragraph (c) is amended to set forth the entries required on the supplemental certificate when the corn has been dried or blended to a moisture content which is eligible for a warehouse-storage loan. The amended paragraph reads as follows:

§ 1421.2367 Warehouse receipts.

* * * * *

(c) *Where warehouse receipt shows "Weevily" or ineligible moisture content.* If a warehouse receipt tendered for loan shows that the corn grades "Weevily" or in the case of 1966 crop corn contains over 14 percent moisture, or in the case of 1967 and subsequent crops of corn contains over 15 percent moisture, the warehouse receipt must be accompanied by a supplemental certificate as provided in § 1421.2364(c), in order for the corn to be eligible for price support. The grade, grading factors, and the quantity to be delivered must be shown on the supplemental certificate as follows: (1) When the warehouse receipt shows "Weevily" and the "Weevily" condition of the corn has been corrected by conditioning, the supplemental certificate must show the same grade without the "Weevily" designation and the same grading factors and quantity as shown on the warehouse receipt; (2) when the warehouse receipt shows moisture over 14 percent in the case of 1966 crop corn or over 15 percent in the case of 1967 and subsequent crops of corn and the corn has been dried or blended to a moisture content of not over 14 percent with respect to the 1966 crop corn or not over 15 percent with respect to the 1967 and subsequent crops of corn, the supplemental certificate must show the grade, grading factors, and quantity after drying or blending the corn. The quantity shown on the supplemental certificate shall reflect a drying or blending shrink as specified in § 1421.-2366; (3) the supplemental certificate must state that no lien for processing will be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of the warehouse receipt; (4) in the case of conditions specified in subparagraphs (1) and (2) of this paragraph, the grade, grading factors, and the quantity shown on the supplemental certificate shall supersede the entries for such items on the warehouse receipt.

* * * * *

4. In § 1421.2369, paragraph (c) is amended to provide that a table of storage deductions for corn stored in warehouses operated by Eastern common carriers will be set forth in the annual crop year supplement. The amended paragraph reads as follows:

§ 1421.2369 Warehouse charges.

* * * * *

(c) *Deduction of storage charges—Eastern common carriers.* A table will be set forth in the annual crop year supplement and will provide the deduction for storage charges to be made from the amount of the loan or purchase price in the case of corn stored in an approved warehouse operated by an Eastern common carrier. Such deduction shall be based on entries shown on the warehouseman's supplemental certificate and delivery order. If written evidence is submitted with the supplemental certificate and delivery order that all warehouse charges except elevation charges have been prepaid through the applicable loan maturity date, no storage deduction shall be made. Where the producer presents evidence showing that the elevation charges have been prepaid, the amount of the storage charges to be deducted shall be reduced by the amount of the elevation charges set forth in the table in the annual crop year supplement.

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

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on September 20, 1967.

H. D. GODFREY,
Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 67-11276; Filed, Sept. 25, 1967; 8:48 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER D—EXPORTATION AND IMPORTATION OF ANIMALS AND POULTRY

PART 97—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

Overtime, Night, and Holiday Inspection and Quarantine Activities at Border, Coastal, and Air Ports

Pursuant to the authority conferred by the Act of August 28, 1950 (64 Stat. 561; 7 U.S.C. 2260), § 97.1 of Part 97, Title 9, Code of Federal Regulations, is hereby amended by inserting in the heading between the words "at" and "border" the word "laboratories"; by inserting in the text between the words "inspection" and "certification" wherever they appear the words "laboratory testing;" by inserting in the text between the words "inspection" and "quarantine" the words "laboratory testing;" and by deleting the period immediately preceding the last sentence and adding therefor a colon and the following proviso: *Provided, however*, That periods of unscheduled overtime or holiday service performed by laboratory personnel shall be limited to Saturdays, Sundays, and holidays, and shall further be limited to hours which would normally constitute a regular work day.

(64 Stat. 561; 7 U.S.C. 2260)

Effective date. The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER.

The purpose of this amendment is to permit the laboratory testing of blood samples from horses to be imported into the United States to be performed on overtime or holiday duty, thus providing service of greater efficiency to importers by expediting the release of animals detained at ports of entry which otherwise qualify for importation.

It is to the benefit of those who require such overtime services, as well as the public generally, that this amendment be made effective at the earliest practicable date. Accordingly, pursuant to 5 U.S.C. 553, it is found upon good cause that notice and public procedure on this amendment are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making this amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 20th day of September, 1967.

R. J. ANDERSON,
*Acting Administrator,
Agricultural Research Service.*

[F.R. Doc. 67-11277; Filed, Sept. 25, 1967; 8:48 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

PART 115—PROCEDURES FOR REVIEW OF CERTAIN NUCLEAR REACTORS EXEMPTED FROM LICENSING REQUIREMENTS

Exclusion of Attacks and Destructive Acts by Enemies of the U.S. in Issuance of Facility Licenses

On February 11, 1967, the Atomic Energy Commission published a notice of proposed rule making in the FEDERAL REGISTER (32 F.R. 2821) proposing amendment of 10 CFR Parts 50 and 115 by the addition of new §§ 50.13 and 115.9 to those parts. Comments were invited to be submitted within 30 days after publication. An amendment to that notice of proposed rule making was published on April 5, 1967 (32 F.R. 5562); comments on the amended notice were invited to be submitted within 30 days after publication.

After careful consideration of the comments received on both the first notice of proposed rule making and the amended notice and other factors involved, the Commission has adopted the amendments set forth below, which are the same as those published for comment on April 5, 1967, except for an editorial change in § 115.9. The amendments codify the Commission's practice of not requiring applicants for licenses to construct and operate production and utilization facilities to provide for design features or other measures for the specific purpose of protection against (1) the effects of attacks and destructive acts, including sabotage, directed against the facility by an enemy of the United States, or (2) the use or deployment of weapons incident to U.S. defense activities.

The protection of the United States against hostile enemy acts is a responsibility of the nation's defense establishment and of the various agencies having internal security functions. The power reactors which the Commission licenses are, of course, equipped with numerous features intended to assure the safety of plant employees and the public. The massive containment and other procedures and systems for rapid shutdown of the facility included in these features could serve a useful purpose in protection against the effects of enemy attacks and destructive acts, although that is not their specific purpose. One factor underlying the Commission's practice in this connection has been a recognition that reactor design features to protect against the full range of the modern arsenal of weapons are simply not practicable and that the defense and internal security capabilities of this country constitute, of necessity, the basic "safeguards" as respects possible hostile acts by an enemy of the United States.

The circumstances which compel this recognition are not, of course, unique as regards a nuclear facility; they apply also to other structures which play vital roles within our complex industrial economy. The risk of enemy attack or sabotage against such structures, like the risk of all other hostile attacks which might be directed against this country, is a risk that is shared by the nation as a whole.

Furthermore, assessment of whether, at some time during the life of a facility, another nation actually would use force against that particular facility, the nature of such force and whether that enemy nation would be capable of employing the postulated force against our defense and internal security capabilities are matters which are speculative in the extreme. Moreover, examination into the above matters, apart from their extremely speculative nature, would involve information singularly sensitive from the standpoint of both our national defense and our diplomatic relations.

Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, as amended, the following amendments of Title 10, Chapter I, Code of Federal Regulations, Parts 50 and 115, are published as a document subject to codification, to be effective 30 days after publication in the FEDERAL REGISTER.

1. A new § 50.13 is added to 10 CFR Part 50 to read as follows:

§ 50.13 Attacks and destructive acts by enemies of the United States; and defense activities.

An applicant for a license to construct and operate a production or utilization facility, or for an amendment to such license, is not required to provide for design features or other measures for the specific purpose of protection against the effects of (a) attacks and destructive acts, including sabotage, directed against the facility by an enemy of the United States, whether a foreign government or other person, or (b) use or deployment of weapons incident to U.S. defense activities.

2. A new § 115.9 is added to 10 CFR Part 115 to read as follows:

§ 115.9 Attacks and destructive acts by enemies of the United States; and defense activities.

An applicant for an authorization to construct and operate a nuclear reactor, or for an amendment to such authorization, is not required to provide for design features or other measures for the specific purpose of protection against the effects of (a) attacks and destructive acts, including sabotage, directed against the facility by an enemy of the United States, whether a foreign government or other person, or (b) use or deployment of weapons incident to U.S. defense activities.

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201. Interpret or apply secs. 103, 104, 68 Stat. 936, 937; 42 U.S.C. 2133, 2134)

Dated at Washington, D.C., this 19th day of September 1967.

For the Atomic Energy Commission.

W. B. MCCOOL,
Secretary.

[F.R. Doc. 67-11232; Filed, Sept. 25, 1967; 8:45 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 67-221]

PART 16—LIQUIDATION OF DUTIES

Countervailing Duties; Sugar Content of Certain Articles From Australia

The Bureau of Customs accepted a suggestion that the countervailing duties to be imposed on the sugar content of certain articles from Australia be published monthly instead of semiannually.

The Treasury Department is in receipt of official information that the rates of bounties or grants paid or bestowed by the Australian Government within the meaning of section 303, Tariff Act of 1930 (19 U.S.C. 1303), on the exportation during the month of July 1967, of approved fruit products and other approved products containing sugar amounted to Australian $109.10 per 2,240 pounds of sugar content.

The net amount of bounties or grants on the above-described commodities which are manufactured or produced in Australia is hereby ascertained, determined, and declared to be Australian $109.10 per 2,240 pounds of sugar content. Additional duties on the above-described commodities, except those commodities covered by T.D. 55716 (27 F.R. 9595), whether imported directly or indirectly from that country, equal to the appropriate net amount of the bounty shown above shall be assessed and collected.

In view of the change in the periods to be covered by countervailing duty orders relating to the sugar content of certain articles from Australia, only the three last Treasury decisions publishing such orders will be listed at any one time in the table in § 16.24(f) of the Customs Regulations.

The table in § 16.24(f) of the Customs Regulations is amended by inserting after the last line under "Australia—Sugar content of certain articles" the number of this Treasury decision in the column headed "Treasury Decision" and the words "New rate" in the column headed "Action." The table in § 16.24(f) is further amended by deleting therefrom under "Australia—Sugar content of certain articles" the number 67-74 in the column headed "Treasury Decision" and the words "New rates" appearing opposite such number in the column headed "Action."

(R.S. 251, secs. 303, 624, 46 Stat. 687, 759; 19 U.S.C. 66, 1303, 1624)

[SEAL] LESTER D. JOHNSON, *Commissioner of Customs.*

Approved: September 19, 1967.

TRUE DAVIS, *Assistant Secretary of the Treasury.*

[F.R. Doc. 67-11259; Filed, Sept. 25, 1967; 8:47 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[10 Gen. Rev. of Export Regs., Amdt. 39]

MISCELLANEOUS AMENDMENTS TO CHAPTER

Parts 373, 379, and 385 of the Code of Federal Regulations are amended as set forth below:

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

Subpart B—Multiple Commodity Section Provisions

1. Section 373.5(b)(1) is revised to read as follows:

§ 373.5 Licensing policy for agricultural commodities and manufactures thereof covering shipments to Country Groups Y and Z.

* * * * *

(b) *Exports and reexports of wheat and wheat flour*—(1) *Destinations and estimated total to be licensed.* The Office of Export Control will consider applications for export licenses to Country Group Y.

* * * * *

Subpart C—Individual Commodity Section Provisions

2. Section 373.18 is revised to read as follows:

§ 373.18 Nickel bearing scrap.

(a) *Requirement of export order.* An application for a license to export any of the following commodities shall be accompanied by a copy of the export order placed, or the contract entered into, by the foreign consignee or purchaser with the U.S. exporter or with his order party (see § 373.4(a)(2) regarding order party provisions):

Export Control Commodity Number and Commodity Description

28200 Alloy steel scrap containing 5 percent or more nickel by weight.
28401 Nickel bearing residues and dross.
28403 Other nickel or nickel alloy waste and scrap.

(b) *Validity period.* Any outstanding license to export the commodities listed in paragraph (a) of this section that was issued on or before June 9, 1967, shall expire on September 6, 1967, unless the license bears an earlier termination date. This limitation applies regardless of any later termination date that may be shown on the license. All licenses to export these commodities issued after June 9, 1967, will bear an expiration date ending 90 days after the date of issuance.

(c) *Export clearance.* An extra copy of the Shipper's Export Declaration shall be filed with the Customs Office for each shipment under a validated license to export any of the commodities listed in paragraph (a) of this section. The Declaration shall bear in the upper right corner the notation "862."

3. Section 373.20 is revised to read as follows:

§ 373.20 Copper ores, concentrates, matte, ash, residues, waste, scrap, and blister copper.

(a) *Copper ores, concentrates, matte, and blister copper*—(1) *General policy of denial.* As a general policy, applications for licenses to export any of the following commodities will be denied, except as indicated in subparagraph (2) of this paragraph:

Export Control Commodity Number and Commodity Description

28311 Copper ores and concentrates.
28312 Copper matte.
68211 Blister copper and other unrefined copper.

(2) *Exceptions to general policy of denial*—(i) *Shipments not commercially processable in the United States.* Consideration will be given to approval of applications covering the proposed export of commodities described in subparagraph (1) of this paragraph which, because of contamination or for any other reason, cannot be processed commercially in the United States. Such an application shall include:

(*a*) A statement describing the commodities, analysis of the metal content, and an explanation of the difficulty in processing the commodity in the United States;

(*b*) The following certification:

I (We) certify that to my (our) best knowledge and belief the commodities described on this application cannot be commercially processed in the United States;

and

(*c*) The identification of the foreign consumer by setting forth one of the following applicable statements in the space entitled "Additional Information" or on an attachment thereto:

The foreign consumer of the commodities covered by this application is the same as that shown in the "ultimate consignee in foreign country" space on this license application.

or, if the foreign consumer is not the same as that shown in the "Ultimate Consignee in Foreign Country" space on the license application:

The name and address of the foreign consumer is________________________________

(ii) *Shipments for which processing facilities are not available due to strike conditions*—(*a*) *Unrefined copper commodities to be refined abroad and returned.* Consideration will be given to approval of applications received from, or on behalf of, copper producers covering the proposed export to Country Groups T and V of commodities described in subparagraph (1) of this paragraph where the refined copper produced abroad from these commodities, less the customary charges made by the foreign refinery, or an equivalent amount of refined copper will be imported into the United States for consumption. Such applications shall cover commodities which cannot be processed commercially in the United States due to the unavailability of processing facilities caused by strike conditions in the domestic copper industry. An application for a license to export unrefined copper commodities under the provisions of this (*a*) shall include the following certification:

I (We) certify that there are no domestic facilities available for processing the commodities described on this application. The refined copper produced from these commodities, less the customary charges made by the foreign refinery, or an equivalent amount of refined copper will be imported into the United States for consumption.

(*b*) *Other exports of unrefined copper commodities.* Where an applicant is unable to export all of his production of the commodities described in subparagraph (1) of this paragraph for the months of July, August, September, and/or October 1967, under the provisions of (*a*) of this subdivision, consideration will be given to approval of applications for licenses to export no more than 80 percent of the remainder of each month's production to Country Groups T and V. Such applications shall include the following certification:

I (We) certify that I (we) have exported (or am (are) exporting) unrefined copper commodities in accordance with the provisions of paragraph 373.20(a) (2) (ii) (*a*) of the Export Regulations and that (I am) (we are) unable to negotiate a contract under which the commodities described on this application could be exported under the provisions of paragraph 373.20(a) (2) (ii) (*a*). There are no domestic facilities available for processing the commodities described on this application.

Where an applicant is unable to export any of his production of the commodities described in subparagraph (1) of this paragraph for the months of July, August, September, and/or October 1967, under the provisions of (*a*) of this subdivision, consideration will be given to approval of applications for licenses to export no more than 80 percent of each month's production to Country Groups T and V. Such applications shall include the following certification:

I (We) certify that I (we) have not exported unrefined copper commodities in accordance with the provisions of paragraph 373.20(a) (2) (ii) (*a*) of the Export Regulations and that (I am) (we are) unable to negotiate a contract under which the commodities described on this application could be exported under the provisions of paragraph 373.20(a) (2) (ii) (*a*). There are no domestic facilities available for processing the commodities described on this application.

If strike conditions prevail in the domestic copper industry after November 15, 1967, which make copper processing facilities unavailable to producers, consideration will be given to approval of applications for licenses to export to Country Groups T and V 100 percent of current production of commodities described in subparagraph (1) of this paragraph.

(c) *Reporting requirement*. A person or firm participating in exports under the provisions of (*a*) of this subdivision shall forward each week a report of his current production and stock levels for the commodities described in subparagraph (1) of this paragraph, to the Office of Export Control (Attention: 862), U.S. Department of Commerce, Washington, D.C. 20230.

(b) *Copper and copper-base alloy waste and certain nickel scrap*—(1) *Scope*. The following commodities are subject to the provisions of this paragraph (b):

Export Control Commodity Number and Commodity Description

28401 Copper metalliferous ash and residues.
28402 Copper or copper-base alloy waste and scrap.
28403 Nickel allow waste and scrap containing 50 percent or more copper irrespective of nickel content.

(2) *Shipments not commercially processable in the United States*. An application for a license to export any of the commodities described above that, because of contamination or for any other reason, cannot be processed commercially in the United States will be considered for licensing without a charge against the export quota. Such an application shall be accompanied by a copy(ies) of a letter(s) received by the applicant from a recognized scrap processor(s) who has (have) declined to process the scrap described on the application. Additionally, such an application shall be accompanied by the documentation set forth in paragraph (a) (2) (i) of this section.

(3) *Other shipments*. (i) Commodities described in subparagraph (1) of this paragraph that cannot be licensed under the provisions of subparagraph (2) of this paragraph will be considered for licensing under the Past Participation in Exports method of licensing (see § 373.8). To qualify as a historical exporter, an exporter shall submit a statement of past participation in exports. The statement shall set forth the quantity (in copper content pounds) and total dollar value, by country of ultimate destination, exported by the exporter during calendar year 1964 and during the first three calendar quarters of 1965, i.e., January–March, April–June, and July–September, as well as the grand totals for the period January 1, 1964, through September 30, 1965. However, the statement shall not include the types of shipments set forth in § 373.8(c) (1), or a shipment that was not commercially processable in the United States, as described more fully in subparagraph (2) of this paragraph.

(ii) In addition, the foreign consumer shall be identified on the license application in the manner set forth in paragraph (a) (2) (i) (c) of this section.

NOTE: See § 373.43 for special provisions covering other copper commodities.

4. Section 373.38 is added to read:

§ 373.38 **Nickel oxide and nickel sulfate.**

(a) Nickel oxide, Export Control Commodity No. 51369, and nickel sulfate, Export Control Commodity No. 51470, are subject to the provisions set forth in § 373.18.

(b) Except in unusual circumstances, an application for a license to export nickel oxide supplied from the U.S. National Stockpile will be denied. Therefore, each license application shall specify whether it covers nickel oxide supplied from the U.S. National Stockpile. This information shall be entered on the application in the space entitled "Additional Information," or on an attachment thereto, as follows:

(1) If the application covers nickel oxide not supplied from the U.S. National Stockpile, the exporter shall enter the following certification:

I (We) certify that the nickel oxide described in this application has not been, and will not be, supplied from the U.S. National Stockpile.

(2) If the application covers nickel oxide supplied from the U.S. National Stockpile, the exporter shall so indicate and specify the date on which it was purchased.

(3) If the exporter does not know, or is unable to determine, whether the nickel oxide has been, or will be supplied from the U.S. National Stockpile, he shall so indicate and include the reason(s) why this information is not available.

5. Section 373.42 is revised to read:

§ 373.42 **Nickel, nickel alloys, and ferronickel.**

(a) Nickel or nickel alloy electroplating anodes, Export Control Commodity No. 67324, are subject to the special provisions set forth in § 373.18.

