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TUESDAY, JULY 20, 1971
WASHINGTON, D.C.

Volume 36 ■ Number 139

Pages 13313-13360



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EXECUTIVE ORDER 11607

Establishing the Advisory Council on Intergovernmental Personnel Policy

As State and local governments are playing an ever increasing role in meeting the Nation's most pressing domestic problems, there now exists a clear national interest in achieving a high caliber of public service at all levels of government. It is especially important that the country direct greater attention to policies and approaches for strengthening the quality of State and local public administration consistent with merit principles.

NOW, THEREFORE, by virtue of the authority vested in me by section 102 of the Intergovernmental Personnel Act of 1970 (84 Stat. 1910), and as President of the United States, it is ordered as follows:

SECTION 1. *Establishment of the Council.* (a) There is hereby established the Advisory Council on Intergovernmental Personnel Policy (hereinafter referred to as the Council).

(b) The Council shall be composed of not more than 15 members, all appointed by the President, and shall consist primarily of officials of the Federal Government and State and local governments, but shall also include members selected from educational and training institutions or organizations, public employee or labor organizations, and the general public. At least half of the governmental members shall be State and local officials. The President shall designate a Chairman and a Vice Chairman from among the members of the Council.

(c) Members of the Council who are not full-time employees of the United States, while serving on the business of the Council, including travel time, may be compensated at rates not exceeding the rate now or hereafter prescribed by section 5332 of Title 5 of the United States Code for GS-18 of the General Schedule; and may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of Title 5 of the United States Code for persons in the Government service employed intermittently.

SEC. 2. *Functions of the Council.* The Council shall study and make recommendations on intergovernmental personnel policies and programs for the purpose of—

- (1) improving the quality of public administration at State and local levels of government, particularly in connection with programs that are financed in whole or in part from Federal funds;
- (2) strengthening the capacity of State and local governments to deal with complex problems confronting them;

THE PRESIDENT

(3) aiding State and local governments in training their professional, administrative, and technical employees and officials;

(4) aiding State and local governments in developing systems of personnel administration that are responsive to the goals and needs of their programs and effective in attracting and retaining capable employees; and

(5) facilitating temporary assignments of personnel between the Federal Government and State and local governments and institutions of higher education.

SEC. 3. *Assistance by Federal Agencies.* The Civil Service Commission shall provide staff assistance to the Council, and upon request of the Chairman of the Council, other executive departments and agencies shall, consistent with law, furnish to the Council available information which may be required in the performance of its functions.

SEC. 4. *Reports.* (a) The Council shall from time to time report its findings and recommendations to the President and to the Congress.

(b) Not later than 18 months from this date, the Council shall submit an initial report on its activities which shall include its views and recommendations on—

(1) the feasibility and desirability of extending merit policies and standards to additional Federal-State grant-in-aid programs;

(2) the feasibility and desirability of extending merit policies and standards to grant-in-aid programs of a Federal-local character;

(3) appropriate standards for merit personnel administration, where applicable, including those established by regulations with respect to existing Federal grant-in-aid programs; and

(4) the feasibility and desirability of financial and other incentives to encourage State and local governments in the development of comprehensive systems of personnel administration based on merit principles.



THE WHITE HOUSE,
July 19, 1971.

[FR Doc. 71-10385 Filed 7-19-71; 12:28 pm]

Rules and Regulations

Title 7—AGRICULTURE

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER I—DETERMINATION OF PRICES

PART 876—SUGARCANE: HAWAII

Fair and Reasonable Prices for 1971 Crop

Correction

In F.R. Doc. 71-9888 appearing at page 13021 in the issue of Tuesday, July 13, 1971, the following changes should be made:

1. In § 876.22(b)(4), the first line in column 3 reading "produced, pursuant to the toll agreement," should read "producer, pursuant to the toll agreement."

2. In § 876.27 the word "too" appearing in the fourth line should read "toll".

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

[Lemon Reg. 488, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910; 36 F.R. 9061), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment

relieves restriction on the handling of lemons grown in California and Arizona.

(b) Order, as amended. The provisions in paragraph (b)(1)(ii) of § 910.788 (Lemon Regulation 488; 36 F.R. 12969) during the period July 11, 1971, through July 17, 1971, are hereby amended to read as follows:

§ 910.788 Lemon Regulation 488.

* * * * *

(b) Order. (1) * * *

(ii) District 2: 375,000 cartons.

* * * * *

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

Dated: July 15, 1971.

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

[FR Doc.71-10257 Filed 7-19-71; 8:48 am]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1971 Crop Soybean Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1971 Crop Soybean Loan and Purchase Program

The General Regulations Governing Price Support for the 1970 and Subsequent Crops, published at 35 F.R. 7363 and 7781 and any amendments thereto are further supplemented for the 1971 crop of soybeans by adding §§ 1421.390-1421.393 to read as herein stated. The material previously appearing in these sections under centerhead "1970 Crop Soybean Loan and Purchase Program" remains in full force and effect with respect to the 1970 crop of soybeans.

Sec.
1421.390 Availability.
1421.391 Warehouse Charges.
1421.392 Maturity of loans.
1421.393 Support rates, premiums, and discounts.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070 as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 203, 301, 401, 63 Stat. 1054; 7 U.S.C. 1446(d), 1447, 1421.

§ 1421.390 Availability.

A producer desiring a price support loan must request a loan on his eligible 1971 crop soybeans on or before May 31, 1972. To obtain price support through sales, a producer must execute and de-

liver to the appropriate county ASCS office, on or before June 30, 1972, a Purchase Agreement (Form CCC-614) indicating the approximate quantity of 1971 crop soybeans he may sell to CCC.

§ 1421.391 Warehouse charges.

Subject to the provisions of § 1421.372, the schedules of deductions set forth in this section shall apply to soybeans stored in an approved warehouse operating under the Uniform Grain Storage Agreement.

SCHEDULE OF DEDUCTIONS FOR STORAGE CHARGES FOR MATURITY DATE OF JUNE 30, 1972

Storage start date: ¹	Deduction (cents per bushel)
Prior to Aug. 23, 1971-----	13
Aug. 23-Sept. 16-----	12
Sept. 17-Oct. 11-----	11
Oct. 12-Nov. 5-----	10
Nov. 6-Nov. 30-----	9
Dec. 1-Dec. 25-----	8
Dec. 26, 1971-Jan. 19, 1972-----	7
Jan. 20-Feb. 13-----	6
Feb. 14-Mar. 9-----	5
Mar. 10-Apr. 3-----	4
Apr. 4-Apr. 28-----	3
Apr. 29-May 23-----	2
May 24-June 30, 1972-----	1

¹ All dates inclusive.

§ 1421.392 Maturity of loans.

Loans mature on demand but not later than June 30, 1972.

§ 1421.393 Support rates, premiums and discounts.

County support rates for soybeans and the schedule of premiums and discounts are contained in this section. Farm stored loans will be made at the basic support rate for the county where the soybeans are stored, adjusted only for the weed control discount where applicable. The support rate for warehouse stored soybean loans shall be the basic support rate for the county where the soybeans are stored, adjusted by the premiums and discounts prescribed in paragraphs (b) and (c) of this section. Notwithstanding § 1421.23(c), settlement for soybeans delivered from other than approved warehouse storage shall be based (1) on the basic support rate for the county in which the producer's customary delivery point is located, and (2) on the quality and quantity of the soybeans delivered as shown on the warehouse receipts and accompanying documents issued by an approved warehouse to which delivery is made, or if applicable, the quality and quantity delivered as shown on a form prescribed by CCC for this purpose.