(b) The following commodities are subject to the special provisions set forth in §§ 373.18 and 373.38:

Export Control Commodity Number and Commodity Description

67160 Ferronickel containing 90 percent or less nickel.
68310 Nickel based magnetic materials, unwrought.
68310 Other nickel or nickel alloys, unwrought.

Subpart D—Destination Provisions

6. Section 373.69 is revised to read:

§ 373.69 **Southern Rhodesia.**

The general policy of the Office of Export Control is to deny the applications for export licenses and reexport requests described in paragraphs (a) and (b) of this section:

(a) Applications for licenses to export, and requests for authorization to reexport, to Southern Rhodesia the commodities listed below:

Export Control Commodity Number and Commodity Description

23110–23140 Crude rubber, including synthetic and reclaimed rubber.
331–33296 Petroleum and petroleum products.
51209–51500 Chemicals, organic and inorganic, except medicinal chemicals, pesticides and agricultural chemicals and radioisotopes.
57112–57140 Explosives and pyrotechnic products.
58110–58199 Plastic materials, and other chemical products, n.e.c., except insecticides, fungicides, disinfectants, and similar products.
62101–62989 Rubber manufacturers, n.e.c.
67120–67930 Iron and steel.
68050–68950 Nonferrous metals.
71110–71999 Nonelectric machinery, except agricultural equipment.
72210–72999 Electrical machinery, apparatus, and appliances, except medical and dental x-ray tubes and valves.
73201–73300 Automotive vehicles and other vehicles, and parts and accessories.
73410–73492 Aircraft and parts.
89430 Shotguns and parts.

Consideration will be given to approval of applications for licenses to export the commodities listed in this paragraph (a) only when, in the judgment of the Office of Export Control, the export is for:

(1) The essential needs of the Rhodesian Railways, the Central African Airways, or the Central African Power Corp. (which are operated jointly by Southern Rhodesia and Zambia; and in the case of Central African Airways, also by Malawi);

(2) The essential needs of recognized charitable institutions, diplomatic missions, or their accredited representatives; or

(3) Any other essential need justified by special circumstances in which the export is necessary to prevent or alleviate an undue hardship, such as the export of commodities needed to maintain U.S.-owned or U.S.-controlled facilities.

(b) Applications for licenses to export, and requests for authorizations to reexport, to Southern Rhodesia any commodity other than the commodities listed in paragraph (a) of this section if it is found that the shipment would constitute a significant contribution to the economy of Southern Rhodesia.

7. Supplement No. 1 to Part 373 is revised to read:

TIME SCHEDULES FOR SUBMISSION OF APPLICATIONS FOR CERTAIN COMMODITIES

Export control commodity No.	Commodity	Submission dates for nonhistorical applicants (no later than date shown below)	Submission dates for historical applicants (no later than date shown below)
28401	Copper metalliferous ash and residues	Oct. 15, 1967	Nov. 30, 1967
28402	Copper or copper-base alloy waste and scrap, including copper alloy waste and scrap of less than 40 percent copper content where copper is the component of chief weight.	do	Do.
28403	Nickel alloy waste and scrap containing 60 percent or more copper irrespective of nickel content.	do	Do.
68212	Refined copper, including remelted, in cathodes, billets, ingots (except copper-base alloy ingots), wire bars and other crude forms.	do	Do.
68212	Copper-base alloy ingots composed essentially of copper with one or more other metals, for example: Beryllium copper ingots, devarda alloy ingots, guinea alloy ingots, ounce metal ingots, etc.	do	Do.

8. Supplement No. 4 to Part 373 is amended by adding Costa Rica to the list of countries adhering to the Limited Nuclear Test Ban Treaty.

PART 379—EXPORT CLEARANCE AND DESTINATION CONTROL

1. Section 379.2(h) is revised to read:

§ 379.2 Presentation and use of validated license.

* * * * *

(h) *Shipping tolerance*—(1) *Permissible tolerance*. A shipping tolerance is allowed over the amount specified on a validated license, or on a Customs Office release against the license approved in accordance with paragraph (e) of this section, unless such tolerance is not permitted by the terms of the license or is limited or prohibited by any of the provisions set forth in subparagraph (2), (3), or (4) of this paragraph.

(2) *Types of licenses covered*. (i) Except as set forth in subdivision (ii) of this subparagraph, a shipping tolerance of 10 percent is allowed when the quantity called for on the license is in the terms set forth below, or if no quantity is specified on the license, the tolerance will be allowed on the total price shown for each entry on the license:

Avoirdupois ounce.	Long ton (2,240 pounds).
Bale	M (1,000) board feet.
Barrel.	Milligram.
Bushel.	Oxford unit.
Content pound.	Pound.
Cubic foot.	Proof gallon.
Gallon.	Short ton (2,000 pounds).
Gram.	Square foot.
Hundredweight (100 pounds).	Square yard.
Linear foot.	Troy ounce.
Linear yard.	U.S.P. unit.

(ii) A shipping tolerance of 5 percent is allowed on the unshipped balance specified on a validated export license for shipments of the following commodities:

Export Control Commodity Number and Commodity Description

28200 Alloy steel scrap containing 5 percent or more nickel by weight.
28311 Copper ores and concentrates.
28312 Copper matte.
28401 Copper metalliferous ash and residue.
28401 Nickel bearing residues and dross.
28402 Copper and copper-base alloy waste and scrap.
28403 Other nickel or nickel alloy waste and scrap.
51369 Nickel oxide.
51470 Nickel sulphate.
51470 Master alloys of copper containing 8 percent or more phosphor.
67160 Ferronickel containing 90 percent or less nickel.
68211 Blister copper and other unrefined copper.
68212 Refined copper, including remelted, in cathodes, billets, ingots, wire bars, and other crude forms.
68213 Copper-base alloy ingots.
68213 Master alloys of copper.
68221 Bars, rods, angles, shapes, sections, and wire of copper or copper-base alloy.
68222 Plates, sheets, and strips of copper or copper-base alloy.
68223 Copper foil.
68223 Paper backed copper foil.
68224 Copper and copper alloy powders and flakes.
68225 Tubes, pipes, and blanks therefor, and hollow bars of copper or copper-base alloy.
68226 Tube and pipe fittings of copper or copper-base alloy.
68310 Nickel-based magnetic materials unwrought.
68310 Other nickel or nickel alloys, unrought.
68324 Nickel or nickel alloy electroplating anodes.
69892 Copper or copper-base alloy fabricated anodes.
69892 Copper or copper-base alloy cores (mold inserts).
69892 Copper or copper-base alloys castings and forgings.
72310 Wire and cable coated with, or insulated with, fluorocarbon polymers or copolymers.
72310 Coaxial-type communications cable as follows: (a) Containing fluorocarbon polymers or copolymers, (b) using a mineral insulator dielectric, (c) using a dielectric aired by discs, beads, spiral, screw, or any other means, (d) designed for pressurization or use with a gasdielectric, or (e) intended for submarine laying.
72310 Other coaxial cable.
72310 Communications cable containing more than one pair of conductors of which any one of the conductors, single or stranded, has a diameter exceeding 0.9 mm. (0.035 inch), as follows: (a) Cable in which the nominal mutual capacitance of paired circuits is less than 53 nanofarads/mile (33 nanofarads/KM), except conventional paper and air dielectric types, (b) submarine cable, or (c) cable containing fluorocarbon polymers or copolymers.
72310 Other communications cable containing more than one pair of conductors and containing any conconductor, single or stranded, exceeding 0.9 mm. in diameter.
72310 Other copper or copper-base alloy insulated wire and cable.

(iii) The tolerance provisions of this section shall not apply to the following units of quantity:

Carat.	Pencil gross.
Cell.	Piece.
Dozen.	Ream.
Gross.	Roll.
Number.	Round.
Pack.	Square.
Pair.	Set.

(3) *Maximum tolerance allowed.*[1] In all cases, the tolerance shall be allowed on the basis of the actual quantity (or total price if applicable) stated on the license, or on a Customs Office's release against the license, approved in accordance with paragraph (e) of this section. In no case shall the tolerance exceed 10 percent of the stated quantity (or total price if applicable). For example, if the quantity shown on the license or the release as applicable, is "100,000 bales", not more than 110,000 bales may be exported. Similarly, if no quantity is shown on the license or on the release, as applicable, and the total price for an entry shown thereon is $50,000, not more than $55,000 may be exported.

(4) *Partial shipments*. Whenever one or more partial shipments of the licensed commodity has been made, the 5 or 10 percent tolerance, as applicable, is allowed on only the unshipped balance, except that in the case of shipments of iron and steel products and tinplate, the tolerance of 10 percent is allowed on the basis of the actual quantity stated on the license or the Customs Office's release. Where the quantity (or total price if applicable) stated on the license or the Customs Office's release has been shipped, no further shipment may be made under the license or the Customs Office's release.

[1] See § 375.4(d) of this chapter for tolerance provisions relating to shipments under Blanket (BLT) License.

§ 379.12 [Amended]

2. Section 379.12 *Air cargo clearance at certain ports of origin* (c) *Airports designated as ports of origin* is amended by adding "Tucson, Ariz."

PART 385—EXPORTATIONS OF TECHNICAL DATA

Section 385.2 (c) (4) (iii) is amended by adding new items (*hh*) and (*ii*) as follows:

§ 385.2 General licenses.

* * * * *

(c) *General License GTDU; unpublished technical data.* * * *

(4) *Requirement of written assurance for certain data, services, and materials.* * * *

(iii) * * *

(*hh*) Bonded, brazed, or welded structural sandwich constructions, including cores, face sheets, and attachment materials, manufactured in whole or in part from precipitation hardened stainless steel, beryllium, molybdenum, niobium (columbium), tantalum, titanium, tungsten, and their alloys, or any combination of such materials (Export Control Commodity Nos. 69110 and 69899); and

(*ii*) Silica, quartz, carbon, or graphite fibers in all forms (for example, chopped or macerated; filaments, yarns, rovings, and unwoven tapes for winding or weaving purposes; woven fabrics and tapes; nonwoven mats and felts); and compounds or compositions (composites) thereof with laminating resins in crude and semifabricated forms, including molding compositions and molded shapes (Export Control Commodity Nos. 58110, 58120, 59972, 65180, 65380, 65543, 66363, 66494, 72996, and 89300).

* * * * *

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959-63 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959-63 Comp.)

Effective date: September 15, 1967.

RAUER H. MEYER,
Director,
Office of Export Control.

[F.R. Doc. 67-11136; Filed, Sept. 25, 1967; 8:45 a.m.]

[10 Gen. Rev. of Export Regs., Amdt. C.C.L. 10]

PART 382—DENIAL OF EXPORT PRIVILEGES

PART 399—COMMODITY CONTROL LIST AND RELATED MATTERS

Miscellaneous Amendments

Parts 382 and 399 of the Code of Federal Regulations are amended as set forth below:

I. *Revision of Denial and Probation Orders.* The Denial and Probation Orders are revised as shown below. Accordingly, § 382.51(b) of the Export Regulations is amended to read as set forth below:

A. ADDITIONS

Name and address	Effective date	Expiration dates	Export privileges affected	FEDERAL REGISTER citation
Atcroft Engineering Co., Ltd., 1a Burntwood Lane, Caterham, Surrey, England, and 2 Arundel St., London, England.	8-18-67	Indefinite	General and validated licenses, all commodities, any destination, also exports to Canada.	32 F.R. 11807-11808, 8-16-67.
Cressaty, Maurice, doing business as Kady Trading & Engineering, Starco North Bldg., No. 316 Georges Picot St., Beirut, Lebanon.	9-11-67	9-11-72 (on probation from 9-12-68 to 9-12-72).*	do	32 F.R. 12955, 9-12-67.
ERES Etablissement de Recherches, Scientifiques et Expertises, Vaduz, Liechtenstein, and Rue Petitot 2, Geneva, Switzerland.	8-21-67	Duration	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to Alexander Botez and Dr. Alois Vogt, which see.)	25 F.R. 7163, 7-28-60. 27 F.R. 954, 2-1-62.
Farr, S. H., 1a Burntwood Lane, Caterham, Surrey, England, and 2 Arundel St., London, England.	8-18-67	Indefinite	General and validated licenses, all commodities, any destination, also exports to Canada.	32 F.R. 11807-11808, 8-16-67.
Kady Trading & Engineering, Starco North Bldg., No. 316 Georges Picot St., Beirut, Lebanon.	9-11-67	9-11-72 (on probation from 9-12-68 to 9-12-72).*	do	32 F.R. 12955, 9-12-67.
Petroservice Int'l. GmbH, Adolfsallee 27, 6200 Wiesbaden, West Germany.	7-20-67	7-20-68	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to Hardt, Manfred, which see.)	32 F.R. 11895, 8-17-67.
Ring, Chris F., also known as Chris Ring, Christopher Ring, and Christian Ring, Via Fleming 110, Rome, Italy.	8-18-67	Until further notice.	General and validated licenses, all commodities, any destination, also exports to Canada.	32 F.R. 12408, 8-25-67.
Sas, T. J., Sas, T. J. & Son, Ltd., Sas, T. R., Victoria House, Vernon Place, Holborn, London, W.C. 1, England.	8-28-67	Indefinite	do	32 F.R. 12763-12764, 9-6-67.

*Although the named person or firm is entitled to all export privileges during this probation period, these privileges may be revoked upon a finding that the probation has been violated.

B. AMENDMENTS

Name and address	Effective date	Expiration dates	Export privileges affected	FEDERAL REGISTER citation
Shepherd, Denis H., Shepherd Export & Trading Co., 6 Chichester Road and 19 Chepstow Road, Croydon, Surrey, England and 30-A Station Approach, Tadworth, Surrey, England.	10-28-64	Duration	General and validated licenses, all commodities, any destination, also exports to Canada.	29 F.R. 14897-14898, 11-3-64. 29 F.R. 18396, 12-24-64. 32 F.R. 11808-11810, 8-16-67.
Sinclair Industrial Agencies, Ltd., SINDAL, 15 Priory Ave., Hornsey, London, N8, England.	5-22-67	Duration	General and validated licenses, all commodities, any destination, also exports to Canada. (Party related to Shepherd Export & Trading Co., Ltd., and Shepherd, Denis H., which see.)	29 F.R. 18396, 12-24-64. 32 F.R. 11808, 11810, 8-16-67.

C. DELETIONS

Name	Address
Contimex Merchants Ltd	24 St. Mary Axe, London, E.C. 3, England
Hausler (Haeusler), R. & Co. K.G	Rechbauerstrasse 15, Graz, Austria
Hausler (Haeusler), Richard	Rechbauerstrasse 15, Graz, Austria
Huth, Claus	Georgsplatz 1a, 2 Hamburg 1, West Germany
Samprod Ges.m.b.H. Ltd	Rechbauerstrasse 15, Graz, Austria

II. *Revision of the Commodity Control List*—A. *Revisions.* The Commodity Control List is revised as set forth below, effective September 15, 1967, unless otherwise specified. Exporters are advised that only the items listed below opposite the specific Export Control Commodity Numbers are affected by these changes. The unnumbered captions serve only to identify the broad categories of commodities within which these items are to be found in Schedule B.

Two different types of explanatory numerical references are used at the end of a commodity description:

(a) A numerical reference enclosed in parentheses to indicate the entry being revised. For example, where a revised entry is followed by "(1)", this indicates that the new entry revises the first entry or only entry presently on the Commodity Control List under the same Export Control Commodity Number; if the entry is followed by a "(2)", it revises the second entry on the Commodity Control List, etc.

(b) A footnote reference referring to the footnote below which explains the effect of the revision.

Department of Commerce export control commodity number and commodity description	Unit	*Processing number	*Validated license required for country groups shown below	*GLV dollar value limits for shipments to country groups				*Special provisions list
				S	T	V	X	
Chemical elements and compounds								
51369 Nickel oxide. (11) [1]	Lb.	262	STVWXYZ		500	100		
51470 Nickel sulfate. (35) [1]	Lb.	262	STVWXYZ		500	100		
Plastic materials, regenerated cellulose and artificial resins								
58110 Resin (plastic) composites, unfinished or semifinished (including molding compounds, laminates and molded shapes), containing silica, quartz, carbon or graphite fibers in any form. (11) [2 3 4]	Lb.	222	STVWXYZ		500	25		
58120 Resin (plastic) composites, unfinished or semifinished (including molding compounds, laminates and molded shapes), containing silica, quartz, carbon or graphite fibers in any form. (14) [2 3 4]	Lb.	222	STVWXYZ		500	25		
58120 Irradiated polyolefin film and sheeting. (8) [1]	Lb.	228	SWXYZ				100	B.
Chemical materials and products, n.e.c.								
59972 Carbon or graphite fibers in any form (including chopped or macerated) whether or not coated or impregnated; and products thereof. (6) [1 3 4]	Lb.	222	STVWXYZ		500	25		
Textile Yarn, fabrics, made-up articles and related products								
65167 Spun yarn and thread of spun yarn wholly made of fluorocarbon polymers or copolymers. (Specify by name.) (See § 399.2, Interpretation 22.) (1) [7]	Lb.	221	STVWXYZ	50	500	50		A.
65180 Fiber glass mop yarn. (3) [8]	Lb.	228	SXYZ	500			100	B.
65180 Yarn, roving and strand made from silica or quartz fibers, regardless of filament length, diameter or strength, whether or not coated or impregnated. (3 and 4) [3 4 11]	Lb.	222	STVWXYZ		500	25		
65380 Broad and narrow woven fabrics, including tapes, made from silica or quartz fibers, whether or not coated or impregnated. (5) [3 4 11]	Lb.	222	STVWXYZ		500	25		
65543 Textile fabrics, n.e.c., made from silica or quartz fibers, whether or not coated or impregnated. (3) [3 10 11]	Sq. yd.	222	STVWXYZ		500	25		
Nonmetallic mineral manufactures, n.e.c.								
66311 Diamond grinding wheels for hand- or pedal-operated machines, fabricated with polyimides, polybenzimidazoles, polyimidazopyrrolones, aromatic polyamides, or polyparaxylylenes, where the value of the contained polymeric substances is 50 percent or more of the total value of the materials used. (Specify value of polymeric substances and total value of other materials.) (3) [1]	Carat	281	STVWXYZ		500			A.
66311 Diamond grinding wheels for power-operated machines, fabricated with (a) polypyromellitimide where the value of the contained polymeric substances is less than 50 percent of the total value of the materials used, or (b) polyimidepolyamide. (Specify value of polymeric substances and total value of other materials.) (4 and 6) [12]	Carat	422	STVWXYZ		500			
66311 Diamond grinding wheels for hand- or pedal-operated machines, fabricated with (a) polypyromellitimide where the value of the contained polymeric substances is less than 50 percent of the total value of the materials used, or (b) polyimide-polyamide. (Specify value of polymeric substances and total value of other materials.) (5 and 7) [1 12]	Carat	232	STVWXYZ		500			
66311 Other grinding and polishing wheels and stones, n.e.c., for power-operated machines. [Report net quantity of diamond grinding and polishing wheels and stones in terms o' carat weight of embedded diamonds.] (8 and 12) [12]	Lb.	428	SXYZ	500			100	B.
66311 Other grinding and polishing whee ls and stones, n.e.e., for hand- or pedal-operated machines. [Report net quantity of diamond grinding and polishing wheels and stones in terms of carat weight of embedded diamonds.] (9 and 13) [12]	Lb.	218	SXYZ	500			100	B.
66312 Hand polishing stones and similar stones of natural abrasives. (1) [12]	Lb.	218	SZ	500				B.
66320 Other coated abrasives, n.e.c. (2 and 3) [12]		218	SZ	500				B.
66363 Carbon or graphite fibers in any form (including chopped or macerated) whether or not coated or impregnated; and products thereof. (5) [1 3 4 20]	Lb.	222	STVWXYZ		500	25		
66494 Silica or quartz fibers in any form (including chopped or macerated) whether or not coated or impregnated; and articles thereof, n.e.c. (including mats and felts). (4) [3 10 11]		222	STVWXYZ		500	25		
Manufactures of metals, n.e.c.								
69110 Bonded, brazed or welded structural sandwich constructions, including cores, face sheets and attachment materials, manufactured in whole or in part from precipitation hardened stainless steel. (6) [3 10 24]	Lb.	262	STVWXYZ	100	500	100		
69899 Bonded, brazed or welded structural sandwich constructions, including cores, face sheets and attachment materials, manufactured in whole or in part from beryllium, molybdenum, niobium (columbium), tantalum, titanium, tungsten, and their alloys, or any combination of such materials. (47) [1 3 4]	Lb.	262	STVWXYZ	100	500	100		
Machinery, other than electric								
71520 Machine tools incorporating Laser, Maser, or Iraser devices. [Report Lasers, Masers, or Irasers exported as replacements or accessories in No. 72499.] (36) [3 4 12 18]	No.	421	STVWXYZ		500			A.
71842 Boring and drilling machines (construction, excavating, etc.) incorporating Laser, Maser, or Iraser devices; and parts and accessories, n.e.c. [Report Lasers, Masers, or Irasers exported as replacements or accessories in No. 72499.] (14) [2 3 4 12]		410	STVWXYZ		500	500		A.
71941 Domestic food-processing appliances, nonelectric; and parts. (1 and 2) [12]		218	SZ					B.
71942 Domestic type refrigerators and freezers, nonelectric; and parts. (1 and 2) [12]		218	SZ					B.