(a) *Basic county support rates.* Basic county support rates for the classes

RULES AND REGULATIONS

Green Soybeans and Yellow Soybeans containing 12.8 to 13.0 percent moisture and grading not lower than U.S. No. 2 on the factors of test weight, splits, and heat damage and U.S. No. 1 on all other factors are as follows:

ALABAMA			
County	Rate per bushel	County	Rate per bushel
Baldwin	\$2.28	Monroe	\$2.26
Clarke	2.26	Washington	2.26
Escambia	2.27	All other counties	2.25
Mobile	2.28		
All counties.....\$2.11			
ARIZONA			
All counties.....\$2.11			
ARKANSAS			
Arkansas	\$2.28	Lawrence	\$2.28
Ashley	2.28	Lee	2.28
Baxter	2.24	Lincoln	2.28
Benton	2.18	Little River	2.21
Boone	2.21	Logan	2.21
Bradley	2.27	Lonoke	2.27
Calhoun	2.25	Madison	2.20
Carroll	2.20	Marion	2.23
Chicot	2.28	Miller	2.21
Clark	2.23	Mississippi	2.28
Clay	2.28	Monroe	2.28
Cleburne	2.25	Montgomery	2.21
Cleveland	2.27	Nevada	2.22
Columbia	2.23	Newton	2.21
Conway	2.24	Ouachita	2.24
Craighead	2.28	Perry	2.24
Crawford	2.20	Phillips	2.28
Crittenden	2.28	Pike	2.21
Cross	2.28	Poinsett	2.28
Dallas	2.25	Poik	2.20
Desha	2.28	Pope	2.23
Drew	2.28	Prairie	2.28
Faulkner	2.25	Pulaski	2.25
Franklin	2.21	Randolph	2.27
Fulton	2.25	St. Francis	2.28
Garland	2.23	Saline	2.24
Grant	2.25	Scott	2.20
Greene	2.28	Searcy	2.23
Hempstead	2.21	Sebastian	2.20
Hot Spring	2.24	Sevier	2.20
Howard	2.20	Sharp	2.27
Independence	2.27	Stone	2.25
Izard	2.25	Union	2.25
Jackson	2.28	Van Buren	2.24
Jefferson	2.27	Washington	2.19
Johnson	2.22	White	2.27
Lafayette	2.21	Woodruff	2.28
		Yell	2.22
All counties.....\$2.11			
CALIFORNIA			
All counties.....\$2.26			
DELAWARE			
All counties.....\$2.26			
FLORIDA			
Baker	\$2.25	Lafayette	\$2.25
Bay	2.25	Leon	2.25
Calhoun	2.25	Liberty	2.25
Columbia	2.25	Madison	2.25
Dixie	2.25	Nassau	2.25
Duval	2.25	Okaloosa	2.27
Escambia	2.27	Santa Rosa	2.27
Franklin	2.25	Suwannee	2.25
Gadsden	2.25	Taylor	2.25
Gulf	2.25	Wakulla	2.25
Hamilton	2.25	Walton	2.27
Holmes	2.25	Washington	2.25
Jackson	2.25	All other counties	2.24
Jefferson	2.25		
All counties.....\$2.26			
GEORGIA			
All counties.....\$2.26			
ILLINOIS			
Adams	\$2.27	Brown	\$2.28
Alexander	2.28	Bureau	2.28
Bond	2.29	Calhoun	2.27
Boone	2.28	Carroll	2.26