See footnotes at end of table.

*Department of Commerce export control commodity number and commodity description	Unit	*Processing number	*Validated license required for country groups shown below	*GLV dollar value limits for shipments to country groups				*Special provisions list
				S	T	V	X	
71951 Slicing, dicing, scribing and slice breaking equipment (Specify by name) for the manufacture of semiconductor devices or parts therefor.[17]	....	411	STVWXYZ..	......	500	100	......	A.
71961 Cutting machines for ceramics and similar mineral materials, *except quartz crystal, masonry or stone*: (2) [12]	....	418	SZ........	......	......	......	......	B.
71961 Other machines, n.e.c., for working asbestos cement, ceramics, concrete, quartz crystals, masonry, stone (including artificial, precious and semiprecious stones), and similar mineral materials. [Report parts in No. 71964] (3) [12]	....	408	SZ........	......	......	......	......	B.
71962 Machines for working wood, cork, bone, ebonite, hard plastics, and other hard carving materials, n.e.c. [Report parts in No. 71964.] (1 and 2) [12]	....	418	SZ........	......	......	......	......	B.
71964 Parts and attachments specially designed for slicing, dicing, scribing and slice breaking equipment for the manufacture of semiconductor devices or parts therefor.[17]	....	411	STVWXYZ..	......	500	100	......	A.
71980 Concrete and bituminous pavers, finishers, and spreaders; and parts and accessories, n.e.c. (2 and 3) [12]	....	408	SZ........	......	......	......	......	B.
71980 Machinery and equipment (specify by name), for the manufacture of semiconductor devices and integrated circuits and parts or subassemblies therefor, as follows: (a) Equipment specially designed for the manufacture of types of semiconductor devices and integrated circuits and parts (No. 72930) which are subject to the Import Certificate/Delivery Verification procedure, (b) equipment specially designed for the manufacture of silicon transistors, (c) equipment for probing and/or sorting, (d) bonders and welders, (e) masks, or (f) equipment for the manufacture of masks or the creation of a photosensitive pattern on the surface of a semiconductor or insulating substrate; and specially designed parts and accessories, n.e.c. [Report slicing, dicing, scribing and slice breaking equipment in No. 71951; and resistance welders in No. 72992.] (12) [17]	....	411	STVWXYZ..	......	500	100	......	A.
Electrical machinery, apparatus and appliances								
72499 Parts and accessories, n.e.c., for home-type radio and television receivers and automobile receivers, *except communication receivers*. (31 and 32) [12]	....	618	SZ........	......	......	......	......	B.
72505 Galleys, buffet servers, ovens, and other equipment specially designed for aircraft; electric heaters for automotive vehicles; and parts. (3) [12]	....	438	SZ........	......	......	......	......	B.
72610 Electro-medical and electro-therapeutic apparatus containing Laser, Maser, or Iraser devices (Specify by name); and specially designed parts, n.e.c. (2) [1 18 19]	....	621	STVWXYZ..	......	500	100	......	A.
72952 Compasses and gyroscopic equipment as follows: (a) Gyrocompasses possessing one or more of the following characteristics: (i) Automatic correction for the effects on compass accuracy of changes in ship's speed, acceleration, or latitutde, (ii) provision for accepting ship's data as an electrical input, (iii) provision for setting in corrections for current set and drift, (iv) utilization of accelerometer, rate gyro, rate integrating gyros, or electrolytic levels as sensing devices, (v) provision for determining and electrically transmitting ship's level reference data (roll, pitch) in addition to own ship's course data; (b) integrated flight instrument systems for aircraft which include gyrostabilizers and/or automatic pilots; (c) gyrostabilizers used for other purposes than aircraft control, *except those for stabilizing an entire surface vessel*; (d) automatic pilots used for other purposes than aircraft control *except marine type for surface vessels*; (e) gyros with a rated free directional drift rate (rated free precession) of less than 0.5 degree per hour in a 1 g environment; (f) gyrocompasses which incorporate gyros described in (a) above or which, when operated in a gyrocompass mode, have a compass error, before compensation, due a gyro drift rate of less than 1⁄40 of a radian (6/π degrees) at 0 degrees latitude; and (g) gyros containing Laser, Maser, or Iraser devices. (Specify by name and model number.) (57 and 81) [19]	No.	621	STVWXYZ..	......	500	100	......	A.
72952 Industrial instruments containing Laser, Maser, or Iraser devices for indicating, recording, measuring, controlling, testing or inspecting nonelectrical quantities. (81) [1 19]	No.	411	STVWXYZ..	......	500	100	......	A.
72952 Laboratory instruments containing Laser, Maser, or Iraser devices for indicating, recording, measuring, controlling, testing, or inspecting nonelectrical quantities. (81) [1 19]	No.	621	STVWXYZ..	......	500	100	......	A.
72952 Instruments containing Laser, Maser, or Iraser devices for indicating, recording, measuring, controlling or testing electrical or electronic quantities. (81) [1 19]	No.	601	STVWXYZ..	......	500	100	......	A.
72992 Resistance welders for the manufacture of semiconductor devices and integrated circuits and parts or subassemblies therefor; and specially designed parts and accessories, n.e.c.[17]	....	411	STVWXYZ..	......	500	100	......	A.
72996 Other articles for electrical purposes, made of carbon or graphite fibers, any form (including chopped or macerated) whether or not coated or impregnated. (5 and 6) [1 2 20]	....	222	STVWXYZ..	......	500	25	......	
72996 Other brush plates, electrical carbon brushes and lighting carbons. (5) [12]	....	218	SZ........	......	......	......	......	B.
72998 Bakelite® knobs; cabinets; fiber washers; lightning arrestors; lightning protectors; pilot lamp holders; and serrated washers. (10) [12]	....	618	SZ........	......	......	......	......	B.

See footnotes at end of table.

Department of Commerce export control commodity number and commodity description	Unit	*Processing number	*Validated license required for country group shown below	*GLV dollar value limits for shipments to country groups				*Special provisions list
				S	T	V	X	
Clothing and accessories								
84160 Underwater apparel designed for scuba diving. [Report breathing apparatus in No. 86172.] (1) [24]	Lb.	218	SWXYZ......	500	......	......	100	B.
Professional, scientific and controlling instruments; photographic and optical goods, watches and clocks								
86111 Quartz crystals, radio grade only. (2) [22]	No.	612	STVWXYZ...	500	500	500	......	
Miscellaneous manufactured articles, n.e.c.								
89300 Other manufactures, n.e.c., as follows: (a) Partially made of polytetrafluoroethylene or polychlorotrifluoroethylene, and (b) of molding compositions containing more than 20 percent by weight of other fluorocarbon polymers or copolymers. (Specify by name and state weight of fluorocarbon polymers or copolymers.) (See § 399.2, Interpretation 22.) (14 and 15) [13]	....	222	STVWXYZ...	50	500	50	......	E-3.
89300 Articles, n.e.c., of artificial plastic materials containing silica, quartz, carbon or graphite fibers in any form. (17) [1,2,10,11]	....	222	STVWXYZ...	......	500	25	......	
89715 Platinum-clad molybdenum tubing. (1) [4]	Lb.	261	STVWXYZ...	100	500	100	......	A E-8.
89715 Platinum-clad molybdenum wire. (1) [4,23]	Lb.	262	STVWXYZ...	100	500	100	......	E-8.

[1] The Processing Number is changed.

[2] A separate entry is established.

[3] Effective Sept. 22, 1967, a validated license is required for export of these commodities to Country Groups T, V, and W.

[4] Effective Sept. 22, 1967, the GLV Dollar-Value Limit is decreased to Country Group X.

[5] Effective Sept. 22, 1967, a validated license is required for export of irradiated polyolefin film to Country Group W.

[6] Effective Sept. 22, 1967, a validated license is required for export of these commodities to Country Groups T, V, W, and X.

[7] The entry is corrected to conform to previously announced controls.

[8] Two entries are substituted for an entry presently on the Commodity Control List under this Export Control Commodity Number.

[9] Effective Sept. 22, 1967, a validated license is required (a) for export of quartz yarn to Country Groups T, V, and W, and (b) for export of silica yarn to Country Groups T, V, W, and X.

[10] Effective Sept. 22, 1967, the GLV Dollar-Value Limit is decreased to Country Group S.

[11] Effective Sept. 22, 1967, a validated license is required for export of these commodities to Country Groups T, V, W, X, and Y. A validated license is presently required for export to East Germany.

[12] The commodity description is revised with no change in controls.

[13] A validated license is no longer required for export to East Germany of any commodities included in this entry which previously required a license to this destination.

[14] Effective Sept. 22, 1967, a validated license is required for export of these commodities to Country Groups T, V, W, X, and Y.

[15] Effective Sept. 22, 1967, a validated license is required for export of these commodities to Country Groups T and V.

[16] Effective Oct. 30, 1967, an Import Certificate (or a Hong Kong Import License) will be required in support of a license application covering export of these commodities to the countries specified in § 373.2.

[17] The following equipment is transferred from No. 71980 (12th entry) to conform to Schedule B classification: slicing, dicing, scribing, and slice breaking equipment is transferred to No. 71951, and parts and attachments therefor are transferred to No. 71954; and resistance welders are transferred to No. 72992.

[18] Gyros containing Laser, Maser, and Iraser devices are transferred from the present 81st entry under this Export Control Commodity Number (No. 72952).

[19] Three entries are substituted for an entry presently on the Commodity Control List under this Export Control Commodity Number.

[20] Effective Sept. 22, 1967, a validated license is required for export to Country Groups T, V, W, X, and Y of electrical carbons included in this entry. However, a validated license is already required for export of brush plates, brushes lighting carbons to East Germany, and for export of all other electrical carbons to Country Group Y.

[21] This entry is deleted and these commodities are transferred to No. 72499 (31st entry) to conform to Schedule B classification.

[22] This entry is deleted and these commodities are included in the third entry presently on the Commodity Control List under No. 66700.

[23] An Import Certificate is no longer required in support of an application for a license to export this commodity to the countries specified in § 373.2.

[24] A validated license is no longer required for export of these commodities to Country Groups T and V.

B. *Saving clause.* Shipments of commodities removed from general license as a result of changes set forth in Part A above which were on dock for lading, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a.m., September 22, 1967, may be exported under the previous general license provisions up to and including October 16, 1967. Any such shipment not laden aboard the exporting carrier on or before October 16, 1967, requires a validated license for export.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959-63 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959-63 Comp.)

Effective date: September 15, 1967.

RAUER H. MEYER,
Director,
Office of Export Control.

[F.R. Doc. 67-11135; Filed, Sept. 25, 1967; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 67-WE-19-AD; Amdt. 39-486]

PART 39—AIRWORTHINESS DIRECTIVES

McDonnell Douglas Model DC-9 Series Airplanes

Pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), an airworthiness directive (AD) was adopted on September 11, 1967, and made effective by telegram immediately as to all known operators of McDonnell Douglas Model DC-9 Series airplanes delivered prior to September 8, 1967. The AD requires an inspection of the outboard end of each pylon rear spar to verify the presence of certain fasteners in that area. The AD requires further that missing fasteners be replaced before further flight.

Telegraphic issuance of this AD was necessitated by a report of a missing bolt in the area where the engine aft mount attaches to the pylon rear spar. It was determined by the agency that the absence of this bolt resulted in the development of an unsafe condition in the affected airplane in that the structural integrity of the aft engine mount support assembly was impaired. Subsequent to the issuance of the telegraphic AD, it was determined that absence of the bolt was due to the absence of a bolt hole in the clip located on the aft side of the rear spar of the right pylon although a corresponding bolt hole was drilled at the appropriate place in the other structural members in that area.

Since it was found that corrective action was required within a very short time, notice and public procedure thereon was impracticable and contrary to the public interest, and good cause existed for making the airworthiness directive effective immediately as to all known operators of McDonnell Douglas Model DC-9 Series airplanes delivered prior to September 8, 1967. The agency finds that the unsafe condition as originally described in the telegraphic AD still exists, and that airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

MCDONNELL DOUGLAS. Applies to Model DC-9 Series airplanes delivered prior to September 8, 1967.

Compliance required prior to the next departure from a maintenance base where the inspection can be accomplished by the operator but not later than 5 hours time in service after September 26, 1967, unless already accomplished in accordance with Douglas Alert Service Bulletin No. A54-15 dated September 12, 1967, or wire constituting said Service Bulletin dated September 11, 1967, or later FAA-approved revision.

Due to a report of a missing bolt in the area where the engine aft mount attaches to the spar cap of the pylon rear spar (which was attributed to the absence of a bolt hole in the clip located on the aft side of the pylon rear spar), accomplish the following:

1. Inspect the outboard end of the upper and lower spar cap of each pylon rear spar in the vicinity of the first fastener inboard of the holes to which the rear engine mount attaches.

2. Replace any missing bolt or nut before further flight with a bolt (P/N MS21250-05010) and/or nut (P/N H16-5), except that the airplane may be flown in accordance with FAR 21.197 to a base where the replacement can be accomplished.

3. Report in writing any instances of a missing bolt or nut to Chief, Aircraft Engineering Division, FAA Western Region, within three (3) days after discovery.

This amendment becomes effective on September 26, 1967, for all persons except those to whom it was made effective immediately by telegram dated September 11, 1967.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Los Angeles, Calif., on September 19, 1967.

LEE E. WARREN,
Acting Regional Director, Western Region.

[F.R. Doc. 67-11274; Filed, Sept. 25, 1967; 8:48 a.m.]

[Airspace Docket No. 67-WE-62]

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

Alteration of Control Zone Description

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to amend the description of the Boeing Airport, Seattle, Wash., control zone. Within recent months, the name of the Boeing Airport has been changed to "King County Airport, Boeing Field", and recently to "Boeing Field International." This action is necessary to reflect the latest name change to "Boeing Field International."

In § 71.171 (32 F.R. 2137), the Seattle, Wash. (Boeing Airport), control zone is amended by deleting "* * * Boeing Airport * * *" wherever it appears in the title or description of the control zone, and substituting "* * * Boeing Field International * * *" therefor.

Since this change is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and good cause exists for making this amendment effective in less than 30 days.

Effective date. This amendment is effective upon publication in the FEDERAL REGISTER.

Issued in Los Angeles, Calif., on September 15, 1967.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 67-11243; Filed, Sept. 25, 1967; 8:45 a.m.]

[Airspace Docket No. 67-WE-46]

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

Alteration of Control Zone

On August 4, 1967, F.R. Doc. 67-9084 was published in the FEDERAL REGISTER (32 F.R. 11314), which altered the description of the La Verne, Calif., control zone in part by designating it as a full-time zone. It has recently been determined that the La Verne control zone will continue to be a part-time zone, and action is taken herein to reflect this change.

Since this amendment is minor in nature, notice and public procedure hereon are unnecessary, and the effective date of the final rule as initially adopted may be retained.

In consideration of the foregoing, the description of the La Verne, Calif., control zone as contained in F.R. Doc. 67-9084 (32 F.R. 11314) is amended, effective immediately, by adding, "This control zone is effective from 0700 to 2300 hours, local time, daily."

Issued in Los Angeles, Calif., on September 13, 1967.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 67-11244; Filed, Sept. 25, 1967; 8:46 a.m.]

[Airspace Docket No. 67-SW-39]

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

Alteration of Control Zone and Transition Areas

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Pine Bluff, Ark., control zone and transition area and the Little Rock, Ark., transition area.

On July 25, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 10865) stating the Federal Aviation Administration proposed to alter the Pine Bluff, Ark., control zone and transition area and the Little Rock, Ark., transition area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., December 7, 1967, as herein set forth.

In § 71.171 (32 F.R. 2127) the Pine Bluff, Ark., control zone is amended by adding "* * * and within 2 miles each side of the Pine Bluff VORTAC 185° radial, extending from the 5-mile radius zone to 10.5 miles south of the VORTAC."

In § 71.181 (32 F.R. 2237) the Pine Bluff, Ark., transition area is amended to read:

PINE BLUFF, ARK.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Grider Field (lat. 34°10'35" N., long. 91°55'55" W.); within 5 miles east and 8 miles west of the Pine Bluff VORTAC 006° radial, extending from the VORTAC to 12 miles north; and within 2 miles each side of the Pine Bluff VORTAC 185° radial, extending from 10.5 miles south of the VORTAC to 18.5 miles south.

In § 71.181 (32 F.R. 2213) the Little Rock, Ark., transition area 1,200-foot portion is amended by substituting "lat. 33°51'00" N., long. 91°48'00" W." for "lat. 33°53'00" N., long. 91°56'00" W." wherever it appears.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Fort Worth, Tex., on September 13, 1967.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 67-11245; Filed, Sept. 25, 1967; 8:46 a.m.]

[Airspace Docket No. 67-WE-28]

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

Alteration of Transition Area

On June 9, 1967, F.R. Doc. 67-6443 was published in the FEDERAL REGISTER (32 F.R. 8302) proposing to amend Part 71 of the Federal Aviation Regulations by redesignating the Boise, Idaho, transition area. This proposal was adopted as an amendment to Part 71 on July 18, 1967, and will be effective October 12, 1967.

Subsequent to th publication of F.R. Doc. 67-6443, an amendment was issued (32 F.R. 12113) changing V-138 to V-500 in the description of the Boise, Idaho, transition area. This change was necessary as a result of renumbering certain airways in the Boise area.

It has now been noted that § 71.171 of Part 71 was inadvertently used in the original citation in lieu of § 71.181. In addition, a correction in the text, changing the cardinal direction northwest to northeast, is necessary. Action is taken herein to reflect these changes.

Since this amendment is minor in nature, notice and public procedure hereon are unnecessary, and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, effective immediately, F.R. Doc. 67-6443, as amended in 32 F.R. 12113, is further amended by deleting "§ 71.171", and substituting "§ 71.181" therefor, and in the ninth and 10th lines by deleting "* * * northwest * * *", and substituting "* * * northeast * * *" in place thereof.

Issued in Los Angeles, Calif., on September 13, 1967.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 67-11249; Filed, Sept. 25, 1967; 8:46 a.m.]

[Airspace Docket No. 67-WE-50]

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

Alteration and Designation of Transition Area

On page 11477 of the FEDERAL REGISTER for August 9, 1967, there was published a notice of proposed rule making to amend Part 71 of the Federal Aviation Regulations that would alter the Hugo, Colo., transition area and designate controlled airspace for Tobe, Colo. Interested persons were given 30 days in which to submit written comments, suggestions, or objections regarding the proposed alteration.

All comments received were favorable, and the proposed amendments are hereby adopted, subject to the following change:

In F.R. Doc. 67-9278 (32 F.R. 11477), the description of the Hugo, Colo., transition area is changed by striking out the semicolon after V-19E in the fifth line, and substituting the word "* * * and * * *" in place thereof.

Since this change is editorial in nature, notice and public procedure hereon are unnecessary.

Effective date. This amendment is effective December 7, 1967.

Issued in Los Angeles, Calif., on September 13, 1967.

LEE E. WARREN,
Acting Director, Western Region.

Therefore, the FAA redesignates the Hugo, Colo., transition area in § 71.181 (32 F.R. 2200) as follows:

HUGO, COLO.

That airspace south of Hugo, Colo., VOR, extending upward from 8,500 feet MSL, bounded on the north by V-108S, on the northeast by V-263, on the south by V-210, and on the west by V-19E and that airspace east of Hugo, extending upward from 8,500 feet MSL, bounded on the north by V-4, on the east by longitude 102°50'00" W., on the southwest by V-263, and on the west by V-169, excluding the airspace within Federal airways and the Pueblo and Colorado Springs, Colo., transition areas.

In § 71.181 (32 F.R. 2148) the following transition area is added:

TOBE, COLO.

That airspace north of Tobe, Colo., VORTAC, extending upward from 8,500 feet MSL, bounded on the north by V-210, on the southeast by V-263, and on the west by V-19E, excluding the airspace within Federal airways.

[F.R. Doc. 67-11246; Filed, Sept. 25, 1967; 8:46 a.m.]

[Airspace Docket No. 67-WE-31]

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

Alteration of Federal Airway and Transition Area

On June 21, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 8818) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would alter V-198 and the Portal, Ariz., transition area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., November 9, 1967, as hereinafter set forth.

1. Section 71.123 (32 F.R. 2009) is amended as follows:

In V-198 all before "12 AGL El Paso, Tex.;" is deleted and "From San Simon, Ariz., 12 AGL Columbus, N. Mex.;" is substituted therefor.

2. Section 71.181 (32 F.R. 2148) is amended as follows:

The Portal, Ariz., transition area is amended to read as follows:

That airspace extending upward from 1,200 feet above the surface within 13 miles north and 8 miles south of the Cochise, Ariz., VORTAC 096° radial extending from 20 miles east to 56 miles east of the VORTAC, and that airspace extending upward from 1,200 feet above the surface bounded on the northeast by V-198, on the south by V-16, and on the west by longitude 108°49'00" W.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on September 15, 1967.

J. F. BIRON,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67-11247; Filed, Sept. 25, 1967; 8:46 a.m.]

[Airspace Docket No. 67-SO-51]

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

Alteration of Transition Areas

On July 4, 1967, F.R. Doc. No. 67-7526 was published in the FEDERAL REGISTER (32 F.R. 9641), amending Part 71 of the Federal Aviation Regulations by altering the Waycross and Valdosta, Ga., transition areas.

In the amendment the latitudinal ordinate for the Bivins Airport was shown as "lat. 31°11'45" N."

Subsequent to the publication of the rule, the latitudinal ordinate was refined by Coast and Geodetic Survey as "lat. 31°11'06" N."

Since this amendment is minor in nature and imposes no additional burden on the public, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, effective immediately, F.R. Doc. No. 67-7526 is amended as follows:

On line nine of the Waycross, Ga., transition area description "* * * (lat. 31°11'45" N. * * *" is deleted and "* * * (lat. 31°11'06" N. * * *" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on September 13, 1967.

GORDON A. WILLIAMS, Jr.,
Acting Director, Southern Region.

[F.R. Doc. 67-11248; Filed, Sept. 25, 1967; 8:46 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 8679 o.]

PART 13—PROHIBITED TRADE PRACTICES

Consumers Products of America, Inc., et al.

Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1390 *Concealed subsidiary, fictitious collection agency, etc.;* § 13.1505 *Operations as educational or religious.* Subpart—Misrepresenting oneself and goods—Goods: § 13.1625 *Free goods or services;* § 13.1747 *Special or limited offers.* Subpart—Misrepresenting oneself and goods—Prices: § 13.1779 *Bait.* Subpart—Using misleading name—Vendor: § 13.2365 *Concealed subsidiary, fictitious collection agency, etc.;* § 13.2410 *Individual or private business being educational, religious or research institution or organization.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Consumers Products of America, Inc., et al., Philadelphia, Pa., Docket 8679, Sept. 7, 1967]

In the Matter of Consumers Products of America, Inc., a Corporation, Eastern Guild, Inc., a Corporation, Keystone Guild, Inc., a Corporation, and Jack Weinstock, Nat Loesberg, Jack Gerstel, and Louis Tafler, Individually and as Officers of Said Corporations

Order requiring three affiliated Pennsylvania sellers of encyclopedias and other publications, to cease using bait and switch tactics; using the word "free" deceptively; falsely representing that their offers to sell are limited; that they are affiliated with established collection agencies or nonprofit educational organizations.

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

It is ordered, That respondents Consumers Products of America, Inc., a corporation, and its officers, Eastern Guild, Inc., a corporation, and its officers, Keystone Guild, Inc., a corporation, and its officers, and Jack Weinstock, Nat Loesberg, Jack Gerstel, and Louis Tafler, individually and as officers of said corporations, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of encyclopedias, books, or other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using, in any manner, a sales plan, scheme, or device wherein false, misleading, or deceptive statements or representations are made in order to obtain leads or prospects for the sale of merchandise or services.

2. Discouraging the purchase of, or disparaging, any products or services which are advertised or offered for sale.

3. Representing, directly or by implication, that any products or services are offered for sale when such offer is not a bona fide offer to sell such products or services.

4. Representing, directly or indirectly, that said merchandise will be delivered to prospective purchasers for a 5-day free examination or for any other period of time without clearly and conspicuously revealing all of the conditions, obligations, or requirements, pertaining to said offer.

5. Representing, directly or indirectly, that any merchandise is "free" or is delivered to or may be retained by purchasers or prospective purchasers without clearly and conspicuously revealing all of the terms, conditions, or obligations necessary to the receipt and retention of said merchandise.

6. Representing, directly or indirectly, that any offer is limited as to time: *Provided, however,* That it shall be a defense in any enforcement proceeding instituted hereunder for respondents to establish that such time restriction or limitation was actually imposed and in good faith adhered to by respondents.

7. Representing, directly or indirectly, that The First National Fidelity Co., Metropolitan Credit Bureau, or Vogt Collection Agency or any other fictitious name, or trade names owned in whole or in part by respondents or over which respondents exercise any direction or control, are independent, bona fide financing, collection, or credit reporting agencies; or representing in any other manner that delinquent accounts have been turned over to a bona fide, separate collection agency or to a credit reporting agency for collection or for any other purpose, unless respondents in fact have turned such accounts over to an agency of the nature represented.

8. Using the trade name "Educational Foundation" in connection with respondents' enterprises or representing, in any other manner, that respondents operate any nonprofit organization engaged in educational work.

9. Misrepresenting, in any manner, the kind of offer made to sell merchandise, the terms, limitations, or conditions of any offer, or the nature or status of respondents' business or of their collection operations.

10. Failing to deliver a copy of this order to cease and desist to all present and future salesmen or other persons engaged in the sale of the respondents' products to purchasers; and failing to secure from each such person a signed statement acknowledging receipt of said order and agreeing to abide by the requirements of said order and to refrain from engaging in any of the acts or practices prohibited by said order; and for failure so to do, agreeing to dismissal or to the withholding of commissions, salaries, and other remunerations or both to dismissal and to withholding of commissions, salaries, and other remunerations.

It is further ordered, That the charge set forth in subparagraph 5 of paragraph Seven of the complaint be, and it hereby is, dismissed.

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

Issued: September 7, 1967.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 67-11255; Filed, Sept. 25, 1967; 8:47 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 143—METERED STAMPS

Inspection of Postage Meters

A notice of proposed revision in § 143.8 of Title 39, Code of Federal Regulations, was published in the FEDERAL REGISTER of July 13, 1967 (32 F.R. 10308) which would require postage meter manufacturers to specifically determine whether any indications of tampering are noted during their required on site inspections of postage meters leased to mailers. In addition, the proposed revision would require that meter register readings be compared with the control figure last recorded by the postal setting employee in the meters user's Form 3602-A, to confirm the accuracy of registers.

As no written comments were received, the Department has decided to adopt the proposal.

Accordingly, § 143.8(f)(2) is amended as follows and is effective 30 days after publication in the FEDERAL REGISTER:

§ 143.8 Manufacture and distribution of postage meters.

* * * * *

(f) *Maintenance.* * * *

(2) *Inspection of meters in use.* (i) The manufacturer must have all of his meters in service with mailers inspected at least twice annually at approximate 6-month intervals. Inspection must be sufficiently thorough to determine that each meter is clean, in proper operating condition, is recording its operations correctly and accurately, that neither the post office seal nor any seal placed by the manufacturer to prevent access to the mechanism has been removed or tampered with, and that there are no other indications of tampering. The meter register readings must be compared with the control figure last recorded by the postal setting employee in the meter user's Form 3602-A, Daily Record of Meter Register Readings, to confirm the accuracy of the registers. If the post office control figure has not been recorded, obtain such figure immediately from post office to confirm accuracy of registers.

(ii) Any irregularities found in the operation of a meter at any time or any improper usage of a meter must be reported immediately to the mailer's postmaster, and appropriate steps must be taken to have the meter discontinued.

* * * * *

NOTE: The corresponding Postal Manual section is 143.862.

(5 U.S.C. 301, 39 U.S.C. 501)

TIMOTHY J. MAY, *General Counsel.*

SEPTEMBER 20, 1967.

[F.R. Doc. 67-11237; Filed, Sept. 25, 1967; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 101—Federal Property Management Regulations

SUBCHAPTER E—SUPPLY AND PROCUREMENT

PART 101-27—INVENTORY MANAGEMENT

Maximizing Use of Inventories

Policy and procedures for maximizing the use of long supply inventories are provided as well as guidelines to reduce inventories to their normal levels. Also provided are criteria for establishing economic retention limits to determine the stock to be retained and the stock to be disposed of as excess.

The table of contents for Part 101-27 is amended to provide for the following new entries:

Subpart 101-27.3—Maximizing Use of Inventories

AUTHORITY: The provisions of this Subpart 101-27.3 issued under sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c).

Part 101-27 is amended by the addition of the following subpart:

Subpart 101-27.3—Maximizing Use of Inventories

§ 101-27.300 Scope.

This subpart prescribes policy and procedures to assure maximum use of inventories based upon recognized economic limitations.

§ 101-27.301 Definitions.

As used in this Subpart 101-27.3, the following terms have the meanings set forth below:

(a) "Long supply" means that increment of inventory which exceeds the stock level criteria established by the inventory manager, but excludes quantities to be declared excess.

(b) "Centrally managed item" means an item of supply or equipment which forms part of an inventory of an agency performing a mission of storage and distribution to other Government activities (e.g., GSA and DSA).

(c) "Agency managed item" means an item which is procured and forms a part of a controlled inventory of an agency and its activities for issue internally for its own use and is other than a centrally managed item.

(d) "Economic retention limit" means the maximum stock quantity on hand of an item which may be held without incurring greater costs for carrying the stock than for the costs of its disposal and resulting loss of investment.

§ 101-27.302 Applicability.

The provisions of this subpart are applicable to all civil executive agencies.

§ 101-27.303 Reducing long supply.

Through effective interagency matching of material and requirements before the material becomes excess, unnecessary procurements and investment losses can be reduced. Timely action is required to reduce inventories to their normal stock levels by curtailing procurement and by utilizing and redistributing long supply. In this connection, requirements for agency managed items should be obtained, from long supply inventories offered by agencies in lieu of procurement from commercial sources. Since supply requirements usually fluctuate over a period of time, a long supply quantity which is 10 percent or less of the total stock of the item is considered marginal and need not be reduced.

§ 101-27.303-1 Cancellation or transfer.

When the long supply of an item, including quantities due in from procurement, is greater than 10 percent of the total stock of that item, the inventory manager, or other appropriate official, shall cancel or curtail any outstanding requisitions or procurements on which award has not been made for such items, and may also cancel contracts for such items (if penalty charges would not be incurred) or transfer the long supply, if economical, to other offices within the agency in accordance with agency utilization procedures. In such cases, acquisition of long supply items shall not be made from other sources such as requirements contracts.

§ 101-27.303-2 Redistribution.

If the long supply is still greater than 10 percent of the total stock of an item despite efforts to cancel or transfer the long supply as provided in § 101-27.303-1, the inventory manager shall:

(a) Offer centrally managed items to the agency managing the item for return and credit in accordance with the procedures established by that agency; and

(b) Offer agency managed items to other agencies which manage the same item. Reimbursement shall be arranged by the agencies effecting the inventory transfer. The responsibility of locating agencies or activities requiring these items shall rest with the agency holding the long supply. However, agencies may receive a list of Government activities using particular Federal stock numbers by writing to:

General Services Administration, Federal Supply Service, Standardization Division—FMS, Washington, D.C. 20406.

§ 101-27.304 Criteria for economic retention limits.

If, after taking action as provided in § 101-27.303-2, the quantity of an item in long supply is still greater than 10 percent of the total stock for the item, the inventory manager shall establish an economic retention limit for the item in accordance with the provisions of this § 101-27.304. The economic retention limit shall be used to determine which portion of the inventory may be economically retained and which portion should be disposed of as excess.

§ 101-27.304-1 Establishment of economic retention limit.

An economic retention limit must be established for inventories so that the Government will not incur any more than the minimum necessary costs to provide stock of an item at the time it is required. Generally, it would be more economical to dispose of stock in excess of the limit and procure stock again at a future time when the need is more proximate rather than incur the cumulative carrying costs.

(a) The agency managing a centrally managed or agency managed item shall establish an economic retention limit so that the total cumulative cost of carrying a stock of the item (including interest on the capital that is tied up in the accumulated carrying costs) will be no greater than the reacquisition cost of the stock (including the procurement or order cost). Consideration should be given to any significant net return that might be realized from present disposal of the stock. Where no information has been issued, the net return from disposal is assumed to be zero. Guidelines for setting stock retention limits are provided in the following table and explanatory remarks that follow:

Annual carrying costs as a percentage of item reacquisition costs	Economic retention limit in years of supply		
	Net return on disposal as a percentage of item reacquisition costs		
	0	10	20
10	8½	7½	6¼
15	6	5¼	4¾
20	4¾	4¼	3¾
25	3¾	3½	3

NOTE: The entries in the tables were calculated by determining how long an item must be carried in inventory before the total cumulative carrying costs (including interest on the additional funds that would be tied up in the accumulated annual carrying costs) would exceed the acquisition costs of the stock at that time (reacquisition costs). For example, assuming no net return from disposal, the accumulated carrying costs computed at the rate of 15 percent per year on the reacquisition cost of the stock and compounded annually at 4½ percent (GSA's recommended rate of interest on Government investments) would be:

Years	Compounded carrying cost as a percentage of reacquisition costs	Accumulated costs as a percentage of reacquisition costs
1	15.7	15.7
2	16.4	32.1
3	17.1	49.2
4	17.9	67.1
5	18.7	85.8
6	19.5	105.3

At 15 percent a year, accumulated carrying costs would be equivalent to the reacquisition costs after 6 years. Six years is, therefore, the economic retention limit for items with a 15 percent annual carrying cost rate. Where an activity has not yet established an estimate of its carrying cost, an annual rate of 10 percent may be used as an interim rate thereby resulting in an economic retention limit of 8½ years when the net return on disposal is zero. The elements of carrying (holding) cost are given in the GSA Handbook, The Economic Order Quantity Principle and Applications. The handbook is identified under Federal Stock Number 7610-543-6765 in the GSA Stock Catalog, Part I, and may be ordered in the same manner as other items in the catalog.

(b) The economic retention limit at a user stocking activity can best be determined by the item manager (for centrally managed or agency managed items) on the basis of overall Government requirements and planned procurement. Since stocks in long supply at a user stocking activity are less likely to find utilization outlets, the retention limit at these activities should be relatively small. Generally the economic retention limit at a user stocking activity should be computed in the same manner as in paragraph (a) of this section and then reduced by 70 percent.

§ 101-27.304-2 Factors affecting the economic retention limit.

(a) The economic retention limit may be increased where:

(1) The item is of special manufacture and relates to an end item of equipment which is expected to be in use beyond the economic retention time limit; or

(2) Costs incident to holding an additional quantity are insignificant and obsolescence and deterioration of an item are unlikely.

(b) The economic retention limit should be reduced under the following conditions:

(1) The related end item of equipment is being phased out or an interchangeable item is available; or

(2) The item has limited storage life, is likely to become obsolete, or the age and condition of the item does not justify the full retention limit.

§ 101-27.305 Disposition of long supply.

Where efforts to reduce the inventory below the economic retention limit have been unsuccessful, appropriate disposition should be effected in accordance with Subpart 101-43.3 of this chapter. Any remaining inventory which is within the economic retention limit shall be retained. However, the item shall be reviewed at least annually and efforts made to reduce the long supply inventory in accordance with § 101-27.303.

Effective date. This amendment is effective upon publication in the FEDERAL REGISTER.

Dated: September 19, 1967.

LAWSON B. KNOTT, Jr.,
Administrator of General Services.

[F.R. Doc. 67-11256; Filed, Sept. 25, 1967; 8:47 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 19—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Miscellaneous Amendments

The Commission having under consideration Part 19 of its rules and regulations, Employee Responsibilities and Conduct and Part 735 of the amended Civil Service Commission Regulations on Employee Responsibilities and Conduct:

It is ordered, Under the authority of the Communications Act, as amended, pursuant to Executive Order No. 11222, dated May 8, 1965, and in accordance with the requirements of Part 735 of the Civil Service Regulations issued on October 1, 1965, and amended on June 9, 1967, and in accordance with Administrative Order No. 10, dated February 15, 1966, that Part 19 is amended as follows:

The references to § 735.202 in § 19.735-201 are changed to § 735-201(a). Section 19.735-202(c) is deleted and the provisions thereof transferred to § 19.735-201a; § 19.735-202(d) is amended to indicate the circumstances under which a gift to an official superior may be allowed; the heading of § 19.735-203 is amended for clarity and paragraph (e)(1) of that section is deleted and the provisions thereof transferred to § 19.735-202(f) and amended to show that the exception does not allow non-Government reimbursement for travel on official business under agency orders; § 19.735-202 (d) and (e), and §19.735-210 are amended to correct statutory references made obsolete by the codification of title 5, United States Code; paragraph (q) is added to § 19.735-210 to include reference to 18 U.S.C. 219; § 19.735-403 is amended, and §§ 19.735-403a and 19.735-405(c) are added, to restrict the requirements relative to reporting employment and financial interests to those employees in positions in which the possibility of conflicts-of-interest involvement is clear, to evidence the availability of the Commission's grievance procedure for settling questions concerning the applicability of the reporting requirement, and to inform employees coming within the section that they will be individually notified of their obligation to file. Section 19.735-406 is amended to eliminate quarterly supplementary statements; § 19.735-410 is amended to insure the confidentiality of statements submitted. Effective September 26, 1967, Part 19 is amended as set forth below.

§ 19.735-201a Proscribed actions.