ILLINOIS—Continued			
County	Rate per bushel	County	Rate per bushel
Cass	\$2.29	McHenry	\$2.29
Champaign	2.30	McLean	2.30
Christian	2.30	Macoupin	2.29
Clark	2.30	Madison	2.28
Clay	2.29	Marion	2.29
Clinton	2.28	Marshall	2.30
Coles	2.30	Mason	2.29
Cook	2.31	Massac	2.24
Crawford	2.29	Menard	2.29
Cumberland	2.30	Mercer	2.26
De Kalb	2.30	Monroe	2.28
De Witt	2.30	Montgomery	2.29
Douglas	2.30	Morgan	2.29
Du Page	2.31	Moultrie	2.30
Edgar	2.30	Ogle	2.28
Edwards	2.26	Peoria	2.29
Efingham	2.30	Perry	2.27
Fayette	2.30	Platt	2.30
Ford	2.30	Pike	2.27
Franklin	2.26	Pope	2.25
Fulton	2.28	Pulaski	2.26
Gallatin	2.25	Putnam	2.28
Greene	2.28	Randolph	2.28
Grundy	2.30	Richland	2.28
Hamilton	2.26	Rock Island	2.26
Hancock	2.27	St. Clair	2.28
Hardin	2.25	Saline	2.25
Henderson	2.26	Sangamon	2.30
Henry	2.28	Schuyler	2.28
Iroquois	2.30	Scott	2.29
Jackson	2.28	Shelby	2.30
Jasper	2.30	Stark	2.29
Jefferson	2.27	Stephenson	2.26
Jersey	2.27	Tazewell	2.30
Jo Daviess	2.26	Union	2.28
Johnson	2.26	Vermilion	2.30
Kane	2.30	Wabash	2.26
Kankakee	2.30	Warren	2.28
Kendall	2.30	Washington	2.28
Knox	2.28	Wayne	2.27
Lake	2.30	White	2.25
La Salle	2.30	Whiteside	2.26
Lawrence	2.27	Will	2.31
Lee	2.28	Williamson	2.26
Livingston	2.30	Winnebago	2.27
Logan	2.30	Woodford	2.30
McDonough	2.28		
INDIANA			
Adams	\$2.26	Jay	\$2.25
Allen	2.27	Jefferson	2.22
Bartholomew	2.24	Jennings	2.22
Benton	2.30	Johnson	2.25
Blackford	2.25	Knox	2.25
Boone	2.26	Kosciusko	2.26
Brown	2.24	Lagrange	2.27
Carroll	2.26	Lake	2.31
Cass	2.26	La Porte	2.28
Clark	2.22	Lawrence	2.24
Clay	2.27	Madison	2.25
Clinton	2.26	Marion	2.26
Crawford	2.22	Marshall	2.26
Daviess	2.24	Martin	2.24
Dearborn	2.22	Miami	2.25
Decatur	2.23	Monroe	2.25
De Kalb	2.27	Montgomery	2.27
Delaware	2.25	Morgan	2.26
Dubois	2.22	Newton	2.30
Elkhart	2.26	Noble	2.27
Fayette	2.24	Ohio	2.22
Floyd	2.23	Orange	2.22
Fountain	2.30	Owen	2.26
Franklin	2.23	Parke	2.28
Fulton	2.26	Perry	2.22
Gibson	2.25	Pike	2.23
Grant	2.25	Porter	2.30
Greene	2.26	Posey	2.24
Hamilton	2.26	Pulaski	2.28
Hancock	2.25	Putnam	2.27
Harrison	2.22	Randolph	2.25
Hendricks	2.26	Ripley	2.22
Henry	2.25	Rush	2.24
Howard	2.25	St. Joseph	2.27
Huntington	2.26	Scott	2.22
Jackson	2.23	Shelby	2.25
Jasper	2.29	Spencer	2.23