An employee shall avoid any action, whether or not specifically prohibited by this subpart, which might result in, or create the appearance of:

(a) Using public office for private gain;

(b) Giving preferential treatment to any person;

(c) Impeding Government efficiency or economy;

(d) Losing complete independence or impartiality;

(e) Making a Government decision outside official channels; or

(f) Affecting adversely the confidence of the public in the integrity of the Government.

§ 19.735-202 Gifts, entertainment, and favors.

(a) Except as provided in paragraphs (b) and (f) of this section, an employee shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value, from a person who:

* * * * *

(c) [Deleted]

(d) An employee shall not solicit a contribution from another employee for a gift to an official superior, make a donation as a gift to an official superior, or accept a gift from an employee receiving less pay than himself (5 U.S.C. 7351). However, this paragraph does not prohibit a voluntary gift of nominal value or donation in a nominal amount made on a special occasion such as marriage, illness, or retirement.

(e) An employee shall not accept a gift, present, decoration, or other thing from a foreign government unless authorized by Congress as provided by the Constitution and in Public Law 89-673, 80 Stat. 952.

(f) Neither this section nor § 19.735-203 precludes an employee from receipt of bona fide reimbursement, unless prohibited by law, for expenses of travel and such other necessary subsistence as is compatible with this part for which no Government payment or reimbursement is made. However, this paragraph does not allow an employee to be reimbursed, or payment to be made on his behalf, for excessive personal living expenses, gifts, entertainment, or other personal benefits, nor does it allow an employee to be reimbursed by a person for travel on official business under agency orders when reimbursement is proscribed by Decision B-128527 of the Comptroller General dated March 7, 1967.

§ 19.735-203 Outside employment and other activity.

* * * * *

(e) * * *

(1) [Deleted]

* * * * *

§ 19.735-210 Miscellaneous statutory provisions.

* * * * *

(d) The prohibitions against disloyalty and striking (5 U.S.C. 7311, 18 U.S.C. 1918).

* * * * *

(g) The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 7352).

(h) The prohibition against the misuse of a Government vehicle (31 U.S.C. 638a(c)).

* * * * *

(j) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (18 U.S.C. 1917).

* * * * *

(p) The prohibitions against political activities in subchapter III of chapter 73 of title 5, United States Code 18 U.S.C. 602, 603, 607, and 608.

(q) The prohibition against an employee acting as the agent of a foreign principal registered under the Foreign Agents Registration Act (18 U.S.C. 219).

§ 19.735-403 Employees required to submit statements.

Except as provided in § 19.735-404, statements of employment and financial interests shall be required from the following employees of the Commission:

(a) Employees who are Hearing Examiners.

(b) Employees who are Members of the Review Board.

(c) Employees who are in grade GS-13 or above and who are Heads or Assistant Heads of Offices, Bureaus, Divisions, or Branches or comparable units.

(d) Employees who are in grade GS-13 or above and who are in the immediate offices of the Office or Bureau Chiefs.

(e) Employees who are in grade GS-13 or above and who are legal, engineering, or other professional assistants to the Commissioners.

(f) Employees in GS 11 or above who are Heads or Supervisors of field offices.

§ 19.735-403a Employee's complaint on filing requirement.

An employee who believes that his position has been improperly included under the Commission's regulations requiring the filing of a statement of employment and financial interests is entitled to seek review of his complaint under the Commission's grievance procedure.

§ 19.735-405 Time and place for submission of employees' statements.

* * * * *

(c) An employee required to submit a statement of employment and financial interests will be individually notified of his obligation to file.

§ 19.735-406 Supplementary statements.

Changes in, or additions to, the information contained in an employee's statement of employment and financial interests shall be reported in a supplementary statement as of June 30 each year. If no changes or additions occur, a negative report is required. Notwithstanding the filing of the annual report required by this section, each employee shall at all times avoid acquiring a financial interest that could result, or take an action that would result, in a violation of the conflicts-of-interest provisions of section 208 of title 18, United States Code, or Subpart B of this part.

§ 19.735-410 Confidentiality of employees' statements.

Each statement of employment and financial interests, and each supplementary statement, shall be held in confidence and shall be retained in the Office of the Executive Director. Each employee charged with reviewing a statement is responsible for maintaining the statements in confidence and shall not allow access to or allow information to be disclosed from a statement except to carry out the purpose of this part. Information from these statements shall not be disclosed except as the Civil Service Commission or the Chairman may determine for good cause shown.

The above revisions were approved by the Civil Service Commission on September 8, 1967 and are effective September 26, 1967.

(E.O. 11222 of May 8, 1965, 30 F.R. 6469, 3 CFR, 1965 Supp.; 5 CFR 735.104)

Adopted: July 26, 1967.

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

[F.R. Doc. 67-11275; Filed, Sept. 25, 1967; 8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

Upper Mississippi River Wildlife and Fish Refuge, Illinois and Certain Other States

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.22 Special regulations, upland game, for individual wildlife refuge areas.

ILLINOIS, IOWA, MINNESOTA, AND WISCONSIN

UPPER MISSISSIPPI RIVER WILDLIFE AND FISH REFUGE

The public hunting of upland game birds and animals and unprotected birds and animals including foxes and crows on the Upper Mississippi River Wildlife and Fish Refuge, Illinois, Iowa, Minnesota, and Wisconsin, is permitted on the areas designated by signs as "open" to hunting. Restricted hunting of these species is also permitted on the areas designated by signs as "closed" to hunting. The "open" areas comprising 153,000 acres, and the "closed" areas comprising 41,000 acres are delineated on maps available at the refuge headquarters, Winona, Minn. 55987, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408.

Hunting shall be subject to the following special conditions:

(1) Hunting on designated "open" areas concurrent with applicable State seasons is permitted, but only during the period from the first day of the earliest duck and/or goose hunting season applicable to the geographic area concerned, until the end of the applicable State seasons, or until the next succeeding March 1, whichever occurs first. The first day of the earliest duck and/or goose hunting season for 1967 is September 16, 1967, in Iowa and Illinois; September 30, 1967, in Minnesota; and October 7, 1967, in Wisconsin.

(2) Hunting on designated "closed" areas concurrent with applicable State seasons is permitted, but only during the period from the first day after the close of the last hunting season for ducks applicable to the geographic area concerned, until the end of the applicable State seasons, or until the next succeeding March 1, whichever occurs first. The closing date of the last hunting season for ducks for 1967 is December 6, 1967, in Illinois; November 29, 1967, in Iowa; November 15, 1967, in Minnesota and Wisconsin.

(3) The hunting of upland game birds and animals and unprotected birds and animals shall be in accordance with all applicable State regulations which are adopted herein and made a part of this regulation.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective until March 1, 1968.

DONALD V. GRAY,
Refuge Manager.

SEPTEMBER 15, 1967.

[F.R. Doc. 67-11330; Filed, Sept. 25, 1967; 8:49 a.m.]

PART 32—HUNTING

Upper Mississippi River Wildlife and Fish Refuge, Illinois and Certain Other States

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

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

ILLINOIS, IOWA, MINNESOTA, AND WISCONSIN

UPPER MISSISSIPPI RIVER WILDLIFE AND FISH REFUGE

The public hunting of deer on the Upper Mississippi River Wildlife and Fish Refuge, Illinois, Iowa, Minnesota, and Wisconsin, is permitted on the areas designated by signs as "open" to hunting.

Restricted hunting of deer is also permitted on the areas designated by signs as "closed" to hunting. The "open" areas comprising 153,000 acres, and the "closed" areas comprising 41,000 acres are delineated on maps available at the refuge headquarters, Winona, Minn. 55987, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408.

Deer hunting shall be subject to the following special conditions:

(1) Gun hunting on designated "open" areas concurrent with applicable State seasons is permitted, but only during the period from the first day of the earliest duck and/or goose hunting season applicable to the geographic area concerned, until the end of the applicable State seasons, or until the next succeeding March 1, whichever occurs first. The first day of the earliest duck and/or goose hunting season for 1967 is September 16, 1967, in Iowa and Illinois; September 30, 1967, in Minnesota; and October 7, 1967, in Wisconsin.

(2) Bow hunting is permitted on designated "open" areas concurrent with applicable fall State season, but not later than the next succeeding March 1.

(3) Bow and gun hunting on designated "closed" areas concurrent with applicable State seasons is permitted, but only during the period from the first day after the close of the last hunting season for ducks applicable to the geographic area concerned, until the end of the applicable State seasons, or until the next succeeding March 1, whichever occurs first. The closing date of the last hunting season for ducks for 1967 is December 6, 1967, in Illinois; November 29, 1967, in Iowa; November 15, 1967, in Minnesota and Wisconsin.

(4) The hunting of white-tailed deer shall be in accordance with all applicable State regulations which are adopted herein and made a part of this regulation.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective until March 1, 1968.

DONALD V. GRAY,
Refuge Manager.

SEPTEMBER 15, 1967.

[F.R. Doc. 67-11331; Filed, Sept. 25, 1967; 8:49 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1094]

MILK IN NEW ORLEANS MARKETING AREA

Notice of Proposed Suspension of Certain Provisions of Order

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the suspension of certain provisions of the order regulating the handling of milk in the New Orleans marketing area is being considered for the months of October and November 1967.

The provisions proposed to be suspended are related to the supply-demand adjustment to the Class I milk price.

This proposed suspension order would temporarily suspend the supply-demand adjustor pending a public hearing on proposals to revise the presently effective provision.

The specific provisions proposed to be suspended are:

(1) In § 1094.51(a), in the language preceding subparagraph (1), the words "plus or minus a supply-demand adjustment calculated for each month pursuant to subparagraphs (1) through (6) of this paragraph:"; and

(2) Section 1094.51(a)(6).

The adjustment for October is calculated to be minus 36 cents. Thus the proposed suspension would increase the October Class I price by this amount.

This action was requested by a cooperative association representing a majority of the producers supplying the New Orleans Federal order market. The association contends that this suspension action is necessary to maintain orderly marketing conditions pending a public hearing to consider a proposal to revise the supply-demand adjustor. The cooperative association requesting this action claims that the data on which the supply-demand adjustor is based do not have sufficient coverage to properly reflect changes in supply and demand conditions.

All persons who desire to submit written data, views, or arguments in connection with the proposed suspension should file the same with the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 3 days from the date of publication of this notice in the FEDERAL REGISTER. All documents filed should be in quadruplicate.

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

Signed at Washington, D.C., on September 22, 1967.

JOHN C. BLUM,
Acting Deputy Administrator, Regulatory Programs.

[F.R. Doc. 67-11345; Filed, Sept. 25, 1967; 8:49 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 67-AL-22]

CONTROL ZONE

Proposed Alteration

The Federal Aviation Administration proposes an amendment to Part 71 of the Federal Aviation Regulations which would alter the Kenai, Alaska, terminal airspace structure.

The following control zone is presently designated in the Kenai terminal area:

Within a 5-mile radius of the Kenai Municipal Airport (latitude 60°34'11" N., longitude 151°14'56" W.); and within 2 miles northwest and 3 miles southeast of the Kenai VOR 031° radial extending from the 5-mile radius zone to 8 miles northeast of the VOR.

A new public instrument approach procedure from the Kenai VOR to Soldotna, Alaska, Airport (latitude 60°30'15" N., longitude 150°56'00" W.) requires a change in the Kenai control zone. The alteration of the control zone would provide protected airspace for aircraft conducting prescribed instrument approach procedures.

The Federal Aviation Administration, having completed a comprehensive review of the controlled airspace requirements in the Kenai, Alaska, terminal area, proposes the following airspace action:

Alter the Kenai, Alaska, control zone by redesignating it to comprise that airspace within a 5-mile radius of the Kenai Municipal Airport (latitude 60°34'11" N., longitude 151°14'56" W.); within 2 miles northwest and 3 miles southeast of the Kenai VOR 031° T (006° M) radial extending from the 5-mile radius zone to 8 miles northeast of the VOR; and within 2 miles northeast of the Kenai VOR 151° T (126° M) radial extending from the VOR to 7 miles southeast of the VOR; excluding the Soldotna control zone established effective October 12, 1967.

Interested person may submit such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Chief, Air Traffic Division, Alaskan Region, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska 99501. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska 99501.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Anchorage, Alaska, on September 15, 1967.

JOHN R. KULLMAN,
Brigadier General, U.S. Air Force, Acting Director, Alaskan Region.

[F.R. Doc. 67-11250; Filed, Sept. 25, 1967; 8:46 a.m.]

[14 CFR Parts 71, 75]

[Airspace Docket No. 67-WA-26]

ADDITIONAL CONTROL AREA AND JET ROUTE

Proposed Designation and Establishment

The Federal Aviation Administration, at the request of the Canadian Department of Transport, is considering an amendment to Parts 71 and 75 of the Federal Aviation Regulations that would designate an additional control area from the Lakehead, Ontario, Canada, RBN to the Sault Ste. Marie, Mich., RBN; and establish Jet Route No. 590 from the Lakehead RBN to the Sault Ste. Marie RBN.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The additional control area would extend 4 nautical miles each side of the centerline including the additional airspace between lines diverging at angles of 4.5° from the centerline at the Lakehead and Sault Ste. Marie RBN's and extending until they meet. The control area would have a floor of 1,200 feet AGL.

These actions are proposed to accommodate aircraft equipped with only L/MF navigation equipment and operating at both low and high altitudes.

These actions are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on September 15, 1967.

J. F. BIRON,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67-11251; Filed, Sept. 25, 1967; 8:46 a.m.]

FEDERAL TRADE COMMISSION

[16 CFR Part 241]

DOG AND CAT FOOD INDUSTRY

Proposed Guides

Proposed guides for the Dog and Cat Food Industry are hereinafter set forth and are today made public by the Commission for consideration by industry members and other interested or affected parties pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41-58, and the provisions of Part 1, Subpart A, of the Commission's procedures and rules of practice, 32 F.R. 8444 (June 13, 1967).

Notice of opportunity to present written views, suggestions, or objections. Opportunity is hereby extended by the Federal Trade Commission to any and all persons, firms, corporations, organizations, or other parties affected by or having an interest in the proposed guides for the Dog and Cat Food Industry, to present to the Commission their views concerning the guides, including such pertinent information, suggestions, or objections as they may desire to submit. For this purpose, copies of the proposed guides, which are advisory in nature as to the applicability of legal requirements, may be obtained upon request to the Commission. Such data, views, information, and suggestions may be submitted by letter, memorandum, brief, or other written communication not later than November 30, 1967, to the Chief, Division of Industry Guides, Bureau of Industry Guidance, Federal Trade Commission, Pennsylvania Avenue and Sixth Street NW., Washington, D.C. 20580. Written comments received in the proceeding will be available for examination by interested parties at the Commission's Washington address and will be fully considered by the Commission.

(NOTE: These guides have not been approved by the Federal Trade Commission. They are a draft of proposed guides which are made available to all interested or affected parties for their consideration and for submission of such views, suggestions, or objections as they may care to present, due consideration to which will be given by the Commission before proceeding to final action on the proposed guides.)

Guides for this industry, if and when finally approved and adopted by the Commission, will be designed to assist manufacturers and other sellers of dog and cat foods in avoiding violations of the Federal Trade Commission Act, as amended (15 U.S.C., secs. 41-58), in labeling and advertising their products. Their purpose will be to encourage voluntary compliance with the Act which makes illegal unfair methods of competition and unfair or deceptive acts or practices in commerce as well as false advertising of food, including animal foods. Proceedings to enforce the requirements of law set forth in the guides may be brought under the Federal Trade Commission Act.

Text of the proposed guides follows:

AUTHORITY: The provisions of this Part 241 issued under secs. 5, 6, 38 Stat. 719, as amended, 721; 15 U.S.C. 45, 46.

§ 241.0 Definitions.

For the purpose of this part the following definitions shall apply:

(a) "Meat" is nonrendered, clean, acceptable flesh consisting of skeletal, striate muscle of slaughtered animals (including but not limited to mammals and fowl). It does not include heads, lips, tongues, cheeks, snouts, ears, esophagi, diaphragms, hearts, or other organs or parts properly classified as byproducts. When applied to animals other than mature cattle, the term should be used in qualified form to show the specific animal source, e.g., horse meat, veal meat, whale meat, etc.

(b) "Meat byproducts" are nonrendered, clean, acceptable, edible portions, other than meat, of slaughtered animals. They include, among others, meat trimmings, cheeks, lips, snouts, ears, faces, tongues, brains, esophagi, lungs, diaphragms, hearts, blood, fat, melts, sweet breads, thyroids, pancreas, livers, spleens, kidneys, rennets, testicles, udders, and stomachs and intestines freed of their contents. When applied to byproducts of animals other than mature cattle, the term should be used in qualified form to show the specific animal source.

(c) "Dehydrated meat" is meat freed of its moisture content. When applied to meat of animals other than mature cattle, the term should be used in qualified form to show the specific animal source.

(d) "Dehydrated meat byproducts" are meat byproducts freed of their moisture content. When applied to byproducts of animals other than mature cattle, the term should be used in qualified form to show the specific animal source.

(e) "Meat meal" is finely ground, dehydrated meat, irrespective of phosphoric acid content, and is synonymous with the terms, "dehydrated meat meal," and "meat scrap." When applied to meal from meat of other than mature cattle, the terms should be used in qualified form to show the specific animal source.

(f) "Bone meal" is finely ground, clean, acceptable, dry bone, irrespective of phosphoric acid content.

(g) "Meat meal and bone meal" is a mixture of meat meal and bone meal. When used to describe products from animals other than mature cattle, the term should be used in qualified form to show the specific animal source of the meat and bone ingredients of the meal.

(h) "Meat byproducts and bone meal" is a mixture of finely ground dehydrated meat byproducts and bone meal. When used to describe products from animals other than mature cattle, the term should be used in qualified form to show the specific animal source of the byproducts and bone ingredients of the meal.

(i) "Blood meal" is finely ground, clean, acceptable, dry blood.

(j) "Beef" is meat of mature cattle.

(k) "Beef byproducts" are meat byproducts of mature cattle.

(l) "Dehydrated beef or dry beef" is dehydrated meat of mature cattle.

(m) "Beef meal" is meat meal from mature cattle and is synonymous with "dehydrated beef meal" and "beef scrap".

(n) "Chicken" is the clean, acceptable flesh of slaughtered chicken, characterized by breasts, thighs, and legs; and incidental bone which has been finely ground or cooked to a soft consistency.

(o) "Chicken parts" are clean, acceptable parts of slaughtered chicken characterized by large portions of bone such as necks, backs, and wings, but excluding feet and heads; and giblets consisting of livers from which the bile has been removed, hearts, and gizzards freed of their contents. All bone should be finely ground or cooked to a soft consistency.

(p) "Chicken byproducts" are clean, acceptable portions of slaughtered chicken including crops, stomachs, intestines, and other viscera freed of their contents; heads, feet, oil sacs, unlaid eggs, and rendered fat. All bone should be finely ground or cooked to a soft consistency.

(q) "Eggs" are clean, whole, acceptable, nondehydrated normally laid eggs, removed from the shell. When applied to eggs other than of domesticated chickens, the term should be qualified to show the source, such as turkey eggs, duck eggs, turtle eggs, etc.

(r) "Turkey" is the clean, acceptable flesh of slaughtered turkey characterized by breasts, legs, and thighs; and incidental bone which has been finely ground or cooked to a soft consistency.

(s) "Turkey parts" are clean, acceptable parts of slaughtered turkey characterized by large portions of bone, such as necks, backs, and wings, but excluding feet and heads; and giblets consisting of livers from which the bile has been removed, hearts, and gizzards freed of their contents. All bone should be finely ground or cooked to a soft consistency.

(t) "Turkey byproducts" are clean, acceptable portions of slaughtered turkey, including crops, stomachs, intestines, and other viscera freed of their contents; heads, feet, oil sacs, unlaid eggs, and rendered fat. All bone should be finely ground or cooked to a soft consistency.

(u) "Fish" is the clean, acceptable, fresh flesh and incidental bone of any fish, freed of the head, scales, fins, and viscera. When canned, all bone should be cooked to a soft consistency.

(v) "Whole fish" is clean, acceptable, whole, fresh, fish (unscaled and uneviscerated), under 19 inches in length. Larger fish should be freed of their heads, viscera, scales, and fins, and described as fish. When canned, all bone should be cooked to a soft consistency.

(w) "Fish meal" is finely ground, dry, rendered fish or whole fish.

(x) "Chowder" is acceptable, thick seafood soup or stew containing at least 30 percent of the type of seafood specified in advertisements and on labels.

(y) "Liver meal" is acceptable, finely ground, dry, rendered liver. The term should be used in qualified form to show specific animal source such as "beef liver meal", "fish liver meal", etc.

(z) "Acceptable" means acceptable for use in dog and cat food to the Food and Drug Administration of the U.S. Department of Health, Education, and Welfare; the U.S. Department of Agriculture; and the several States.

(aa) "Product" means a food for dogs or cats or other carnivora or omnivora, including all types of dry, moist, frozen, canned, and other commercial foods manufactured or marketed for consumption by domesticated dogs or cats. The term also includes special diet and health foods and supplements, and "treats" and "candy" for dogs and cats, but does not include animal medicines or remedies.

(bb) "Industry member" means a person, firm, corporation, or organization engaged in importing, manufacturing, testing, promoting, advertising, offering for sale, selling, or distributing, in commerce, foods for dogs or cats.

§ 241.1 Misuse of terms.

The terms defined in the above definitions should not be used so as to represent, directly or by implication, in advertising, labeling, brand, or trade name, or otherwise, that said terms have any other meaning or application than that specified in said definitions; nor should such terms as "liver" or "kidney" be used without showing the animal source thereof, such as "pork liver," "chicken liver," "fish liver," "horse kidney," etc. [Guide 1]

§ 241.2 Misrepresentation in general.

Industry members should not use, or cause or promote the use of, any trade promotional literature, advertising material, testimonial, guarantee, warranty, mark, insignia, depiction, brand, designation, or representation, which has the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers:

(a) With respect to the grade, quality, quantity, appearance, form, shape, size, type, composition, content, substance, color, flavor, nutrition, use, benefit, efficacy, price, cost, value, origin, or novelty of any product or ingredient thereof; or

(b) In any other material respect. [Guide 2]

§ 241.3 Grade or quality misrepresentation.

Industry members should not misrepresent directly or indirectly, in advertising, labeling, brand or trade name or otherwise, the grade or quality of a product or the ingredients thereof. Illustratively, industry members should not, under this section:

(a) Characterize falsely any product or ingredient thereof as: "Highest grade possible," "quality proven best by test," "top grade or quality," "made under strict sanitary conditions," "fresh" or "wholesome"; or

(b) Use graphic or pictorial illustrations of prime meats and other produce unless the product represented is composed principally of ingredients of the type and quality thereby portrayed; or

(c) Represent falsely that the vitamin content of a product will not deteriorate. [Guide 3]

§ 241.4 Misrepresentation of product appearance, content, substance, composition, quantity, or condition.

Industry members should not misrepresent directly or indirectly, in advertising, labeling, brand or trade name, or otherwise, the appearance, content, substance, composition, quantity, or condition of a product, or any ingredient thereof. Illustratively, industry members should not, under this section:

(a) Use such terms as "meat," "meaty," "meato," "meatballs," "meatloaf," "meaties," "burger," "hamburger," "beef," "beef stew," or "chicken," etc.; or such phrases as "processed from lean whole meat"; to describe or advertise any product which is not composed principally of meat or of the type of meat thereby represented; or

(b) Misrepresent the amount or percentage of any type of meat or other ingredient contained in a product; or

(c) Use graphic or pictorial illustrations of steaks, roasts, chops, garden vegetables, fresh eggs, or other meat or produce; or portray a product as consisting principally of lean chunks of red meat (especially if accompanied by statements such as "exactly as it comes from the can"); unless the product represented is composed principally of ingredients of the type and quality thereby portrayed; or

(d) Represent that a product which is moist as a result of added humectants, preservatives, or moisture, is moist in its own beefy or other juices; or otherwise misrepresent the moisture content of a product; or

(e) Represent that a product contains or is fortified with whole fresh eggs, when in fact it contains either an inappreciable amount, or no such eggs; or dried, frozen, powdered, or otherwise unfresh eggs or yolks or whites thereof; or only such eggs as are contained in occasional, whole carcasses of chickens or other animals included in the product; or

(f) Represent that a product contains more calcium or milk than it actually contains; or that a product contains whole fresh milk when in fact it contains no milk, or contains skimmed milk, buttermilk, dry powdered milk or dry powdered skim milk; or that a product which contains dried, powdered skimmed milk, contains milk solids; or

(g) List ingredients in any but descending order by weight; or

(h) List for any product, an amount of any ingredient not actually contained in the size package, container, or feeding of the product so represented (e.g., to list for an 8 ounce package, the quantity of ingredients contained in 1 pound of the product); or

(i) Fail to list in analysis lists, any ingredient or constituent, as for example, the moisture content of the product; or

(j) Fail to list in ingredients lists, any ingredient or constituent, as for example, water which has been added to the product; or

(k) Represent through slack fill, deceptively shaped containers, false weight or measure, or otherwise, that a package or container contains an amount of the product in excess of the actual content. [Guide 4]

§ 241.5 Color misrepresentation.

Industry members should not directly or indirectly, in advertising, labeling, brand or trade name or otherwise:

(a) Misrepresent the natural or artificial color of a product; or

(b) Fail to disclose that a product is artificially colored, or that the color of a product has been set or established by any other means; or

(c) Represent falsely that a product does not contain artificial color; or

(d) Represent falsely that the natural or artificial color of a product is of any particular significance to any breed of animal, e.g., to a breed which is color blind to that particular color. [Guide 5]

§ 241.6 Flavor misrepresentation.

Industry members should not misrepresent directly or indirectly, in advertising, labeling, or otherwise, through the use of such unqualified terms or phrases as "meat flavor," "meaty flavor," "true meat taste," "tastes like beef (or beef stew)," "beef tasty gravy," "chicken flavor," "liver flavor," "vegetable beef flavor," "kidney flavor," "fish flavor," etc., that a product which contains no meat, beef, chicken, liver, garden vegetables, kidney, or fish, etc., does contain such ingredients; or that a product which contains an insufficient amount of such ingredients to impart the designated flavor or taste, contains sufficient amount thereof to impart such flavor or taste.

NOTE: Where the represented flavor of a product is derived principally or entirely from artificial or natural flavoring, that fact should be disclosed by such terminology as: "artificial beef flavor," "natural chicken flavor," etc. [Guide 6]

§ 241.7 Diet and nutrient misrepresentation.

Industry members should not represent directly or indirectly, in advertising, labeling, brand or trade name, or otherwise:

(a) That a product, or a recommended feeding thereof, is or meets or exceeds the requisites of a complete, perfect, scientific or balanced ration, diet, or food product; or contains an equal or surplus amount of all the vitamins and other nutrients in proper quantity and proportions to supply the daily nutritional needs of the animals for which intended; unless such product or feeding:

(1) Meets or exceeds such current requisites as established by a recognized authority on animal nutrition, such as the Committee on Animal Nutrition of the National Research Council of the National Academy of Sciences; or

(2) Has been demonstrated by competent testing to have sustained three generations of each breed for which intended, in good health with optimum nutrition, growth, reproduction, rearing of young, and performance under all climatic and other conditions in which the breed normally performs; or

(b) That any listing of nutrients is, or exceeds the amounts recommended by a recognized authority on animal nutrition, such as the Committee on Animal Nutrition of the National Research Council of the National Academy of Sciences, for a particular animal type, unless such listing utilizes the same units of measure, and lists, in equal or excess amounts, all of the nutrients contained in the most recent nutrient list of that authority for that type of animal; or

(c) That a product or ingredient thereof contains vitamins, minerals, or other nutrients in excess of the actual content thereof, as for example, by comparing the vitamins, minerals, or other nutrients of a product or ingredient thereof, with the nutrient content of a food deficient in such nutrients; or

(d) That any product or ingredient thereof provides "super protein richness," or a complete source of protein in that it contains all the body building amino acids, inferably in the proper amount and proportion for proper nutrition, when such is not the fact. [Guide 7]

§ 241.8 Misrepresentation of medicinal and therapeutic benefits.

Industry members should not represent directly or indirectly, in advertising, labeling, brand or trade name, or otherwise that a product or ingredient thereof will:

(a) Prevent, cure, correct, tend to correct, eliminate, remove, or provide resistance to any disease, condition, disorder, infection, or parasite, or in any way improve the health or condition of any animal, when such is not the fact; or

(b) Provide any therapeutic benefit which it is capable of providing only in instances where the consuming animal's ordinary diet is deficient in elements supplied by the product or ingredient, unless due notice or qualification is made to that effect. [Guide 8]

§ 241.9 Human food representation.

Industry members should not misrepresent directly or indirectly, in advertising, labeling, brand or trade name, or otherwise, that a product is fit for human consumption or made under the same sanitary conditions as food for humans. [Guide 9]

§ 241.10 Misrepresentation of the character and size of business, extent of testing, etc.

Industry members should not falsely represent, directly or indirectly, in company, brand or trade name, or in advertising, labeling, or otherwise:

(a) The length of time they have been in business; or

(b) The extent of their sales; or

(c) Their rank in the industry as producers or distributors of a product or type of product; or

(d) That they are manufacturers or packers of industry products; or

(e) That they own or operate a laboratory, breeding, or experimental kennel, or that their products have been tested in any particular manner or for any period of time, or with any particular results; or

(f) That a product ingredient, or manufacturing process is new or exclusive; or

(g) Any other material aspect of their business or products. [Guide 10]

§ 241.11 False endorsements, testimonials, and awards.

Industry members should not falsely represent directly or indirectly, by endorsement, testimonial, award, advertising, labeling, brand or trade name, or otherwise:

(a) That a product or ingredient thereof, has been prepared according to the formula, direction, or personal supervision of; or is prescribed by, or is the first choice of; or has been inspected, guaranteed, recognized, approved, or used by; or meets or exceed the specifications or standards of; or is otherwise endorsed by a particular individual or class of individuals, or by a governmental or nongovernmental agency, or by professionals such as veterinarians, chemists, physicists, or psychiatrists; or by organizations, breeders, kennels, sportsmen, hunt clubs, or animal hospitals; or

(b) That a product is the recipient of a bona fide merit award or seal of approval. [Guide 11]

§ 241.12 Misuse of the terms "can" and "canned".

Industry members should not, in advertising, labeling, or otherwise:

(a) Use the term "can" to describe any container other than a hermetically sealed metal container; or

(b) Use the term "canned" to describe any product not canned or hermetically sealed in a glass or metal container and so processed by heat as to prevent spoilage; or

(c) Misrepresent any other material aspect of product packaging. [Guide 12]

§ 241.13 Bait advertising.

Industry members should not offer for sale any industry product when the offer is not a bona fide effort to sell the product so offered as advertised and at the advertised price.

NOTE 1: In determining whether there has been a violation of this section, consideration will be given to acts or practices indicating that the offer was not made in good faith for the purpose of selling the advertised product, but was made for the purpose of contacting prospective purchasers and selling them a product or products other than the product offered. Among acts or practices which will be considered in making that determination are the following:

(1) The creation, through the initial offer or advertisement, of a false impression of the product offered in any material respect;

(2) The refusal to show, demonstrate, or sell the product offered in accordance with the terms of the offer;

(3) The disparagement, by acts or words, of the product offered, or the disparagement of the guarantee, or in any other respect in connection with it;

(4) The showing, demonstrating and in the event of sale, the delivery, of a product which is unusable or impractical for the purpose represented or implied in the offer;

(5) The refusal, in the event of sale of the product offered, to deliver such product to the buyer within a reasonable time thereafter;

(6) The failure to have available a quantity of the advertised product at the advertised price sufficient to meet reasonably anticipated demands.

It is not necessary that each act or practice set forth above be present in order to establish that a particular offer is violative of this section.

NOTE 2: The Commission's November 24, 1959, Guides Against Bait Advertising furnish additional guidance respecting bait advertising and are to be considered as supplementing this section. Copies are available upon request. [Guide 13]

§ 241.14 Guarantees, warranties, etc.

(a) Industry members should not represent in advertising or otherwise that a product is "guaranteed" without clear and conspicuous disclosure of:

(1) The nature and extent of the guarantee, and

(2) Any material conditions or limitations in the guarantee which are imposed by the guarantor, and

(3) The manner in which the guarantor will perform thereunder, and

(4) The identity of the guarantor. (The necessary disclosure requires that any guarantee made by the dealer or vendor which is not backed up by the manufacturer, must make it clear that the guarantee is offered by the dealer or vendor only.)

(b) A seller or manufacturer should not advertise or represent that a product is guaranteed when he cannot or does not promptly and scrupulously fulfill his obligations under the guarantee.

(c) A specific example of refusal to perform obligations under the guarantee is use of "Satisfaction or your money back" when the guarantor cannot or does not intend promptly to make full refund upon request.

(d) This section has application not only to "guarantees" but also to "warranties," to purported "guarantees" and "warranties," and to any promise or representation in the nature of a "guarantee" or "warranty."

NOTE: The Commission's April 26, 1960, Guides Against Deceptive Advertising of Guarantees furnish additional guidance respecting guarantee representations and are to be considered as supplementing this section. Copies are available upon request. [Guide 14]

§ 241.15 Use of the word "free".

In connection with the sale, offering for sale, or distribution of industry products, industry members should not use the word "free" or any other word or words of similar import, in advertisements or in other offers to the public, as descriptive of an article of merchandise, or service, which is not an unconditional gift, under the following circumstances:

(a) Where all the conditions, obligations, or other prerequisites to the receipt and retention of the "free" article of merchandise or service offered are not clearly and conspicuously set forth at the outset so as to leave no reasonable probability that the terms of the offer will be misunderstood; and, regardless of such disclosure;

(b) When, with respect to any article of merchandise required to be purchased in order to obtain the "free" article or service, the offeror (1) increases the ordinary and usual price of such article of merchandise, or (2) reduces its quality, or (3) reduces the quantity or size thereof.

NOTE: The disclosure required by paragraph (a) of this section shall appear in close conjunction with the word "free" (or other word or words of similar import) wherever such word first appears in each advertisement or offer. A disclosure in the form of a footnote, to which reference is made by the use of an asterisk or other symbol placed next to the word "free," will not be regarded as compliance. [Guide 15]

§ 241.16 Deceptive pricing.

Members of the industry should not represent directly or indirectly in advertising or otherwise that an industry product may be purchased for a specified price, or at a saving, or at a reduced price, when such is not the fact; or otherwise deceive purchasers or prospective purchasers with respect to the price of any product offered for sale; or furnish any means or instrumentality by which others engaged in the sale of industry products may make any such representation.

NOTE: The Commission's January 8, 1964, Guides Against Deceptive Pricing furnish additional guidance respecting price savings representations and are to be considered as supplementng this section. Copies are available upon request. [Guide 16]

§ 241.17 Defamation of competitors or false disparagement of their products.

Industry members should not engage in the defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations, or the false disparagement of the quality, grade, origin, use, construction, design, performance, properties, manufacture, or distribution of the products of competitors or of their business methods, selling prices, values, credit terms, policies or services. [Guide 17]

Issued: September 25, 1967.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary*.

[F.R. Doc. 67-11137; Filed, Sept. 25, 1967; 8:45 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

HAIR OF CERTAIN ANIMALS, COTTON AND SILK WASTE, AND CARPET WOOL

Importation From Countries Not in Authorized Trade Territory; Applications for Licenses

Reference is made to the January 24, 1967, notice regarding hair of certain animals, cotton and silk waste, and carpet wool from certain countries not in the authorized trade territory. Particular reference is made to the penultimate paragraph of that notice. Following is a list of balances of commodities still available for licensing:

	Pounds
Badger hair	200
Carpet wool	1,800,000
Cotton waste	4,550,000
Goat hair	610,000
Horse mane hair	657,769
Horse tail hair	70,000
Silk waste	435,000
Yak hair	525,000

Licenses under the Foreign Assets Control Regulations (31 CFR 500.101–500.808) for the importation of these commodities produced in the U.S.S.R. or Outer Mongolia will be issued under the conditions outlined hereunder:

(1) Applications must be filed before December 31, 1967, and must be accompanied by a copy of a firm contract with the seller subject only to the obtaining of the necessary license. The contract must provide for shipment from the U.S.S.R. on or before January 31, 1968.

(2) Licenses will be nontransferable and imports may be made only in the name of and for the account of the licensee.

(3) If the contract is with a seller in a third country any license issued will require that the goods be shipped directly from the U.S.S.R. to the United States, or, if not, that they remain in continuous carriers' custody during the entire period of transshipment.

Licenses will be valid until the date of shipment specified in the contract and will be extended to permit Customs entry and transactions under the letter of credit with respect to goods shipped pursuant to the contract.

Applications for licenses must be filed in duplicate on Form TFAC–1 with the Federal Reserve Bank of New York, 33 Liberty Street, New York, N.Y. 10045. Applications will be considered in the order in which they are received. Persons applying for a license to import more than one commodity should file a separate application for each such commodity.

Additional information and license application forms may be obtained from the Federal Reserve Bank of New York or from the Office of Foreign Assets Control, Treasury Department, Washington, D.C. 20220.

[SEAL] MARGARET W. SCHWARTZ,
Director,
Office of Foreign Assets Control.

[F.R. Doc. 67-11324; Filed, Sept. 25, 1967; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

[Docket No. S-207]

GRACE LINE, INC.

Withdrawal of Application

Notice of application by Grace Line, Inc., for written permission under section 805(a), Merchant Marine Act, 1936, as amended, was contained in F.R. Doc. 67-11131 appearing in the FEDERAL REGISTER issue of September 20, 1967 (32 F.R. 13298).

Notice is hereby given that Grace Line, Inc., has withdrawn its application and the notice aforesaid is hereby canceled.

Dated: September 21, 1967.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 67-11278; Filed, Sept. 25, 1967; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Montana 3409]

MONTANA

Order Providing for Opening of Public Lands

1. In an exchange of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1272), as amended June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315g), the following lands have been reconveyed to the United States:

PRINCIPAL MERIDIAN, MONTANA

T. 8 N., R. 53 E.,
Sec. 15, S½S½.

The area described contains 160 acres.

2. The above-described lands are located in Custer County, 42 miles east of Miles City, Mont. The topography is rolling to steep. Vegetative aspect is grassland with approximately 10 acres covered with Ponderosa Pine. The lands are presently used for grazing livestock. The lands are not suited to cultivation due to topography and soils.

3. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands are hereby open to application, petition, location, and selection. All valid applications received at or prior to 10 a.m., October 27, 1967, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. The mineral rights in the lands were not exchanged. Therefore, the mineral status of the lands are not affected by this order.

5. Inquiries concerning the lands should be addressed to Land Office Manager, Bureau of Land Management, Billings, Mont. 59101.

EUGENE H. NEWELL,
Land Office Manager.

[F.R. Doc. 67-11235; Filed, Sept. 25, 1967; 8:45 a.m.]

[Montana 072530]

MONTANA

Notice of Termination of Proposed Withdrawal and Reservation of Lands

SEPTEMBER 15, 1967.

Notice of a Department of Agriculture application M 072530, for withdrawal and reservation of lands for campgrounds and recreation areas, was published as F.R. Doc. No. 66-1435, on page 2630 of the issue for February 10, 1966. The applicant agency has canceled its application insofar as it affects the following described lands:

PRINCIPAL MERIDIAN, MONTANA

T. 8 N., R. 5 W.,
Sec. 13, S½S½ of lot 1 and lot 11.

Total area—24.35 acres.

Therefore, pursuant to the regulations contained in 43 CFR Part 2311, such lands, at 10 a.m. on October 2, 1967, will be relieved of the segretative effect of the above-mentioned application.

EUGENE H. NEWELL,
Land Office Manager.

[F.R. Doc. 67-11236; Filed, Sept. 25, 1967; 8:45 a.m.]

Fish and Wildlife Service

ASSISTANT DIRECTOR FOR RESOURCE DEVELOPMENT, BUREAU OF COMMERCIAL FISHERIES

Delegation of Authority

To: Assistant Director for Resource Development, Bureau of Commercial Fisheries.

From: Director, Bureau of Commercial Fisheries.

Subject: Delegation of Authority.

The authority delegated to me in the following sections of Part 241.1, General Program Delegation, of the Departmental Manual is hereby delegated to you:

(a) 241.1.1 The authority of the Director, Bureau of Commercial Fisheries, with respect to the execution of all documents and related material concerning fishery loans, fishing vessel mortgage and loan insurance or fishing vessel construction-differential subsidies.

(b) 241.1.2 The authority included in Part 241.1.1 does not include the authority to approve fisheries loan authorizations.

(c) 241.1.3 The authority included in (a) above may be redelgated in writing to the Chief, Branch of Loans and Grants.

H. E. CROWTHER,
Director,
Bureau of Commercial Fisheries.

SEPTEMBER 20, 1967.

[F.R. Doc. 67-11312; Filed, Sept. 25, 1967; 8:49 a.m.]

CHIEF, BRANCH OF LOANS AND GRANTS

Redelegation of Authority

To: Chief, Branch of Loans and Grants.
From: Assistant Director for Resource Development, Bureau of Commercial Fisheries.
Subject: Delegation of Authority.

The authority of the Director, Bureau of Commercial Fisheries, contained in the following section of Part 241.1, General Program Delegation, of the Departmental Manual and redelegated to me in writing by the Director's memorandum dated September 20, 1967, is hereby redelegated to the Chief, Branch of Loans and Grants:

(a) 241.1.1 The authority of the Director, Bureau of Commercial Fisheries, with respect to the execution of all documents and related material concerning fishery loans, fishing vessel mortgage and loan insurance or fishing vessel construction-differential subsidies.

(b) 241.1.2 The authority included in Part 241.1.1 does not include the authority to approve fisheries loan authorizations.

RALPH C. BAKER,
Assistant Director
for Resource Development.

SEPTEMBER 20, 1967.

[F.R. Doc. 67-11313; Filed Sept. 25, 1967; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

CHEMAGRO CORP.

Notice of Filing of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a (d)(1)), notice is given that a petition (PP 7F0612) has been filed by Chemagro Corp., Post Office Box 4913, Hawthorn Road, Kansas City, Mo. 64120, proposing the establishment of tolerances for residues of the insecticide *O,O*-dimethyl 2,2,2-trichloro-1-hydroxyethyl phosphonate in or on raw agricultural commodities as follows: 45 parts per million in or on alfalfa hay and clover hay; 12.5 parts per million in or on alfalfa (fresh) and clover (fresh); 10 parts per million in or on green fodder and straw of barley, oats, and wheat; 2 parts per million in or on bananas of which not more than 0.2 part per million shall be in the pulp after the peel is removed and discarded; 1 part per million in or on bean vines and cowpea vines; and 0.1 part per million in or on artichokes, barley grain, beans (dried), beets (garden), brussels sprouts, cabbage, carrots, cauliflower, collards, corn forage or fodder, corn (kernels and cobs with husks removed), cottonseed, cowpeas, flaxseed, kale, lettuce, lima beans, oat grain, peppers, pumpkins, rutabagas, safflower seed, snap beans, sugar beets (roots and tops), tomatoes, turnips, wheat grain, and meat, fat, and meat byproducts of cattle.

The analytical methods proposed in the petition for determining residues of the insecticide are: (1) Separation of the residue by dialysis followed by measurement of the insecticide by a microcoulometric gas chromatographic technique, and (2) extraction of residue from the crop with a mixture of acetonitrile and hexane followed by partitioning with water and diethyl ether after which the residue is dissolved in benzene and determined by an electron capture gas chromatographic technique.

Dated: September 19, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-11272; Filed, Sept. 25, 1967; 8:48 a.m.]

E. I. DU PONT DE NEMOURS & CO., INC.

Notice of Withdrawal of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), E. I. du Pont de Nemours & Co., Inc., 1007 Market Street, Wilmington, Del. 19898, has withdrawn its petition (FAP 6B1988), notice of which was published in the FEDERAL REGISTER of March 17, 1966 (31 F.R. 4529), proposing an amendment to § 121.2569 *Resinous and polymeric coatings for polyolefin films* to provide for the safe use of glycidyl acrylate and glycidyl methacrylate as comonomers in vinylidene chloride copolymers used in coatings for polyolefin food-contact films.

Dated: September 19, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-11273; Filed, Sept. 25, 1967; 8:48 a.m.]

HUNT-WESSON FOODS

Canned Diced Peaches Deviating From Identity Standard; Temporary Permit for Market Testing

Pursuant to § 10.5 (21 CFR 10.5) concerning temporary permits to facilitate market testing of foods deviating from the requirements of standards of identity promulgated pursuant to section 401 (21 U.S.C. 341) of the Federal Food, Drug, and Cosmetic Act, notice is given that a temporary permit has been issued to Hunt-Wesson Foods, 1645 West Valencia Drive, Fullerton, Calif. 92634. This permit covers interstate marketing tests of canned diced peaches with added erythorbic acid, an ingredient not provided for by the standard of identity for canned peaches (21 CFR 27.2). The subject food will contain erythorbic acid in a quantity not to exceed 0.07 percent by weight of the food. Labels on the food are to name the added ingredient by the statement "Erythorbic acid added as a preservative."

The term of this permit is from February 1, 1968, through July 31, 1968.

Dated: September 15, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-11271; Filed, Sept. 25, 1967; 8:48 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ASSISTANT SECRETARY FOR DEMONSTRATIONS AND INTERGOVERNMENTAL RELATIONS

Delegations of Authority

The Secretary's delegations of authority to the Assistant Secretary for Demonstrations and Intergovernmental Relations effective July 1, 1966 (31 F.R. 9752, July 19, 1966), as amended effective June 30, 1967 (32 F.R. 9325), are hereby amended under section C, *Additional authority delegated*, by adding a new paragraph 3 to read:

3. The Assistant Secretary for Demonstrations and Intergovernmental Relations is further authorized, with respect to employees or positions under his jurisdiction, to:

a. Designate one or more employees to serve as Acting Assistant Secretary for Demonstrations and Intergovernmental Relations during the absence of such Assistant Secretary, or to serve in an acting capacity in any other position during the absence of the appointee to the position or during a vacancy in the position.

b. Authorize the head of an organizational unit to designate one or more subordinate employees to serve as acting head of such unit during the absence of the head of the unit, or to serve in an acting capacity in any other position in the unit during the absence of the appointee to the position or during a vacancy in the position.

(Sec. 7(d) of Department of HUD Act of 1965, 42 U.S.C. 3535(d))

Effective date. This amendment of delegations of authority shall be effective as of September 26, 1967.

ROBERT C. WEAVER,
Secretary of Housing and Urban Development.

[F.R. Doc. 67-11261; Filed, Sept. 25, 1967; 8:47 a.m.]

ACTING ASSISTANT SECRETARY FOR DEMONSTRATIONS AND INTERGOVERNMENTAL RELATIONS

Designation

The officers appointed to, or designated to serve as Acting during a vacancy in, the following listed positions are hereby designated to serve as Acting Assistant Secretary for Demonstrations and Intergovernmental Relations during the absence of the Assistant Secretary for Demonstrations and Intergovernmental Relations, with all the powers, functions, and duties delegated or assigned to the Assistant Secretary for Demonstrations and Intergovernmental Relations: *Provided*, That no officer is authorized to serve as Acting Assistant Secretary for Demonstrations and Intergovernmental Relations unless all other officers whose appointed, or designated Acting, position titles precede his in this designation are unable to act by reason of absence:

1. Deputy for Demonstrations and Intergovernmental Relations.
2. Director, Office of Intergovernmental Relations and Urban Program Coordination.
3. Director, Model Cities Administration.

(Sec. C of Secretary's delegation effective July 1, 1966 (31 F.R. 9752, July 19, 1966), as amended (32 F.R. 13466, Sept. 26, 1967))

Effective date. This designation shall be effective as of September 26, 1967.

H. RALPH TAYLOR,
Assistant Secretary for Demonstrations and Intergovernmental Relations.

[F.R. Doc. 67-11262; Filed, Sept. 25, 1967; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 16349; Order No. E-25718]

DOMESTIC SERVICE MAIL RATE INVESTIGATION

Order; Correction

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 20th day of September 1967.

Order E-25610 adopted August 28, 1967, specifies in the appendix to said order that Honolulu, Hawaii, is a Class Y station, based upon the revenue tons of traffic originating at the station for the year ended December 31, 1965. Review of the underlying data upon which the classification is based discloses an error of 100,000 in the tons originated at Honolulu, the figure relied upon being 22,933 tons, whereas the correct figure is 122,933 tons. The erroneous figure resulted in Honolulu being classified in Class Y whereas the true figure, being over 25,000 tons, dictates that Honolulu be placed in Class X.

In view of the foregoing it is necessary to correct the lists of stations included in the appendix to Order E-25610.

Accordingly, it is ordered, That:

1. Order E-25610 be amended to delete from the appendix thereto Honolulu from the list of Class Y stations and to add Honolulu to the list of Class X stations.

2. This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 67-11260; Filed, Sept. 25, 1967; 8:47 a.m.]

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder License No. 285]

ARGO SHIPPING CO., INC.

Revocation of License

Whereas, Argo Shipping Co., Inc., Post Office Box 74, Glen Oaks, N.Y. 11004, has ceased to operate as an independent ocean freight forwarder; and

Whereas, by letter dated September 5, 1967, Argo Shipping Co., Inc., has requested the cancellation of its Independent Ocean Freight Forwarder License No. 285.

Now, therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1 (revised), section 6.03:

It is ordered, That the Independent Ocean Freight Forwarder License No. 285 of Argo Shipping Co., Inc., be and is hereby revoked, effective September 21, 1967.

It is further ordered, That Independent Ocean Freight Forwarder License No. 285 be returned to the Commission for cancellation.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on the licensee.

JAMES E. MAZURE,
Director, Bureau of Domestic Regulation.

[F.R. Doc. 67-11266; Filed, Sept. 25, 1967; 8:47 a.m.]

GULF/MEDITERRANEAN PORTS CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. John T. Crook, Chairman, Gulf/Mediterranean Ports Conference, Suite 927 Whitney Building, New Orleans, La. 70130.

Agreement 134-31, between the member lines of the Gulf/Mediterranean Ports Conference, modifies the basic agreement as follows:

1. It amends the Preamble to provide that transshipment privileges on through bills of lading to interior points in Spain, France, Italy, Sardinia, Sicily, North Africa, Egypt, Israel, Syria, Lebanon, Turkey, Russia, Roumania, Bulgaria, Greece, Albania, and Yugoslavia may be established by the unanimous vote of the parties present and voting at a meeting of the Conference called for that purpose. The nature, extent, limit, terms, and conditions of any such transshipment privileges shall be fully set forth in the tariffs of the Conference and shall be subject to modification only upon the unanimous vote of the parties as aforesaid.

2. It amends Article 1 to provide that all freight and/or other charges for the transportation of cargo on through bills of lading to the aforementioned interior

points shall be quoted, charged, and collected by the parties strictly in accordance with the tariffs of rates and charges agreed to by the parties.

3. It adds Article 4(d) which provides for absorptions of inland freight or other charges where transshipments privileges on through bills of lading to the inland point have been established by the unanimous agreement of the parties.

Dated: September 21, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-11267; Filed, Sept. 25, 1967; 8:47 a.m.]

FEDERAL RESERVE SYSTEM

CENTRAL BANKING SYSTEM, INC.

Notice of Application for Approval of Acquisition of Shares of Banks

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)), by Central Banking System, Inc., Oakland, Calif., for prior approval of the Board of action whereby Applicant would become a bank holding company through the acquisition of 80 percent or more of the voting shares of each of the following banks: Central Valley National Bank, Oakland, Calif., and First National Bank of Fresno, Fresno, Calif.

Section 3(c) of the Act, as amended, provides that the Board shall not approve (1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. Public access to the application may be had at the office of the Board of Governors or the Federal Reserve Bank of San Francisco.

Dated at Washington, D.C., this 19th day of September 1967.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 67-11234; Filed, Sept. 25, 1967; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-2141]

AMERICAN STEEL AND PUMP CORP.

Notice and Order for a Hearing on Application To Exempt Proposed Transactions

SEPTEMBER 18, 1967.

Notice is hereby given that American Steel and Pump Corp. ("American"), John and Ridge Streets, White Plains, N.Y., a Delaware corporation, has filed an application for an order pursuant to section 17(b) of the Investment Company Act of 1940 ("Act") for an order of this Commission exempting certain transactions from the provisions of section 17(a) of the Act. These transactions include a tender offer by Victor Muscat ("Muscat") and Edward Krock ("Krock") for the outstanding common stock and bonds of American and the resale of the bonds to American and the resale of the common stock to BSF Co. ("BSF"). All interested persons are referred to the application which is on file with the Commission for a statement of the applicant's representations, which are summarized below.

BSF, a management closed-end investment company, registered under the Act, owns approximately 57 percent of the 326,968 shares of the issued and outstanding common stock of American by virtue of which BSF controls American. Muscat is the chairman of the board of directors and Krock is the president, treasurer and a director of American. Muscat is also the president and chairman of the board of BSF. Messrs. Muscat and Krock are affiliated persons of American and Muscat is an affiliated person of BSF as defined in section 2(a)(3) of the Act.

On April 14, 1967, Messrs. Muscat and Krock made an offer to purchase all of the 4 percent income bonds, Series A, due December 1, 1994 ("bonds") and the common stock of American from the holders thereof for a purchase price of $61 for each $100 principal amount of the bonds and $15.50 for each share of common stock. BSF does not intend to tender its shares of American's common stock pursuant to the offer. This offer was made through A. W. Benkert & Co., Inc., 52 Wall Street, New York, N.Y., as tender agent and was kept open until June 15, 1967.

Under the terms of said offer, the holders of the common stock who accept the offer must assign to Messrs. Muscat and Krock any and all claims which they had as stockholders of American except their rights and claims, if any, against the First National City Bank, as Executor of the Estate of Ambrose W. Benkert and Alfred H. Howell. The holders of the bonds must consent to the execution by Sterling National Bank, the trustee under the Indenture and Deed of Trust ("Indenture") dated December 1, 1954, of a supplemental indenture which will modify the Indenture so as to eliminate certain ratio requirements which must be met by American before it may declare a dividend on its common stock.

American has received a commitment from State Mutual Life Assurance Company of America to loan to American $2,500,000 in 1968, subject to certain conditions. American presently contemplates that if this loan is made, it will make an offer to Messrs. Muscat and Krock and all other bondholders at that date, to purchase their bonds. Messrs. Muscat and Krock presently intend to accept such an offer. The commitment provides that this price may not exceed $75 per $100 of principal amount of the bonds; however, the application states that there may be a modification of this maximum price, in which event such price shall not exceed the modified maximum.

Messrs. Muscat and Krock will give BSF the right of first refusal to purchase the common shares which they will receive as a result of this offer. This right shall continue for a period of 1 year from the closing date of the offer and shall be upon terms identical with the terms of a bona fide offer of a third person to purchase the stock. All expenses of the offer are to be paid by Messrs. Muscat and Krock, except transfer taxes, including compensation to the tender agent.

American has been informed by the attorneys for the tender agent that the holders of $1,408,000 principal amount of the bonds out of $1,947,000 outstanding at November 30, 1966, and the holders of approximately 12.5 percent (41,000 shares) of the common stock have accepted the offer.

American's application states that these contemplated transactions are consistent with the policy of BSF, as well as the general purposes of the Act and that the terms of the transactions including the consideration to be paid or received are reasonable and fair and do not involve overreaching on the part of any person concerned.

Section 17(a) of the Act, as here pertinent, makes it unlawful for Muscat, an affiliated person of BSF, a registered investment company, to sell to such company any security, unless the Commission finds, upon application pursuant to section 17(b) of the Act, that the terms of the proposed transaction are reasonable and fair and do not involve overreaching and that the proposed transaction is consistent with the policy of the registered investment company, and with the general purposes of the Act.

Section 17(d) of the Act and Rule 17d-1 thereunder, as here applicable, prohibit Muscat, an affiliated person of BSF, a registered investment company, acting as principal, from effecting any transaction in connection with a joint arrangement in which BSF, a registered investment company, or American, a company controlled by such registered investment company, is a joint participant, unless an application pursuant to Rule 17d-1 is granted. Rule 17d-1 provides that in passing upon such an application, the Commission will consider the extent to which the participation of the investment company is on a basis different from or less advantageous than that of other participants, and whether the participation of the registered company in the joint enterprise on the basis proposed is consistent with the provisions, policies, and purposes of the Act.

It appearing to the Commission that it is appropriate, in the public interest and in the interest of investors that a hearing be held with respect to the application:

It is ordered, Pursuant to section 40(a) of the Act, that a hearing on the aforesaid application under the applicable provisions of the Act and of the rules of the Commission thereunder be held on the 17th day of October 1967, at 10 a.m. in the offices of the Securities and Exchange Commission, 500 North Capitol Street NW., Washington, D.C. 20549. At such time, the Hearing Room Clerk will advise as to the room in which such hearing will be held. Any person desiring to be heard or otherwise wishing to participate in this proceeding is directed to file with the Secretary of the Commission his application as provided by Rule 9(c) of the Commission's rules of practice, on or before the date provided in the rule, setting forth any issues of law or fact which he desires to controvert or any additional issues which he deems raised by this notice and order or by such application. Persons filing an application to participate or be heard will receive notice of any adjournment of the hearing as well as other actions of the Commission involving the subject matter of these proceedings.

It is further ordered, That any officer or officers of the Commission designated by it for that purpose, shall preside at said hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42(b) of the Investment Company Act of 1940 and to a hearing officer under the Commission's rules of practice.

The Division of Corporate Regulation having advised the Commission that it has made a preliminary examination of the application, and that upon the basis thereof, the following matter is presented for consideration without prejudice to its specifying additional matters upon further examination.

(1) Whether the terms of the proposed transactions, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned.

(2) Whether the proposed transactions are consistent with BSF's policy, as recited in its registration statement and reports.

(3) Whether the proposed transactions are consistent with the general purposes of the Act.

(4) Whether the proposed transactions, if consummated, would be contrary to section 17(d) of the Act and Rule 17d-1 thereunder.

It is further ordered, That at the aforesaid hearing, attention should be given to the foregoing matter.

It is further ordered, That American mail a copy of this notice to each of the holders of its securities at their last known address.

It is further ordered, That the Secretary of the Commission shall give notice of the aforesaid by mailing a copy of this notice and order by certified mail to American and that notice to all other persons be given by publication of this notice and order in the FEDERAL REGISTER, and that a general release of this Commission in respect of this notice and order be distributed to the press and mailed to the mailing list for release.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F.R. Doc. 67-11238; Filed, Sept. 25, 1967; 8:45 a.m.]

[70-4430]

EASTERN UTILITIES ASSOCIATES ET AL.

Notice of Filing of Posteffective Amendment Proposing Issue and Sale of Notes by Subsidiary Companies to Banks

SEPTEMBER 20, 1967.

Notice is hereby given that Eastern Utilities Associates ("EUA"), Post Office Box 2333, Boston, Mass. 02107, a registered holding company, and two of its electric utility subsidiary companies, Blackstone Valley Electric Co. ("Blackstone"), 55 High Street, Pawtucket, R.I. 02860, and Brockton Edison Co. ("Brockton"), 36 Main Street, Brockton, Mass. 02403, have filed with this Commission a posteffective amendment to their application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) (1), 7, 9(a), 10, 12 (b), (c), and (f), and Rules 42(b)(2), 43(a), and 45(b)(1) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the posteffective amendment, which is summarized below, for a complete statement of the proposed transactions.

By order dated December 19, 1966 (Holding Company Act Release No. 15625), this Commission granted and permitted to become effective the application-declaration now being amended, in which filing Montaup Electric Co., another electric subsidiary company of EUA, joined with the above-named companies. The order authorized the issue and sale of notes by the three subsidiary companies to banks and/or to EUA in respective maximum amounts set forth therein. Blackstone and Brockton, now propose to issue and sell to banks from time to time during the period beginning October 27, 1967, and ending December 21, 1967, an additional amount of short-term, unsecured, promissory notes, in the maximum aggregate amounts to be outstanding at any one time, as shown below:

	Blackstone	Brockton
The Industrial National Bank of Rhode Island, Providence, R.I	$350,000	----------
Rhode Island Hospital Trust Co., Providence, R.I	350,000	----------
The First National Bank of Boston, Boston, Mass	----------	$600,000
State Street Bank and Trust Co., Boston, Mass	----------	600,000
	700,000	1,200,000

The additional notes will be dated as of the date of issuance, will bear interest at the prime rate on the date of issuance (presently 5½ percent per annum) and will be prepayable in whole or in part without penalty. Notes issued hereunder, will mature on December 21, 1967. The proceeds from the sale of the proposed notes will be used in part by the respective companies, to finance construction expenditures for 1967 and for other corporate purposes.

By our initial authorization, Blackstone may prepay its notes to banks, in whole or in part, by the use of proceeds of notes issued to EUA or vice versa. Any note issued to EUA for such purpose will bear interest, for the unexpired term of the prepaid note, at the lower of the prime rate or the rate borne by the prepaid note; and at the prime rate thereafter. If the interest rate on a note issued to a bank for the purpose of obtaining funds to prepay a note held by EUA shall exceed the rate of the note being prepaid, EUA shall reimburse or credit Blackstone for the added interest requirement for the unexpired term of such prepaid note.

In the event of any permanent financing by Blackstone or Brockton, the proceeds therefrom will be applied to the payment of its short-term note indebtedness and the maximum amount of short-term note indebtedness to be outstanding at any one time, as proposed herein, will be reduced by the amount of the proceeds of such permanent financing.

The posteffective amendment represents that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions; and that no additional fees and expenses are to be incurred in connection with the proposed transactions.

Notice is further given that any interested person may, not later than October 20, 1967, request in writing that a hearing be held in respect of such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the posteffective amendment which he desires to controvert; or he may request that he be notified should the Commission order a hearing in respect thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above noted-addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the posteffective amendment, as filed or as it may be amended, may be granted and permitted to become effective, as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof, or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-11239; Filed, Sept. 25, 1967; 8:45 a.m.]

[File No. 7-2754]

GLEN ALDEN CORP. (DELAWARE)

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

SEPTEMBER 20, 1967.

In the matter of application of the Philadelphia - Baltimore - Washington Stock Exchange for unlisted trading privileges in a certain security.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchange:

Glen Alden Corp. (Delaware), File No. 7-2754.

Upon receipt of a request, on or before October 5, 1967, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-11240; Filed, Sept. 25, 1967; 8:45 a.m.]

JODMAR INDUSTRIES, INC.

Order Suspending Trading

SEPTEMBER 20, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Jodmar Industries, Inc., 1790 East 93d Street, Brooklyn, N.Y., and all other securities of Jodmar Industries, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period September 21, 1967, through September 30, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-11241; Filed, Sept. 25, 1967; 8:45 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area 635]

KENTUCKY

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of September 1967, because of the effects of certain disasters, damage resulted to residences and business property located in the town of Fulton, Ky.;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the town affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property, situated in the aforesaid town and areas adjacent thereto, suffered damage or destruction resulting from fire occurring on September 17, 1967.

OFFICE

Small Business Administration Regional Office, Fourth and Broadway, Louisville, Ky. 40202.

2. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to March 31, 1968.

Dated: September 19, 1967.

ROBERT C. MOOT, *Administrator.*

[F.R. Doc. 67-11242; Filed, Sept. 25, 1967; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Section 5a Application 60; Amdt. 3]

ROCKY MOUNTAIN MOTOR TARIFF BUREAU, INC.

Application for Approval of Agreement

SEPTEMBER 21, 1967.

The Commission is in receipt of a section 5a application in the above-entitled proceeding for approval of an amendment to the agreement therein approved.

Filed September 14, 1967, by Z. L. Pearson, Jr., Attorney, 4045 Pecos Street, Post Office Box 5746, Terminal Annex, Denver, Colo. 80217.

The amendment involves: Transfer by member carriers of activities relating to the joint consideration, initiation, and establishment of rates, quotation, and related matters on traffic moving between points in Arizona, California, Nevada, New Mexico, Oregon (Bretz Mine), and Texas (El Paso) from Interstate Freight Carriers Conference, Inc., agent, to Rocky Mountain Motor Tariff Bureau, agent, requiring changes in the governing bylaws and rules of procedure reflecting revision: in and expansion of the various rate and quotation committees as well as tariffs to be published, and (2) other incidental changes made necessary by broadened scope of jurisdiction.

The amendment is docketed and may be inspected at the office of the Commission in Washington, D.C.

Any interested person desiring to protest and participate in this proceeding shall notify the Commission in writing within 20 days from the date of this notice. 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 investigate and determine the matters involved without public hearing.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 67-11263; Filed, Sept. 25, 1967; 8:47 a.m.]

[Section 5a Application 96]

NORTHWEST TOWBOAT TARIFF BUREAU, INC.

Application for Approval of Agreement

SEPTEMBER 21, 1967.

The Commission is in receipt of the above-entitled and numbered application for approval of an agreement under the provision of section 5a of the Interstate Commerce Act.

Filed July 31, 1967, by Joseph O. Earp, 411 Lyon Building, 607 Third Avenue, Seattle, Wash. 98104.

Agreement involves: Agreement between and among carriers by water, members of Northwest Towboat Tariff Bureau, Inc., relating to procedures for the joint consideration, initiation, or establishment of rates, classifications, divisions, allowances, or charges, or rules and regulations pertaining thereto, insofar as they have application governing the transportation of property from, to, or between, points in the waters of Puget Sound and its tributaries, and the coastal waters of Oregon, Washington, and California, and tributaries.

The complete application may be inspected at the office of the Commission in Washington, D.C.

Any interested person desiring to protest and participate in this proceeding shall notify the Commission in writing within 20 days from the date of this notice. 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.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 67-11264; Filed, Sept. 25, 1967; 8:47 a.m.]

[Notice 458]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

SEPTEMBER 21, 1967.

The following are notices of filing of applications 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 340), 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 protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 1783 (Sub-No. 12 TA), filed September 18, 1967. Applicant: BLUE LINE EXPRESS INC., Lowell Road, Nashua, N.H. 03060. Applicant's representative: Keith Vaskesionis (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cans, tin, can ends, tin plate discs*, loose or in packages, from Hightstown, N.J., to Boston and New Bedford, Mass., for 180 days. Supporting shippers: S. C. Clayton Co., Inc., 100 Ashford Street, Boston 34 (Allston), Mass.; Minute Maid Co., 1200 West Colonia Drive, Orlando, Fla.; Attention: Frank H. Reynolds. Send protests to: District Supervisor Ross J. Seymour, Bureau of Operations, Interstate Commerce Commission, 24 Hanover Street, Lebanon, N.H. 03766.

No. MC 8544 (Sub-No. 22 TA), filed September 18, 1967. Applicant: GALVESTON TRUCK LINE CORPORATION, 7415 Wingate, Houston, Tex. 77011. Applicant's representative: Desmond Barry (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Antifreeze*, packaged, not in bulk, from Houston, Tex., to points in Oklahoma, for 180 days. Supporting shipper: The Dow Chemical Co. (Mr. H. W. Westerman, Traffic Manager, Southern Region), Freeport, Tex. 77541. Send protests to: District Supervisor, John C. Redus, Bureau of Operations, Interstate Commerce Commission, Post Office Box 61212, Houston, Tex. 77061.

No. MC 103993 (Sub-No. 302 TA), filed September 18, 1967. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Robert G. Tessar (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings*, in sections, mounted on wheeled undercarriages with hitch-ball connector, from points in Schuylkill County, Pa., to points in Virginia, Maryland, Delaware, New Jersey, Connecticut, Rhode Island, Massachusetts, and New York in initial movements, for 180 days. Supporting shipper: C.I.T. Educational Buildings, Inc., 650 Madison Avenue, New York, N.Y. 10022. Send protests to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind. 46802.

No. MC 106398 (Sub-No. 349 TA), filed September 18, 1967. Applicant: NATIONAL TRAILER CONVOY, INC., 1952 National Plaza, Box 8096, Dawson Station, Tulsa, Okla. 74151. Applicant's representative: Irvin Tull (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, in truckaway service, from Macomb, Ill., to points in Alabama, Arkansas, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Ohio, Pennsylvania, South Dakota, Tennessee, West Virginia, and Wisconsin, for 180 days. Supporting shipper: Fleetwood Trailer Co., of Georgia, Inc., Cliff Little, Sales Manager, Post Office Box 272, Douglas, Ga. 31533. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla. 73102.

No. MC 107286 (Sub-No. 26 TA), filed September 18, 1967. Applicant: M. PASCALE TRUCKING, INC., 8-10 Rice Street, South Attleboro, Mass. 02703. Applicant's representative: Russell B. Curnett, 36 Circuit Drive, Edgewood Station, Providence, R.I. 02905. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick*, from Attleboro and Bridgewater, Mass., to Mamaroneck, Mount Vernon, New York City, Suffern, and Syracuse, N.Y., for 180 days. Supporting shipper: The Stiles & Hart Brick Co., Post Office Box 367, Cook Street, Bridgewater, Mass. Send protests to: Gerald H. Curry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 187 Westminster Street, Providence, R.I. 02903.

No. MC 107496 (Sub-No. 586 TA), filed September 18, 1967. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Varnish*, in bulk, in tank vehicles, from Fort Wayne, Ind., to Kansas City, Mo., for 150 days. Supporting shipper: Minnesota Paints, Inc., 1101 Third Street South, Minneapolis, Minn. 55415. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations, Interstation Commerce Commission, 227 Federal Office Building, Des Moines, Iowa 50309.

No. MC 113855 (Sub-No. 169 TA), filed September 18, 1967. Applicant: INTERNATIONAL TRANSPORT, INC., South Highway 52, Rochester, Minn. 55901. Applicant's representative: Gene P. Johnson, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, from ports of entry on the United States-Canada international boundary located in North Dakota and Minnesota, to points in North Dakota, South Dakota, Montana, Minnesota, and Iowa, for 180 days. Supporting shipper: Simplot Chemical Co., Ltd., Post Office Box 940, Brandon, Manitoba, Canada. Send protests to: C. H. Bergquist, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 116045 (Sub-No. 31 TA), filed September 18, 1967. Applicant: NEUMAN TRANSIT CO., INC., Post Office Box 38, Rawlins, Wyo. 82301. Applicant's representative: Leslie R. Kehl, Suite 420, Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphuric acid* (virgin and spent), in bulk, in tank vehicles, from Jeffrey City, Sinclair, and Casper, Wyo., to (a) the mine- and mill-site of G. M. Wallace & Co., located at or near La Sal, Utah, and (b) the mine- and mill-site of Basinere Metals, Inc., located approximately 1.8 miles south of Fry Canyon, Utah, for 150 days. Supporting shipper: Western Nuclear, Inc., Suite 1900, 1700 Broadway, Denver, Colo. 80202. Send protests to: District Supervisor Paul A. Naughton, Interstate Commerce Commission, Bureau of Operations, D&S Building, 255 North Center Street, Casper, Wyo. 82601.

No. MC 125899 (Sub-No. 7 TA), filed September 18, 1967. Applicant: JOHN McCABE, 1804 South 27th Avenue, Phoenix, Ariz. 85009. Applicant's representative: Pete H. Dawson, 4453 East Piccadilly, Phoenix, Ariz. 85018. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Lumber*, (1) from points in Washington and points in El Centro, Kern, Kings, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Tulare, and Ventura Counties, Calif., to points in Arizona, (2) from points in Arizona (except points in Apache, Coconino, and Navajo Counties), to points in California except points in Los Angeles, Riverside, Orange, San Bernardino, Ventura, San Francisco, San Mateo, and Santa Clara Counties, Calif., (3) from points in Arizona to points in Nevada; (B) *wood shingles, wood shakes, and boards or sheets* made from ground wood (commonly called Particle Board), from points in Washington, Oregon, and California, to points in Arizona, for 180 days. Supporting shippers: Greene Lumber Co., 2030 East Broadway, Tucson, Ariz. 85719; Western Pine Sales, Inc., Post Office Box 40, Snowflake, Ariz. 85937; O'Malley Lumber Co., Post Office Box 14300, Phoenix, Ariz. 85031; Reidhead Lumber Co., Box E, Show Low, Ariz. 85901; Arizona Box Co., 3203 Grand, Phoenix, Ariz. 85017; Haining Lumber Co., Post Office Box 635, Williams, Ariz. 86046. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 3427 Federal Building, Phoenix, Ariz. 85025.

No. MC 127100 (Sub-No. 6 TA), filed September 18, 1967. Applicant: B & B MOTOR LINES, INC., 911 Summit Street, Toledo, Ohio 43604. Applicant's representative: Earl F. Boxell, Toledo Trust Building, Toledo, Ohio 43604. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers; from South Bend, Ind., and Peoria, Ill., to Toledo, Defiance, Sandusky, and Lima, Ohio; and *empty containers*, from Toledo, Defiance, Sandusky, and Lima, Ohio, to South Bend, Ind., and Peoria Ill., for 150 days. Supporting shippers: Metropolitan Distributing Co., Toledo, Ohio; The Thornburgh Sales Co., Sandusky, Ohio; The Defiance Beverage Co., Defiance, Ohio; Shawnee Distributors, Inc., Lima, Ohio. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 5234 Federal Office Building, 234 Summit Street, Toledo, Ohio 43604.

No. MC 129388 (Sub-No. 1 TA), filed September 18, 1967. Applicant: ORTLIEB MOVING & STORAGE CO., Post Office Box 986, Valdosta, Ga. 31601. Applicant's representative: Ariel V. Conlin, Suite 626, Fulton National Bank Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in the following counties: Grady, Thomas, Brooks, Colquitt, Worth, Turner, Crisp, Telfair, Jeff Davis, Appling, Bacon, Coffee, Irwin, Lowndes, Cook, Berrien, Pierce, Ware, Lanier, Clinch, Echols, Brantley, and Camden Counties, Ga., and Jefferson, Madison, Hamilton, Taylor, Suwannee, Lafayette, and Columbia Counties, Fla., restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery service incidental to, and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such shipments, for 180 days. Supporting shipper: Imperial Household Shipping Co., Inc., 2809 Columbia Street, Post Office Box 2983, Torrance, Calif. 90509. Send protests to: District Supervisor G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, Federal Office Building, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC 129401 TA, filed September 18, 1967. Applicant: JOE R. BRAWLEY, doing business as BRAWLEY TRANSPORTATION COMPANY, 920 Davie Avenue, Statesville, N.C. 28677. Applicant's representative: H. Charles Ephraim, 1411 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Thermoplastic materials and compounds*, from Statesville, N.C., to Greenville, S.C., Pittsburgh, Kingston, and Bloomsburg, Pa., Canton and Byesville, Ohio, Baltimore, Md., Maple Plain and Faribault, Minn., Lincoln, Nebr. Dalton, Ga., Indianapolis, Ind., Rochester and New York, N.Y., Chicago, Ill., Salinas, Calif., and all exit points located on the international boundary between Canada and the United States; (2) *thermoplastic products*, from Statesville, N.C., to all points in the United States; (3) *equipment, materials, and supplies used in the fabrication of wooden bins*, from points in North Carolina to Winter Haven, Fla.; (4) *materials used in the manufacture of thermoplastic materials, compounds, and products*, from Houston, Longview, Orange, Freeport, and Texas City, Tex., and Charleston and Greenville, S.C., to Statesville, N.C.; all service to be performed under continuing contracts with Fusion Rubbermaid Corp. Authority is sought respecting paragraphs 1 and 2 to permit through service to points in Canada, for 180 days. Supporting shipper: Fusion Rubbermaid Corp., Post Office Box 1308, Statesville, N.C. 28677, Attention: Robert O. Ebert, President. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 206, 327 North Tryon Street, Charlotte, N.C. 28202.

No. MC 129402, TA, filed September 18, 1967. Applicant: CAVALIER MOVING & STORAGE, INC., 3860 South Four Mile Run Drive, Arlington, Va. 22206. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission between points within a 70-mile radius of Arlington, Va., including points in Arlington, Va., restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery services incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such shipments, for 180 days. Supporting shipper: Smyth Worldwide Movers, Inc., 11616 Aurora Avenue North, Seattle, Wash. 98133. Send protests to: Robert D. Caldwell, District Supervisor, Room 1220, Interstate Commerce Commission, 12th and Constitution Avenue NW., Washington, D.C. 20423.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 67-11265; Filed, Sept. 25, 1967; 8:47 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—SEPTEMBER

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during September.

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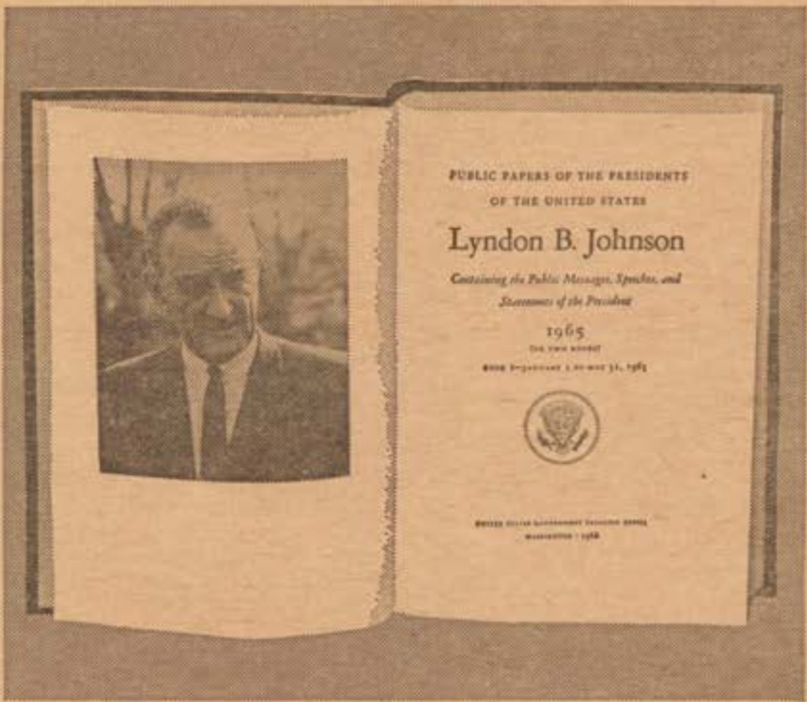

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- The President's news conferences
- Radio and television reports to the American people
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