INDIANA—Continued			
County	Rate per bushel	County	Rate per bushel
Starke	\$2.28	Vigo	\$2.29
Steuben	2.27	Wabash	2.25
Sullivan	2.27	Warren	2.30
Switzerland	2.22	Warrick	2.24
Tippecanoe	2.28	Washington	2.22
Tipton	2.26	Wayne	2.25
Union	2.24	Wells	2.26
Vanderburgh	2.24	White	2.28
Vermillion	2.30	Whitley	2.27
IOWA			
Adair	\$2.20	Jefferson	\$2.24
Adams	2.20	Johnson	2.24
Allamakee	2.22	Jones	2.25
Appanoose	2.22	Keokuk	2.24
Audubon	2.20	Kossuth	2.21
Benton	2.24	Lee	2.26
Black Hawk	2.22	Linn	2.24
Boone	2.21	Louisa	2.26
Bremer	2.21	Lucas	2.22
Buchanan	2.23	Lyon	2.19
Buena Vista	2.20	Madison	2.20
Butler	2.21	Mahaska	2.23
Calhoun	2.20	Marion	2.22
Carroll	2.20	Marshall	2.23
Cass	2.20	Mills	2.19
Cedar	2.25	Mitchell	2.20
Cerro Gordo	2.21	Monona	2.19
Cherokee	2.20	Monroe	2.22
Chicksaw	2.21	Montgomery	2.19
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Delaware	2.23	Pottawatomie	2.19
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Dickinson	2.20	Ringgold	2.20
Dubuque	2.24	Sac	2.20
Emmet	2.20	Scott	2.26
Fayette	2.22	Shelby	2.20
Floyd	2.20	Sioux	2.19
Franklin	2.22	Story	2.22
Fremont	2.19	Tama	2.24
Greene	2.20	Taylor	2.20
Grundy	2.22	Union	2.20
Guthrie	2.20	Van Buren	2.25
Hamilton	2.21	Wapello	2.23
Hancock	2.21	Warren	2.21
Hardin	2.22	Washington	2.25
Harrison	2.19	Wayne	2.22
Henry	2.25	Webster	2.21
Howard	2.21	Winnebago	2.21
Humboldt	2.21	Winneshiek	2.22
Ida	2.20	Woodbury	2.19
Iowa	2.24	Worth	2.21
Jackson	2.26	Wright	2.21
Jasper	2.23		
KANSAS			
Allen	\$2.17	Harper	\$2.13
Anderson	2.19	Harvey	2.14
Atchison	2.19	Jackson	2.18
Bourbon	2.18	Jefferson	2.18
Brown	2.18	Jewell	2.13
Butler	2.15	Johnson	2.18
Chase	2.15	Kingman	2.13
Chautauqua	2.16	Labette	2.17
Cherokee	2.18	Leavenworth	2.19
Clay	2.15	Lincoln	2.14
Cloud	2.14	Linn	2.18
Coffey	2.16	Lyon	2.16
Cowley	2.15	McPherson	2.14
Crawford	2.18	Marion	2.15
Dickinson	2.15	Marshall	2.16
Doniphan	2.19	Miami	2.18
Douglas	2.17	Mitchell	2.13
Elk	2.16	Montgomery	2.16
Ellsworth	2.13	Morris	2.15
Franklin	2.17	Nemaha	2.17
Geary	2.15	Neosho	2.17
Greenwood	2.16	Osage	2.16

RULES AND REGULATIONS

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KANSAS—Continued

County	Rate per bushel	County	Rate per bushel
Ottawa	\$2.14	Shawnee	\$2.17
Pottawatomie	2.17	Sumner	2.14
Reno	2.13	Wabaunsee	2.16
Republic	2.14	Washington	2.15
Rice	2.13	Wilson	2.16
Riley	2.17	Woodson	2.16
Russell	2.13	Wyandotte	2.19
Saline	2.14	All other counties	2.12
Sedgwick	2.14		

KENTUCKY

Ballard	\$2.28	Hickman	\$2.28
Calloway	2.24	Livingston	2.24
Carlisle	2.28	McCracken	2.26
Crittenden	2.24	McLean	2.23
Davless	2.24	Marshall	2.24
Fulton	2.28	Union	2.24
Graves	2.26	Webster	2.23
Hancock	2.23	All other counties	2.22
Henderson	2.24		

LOUISIANA (PARISHES)

Acadia	\$2.24	Morehouse	\$2.26
Allen	2.23	Natchitoches	2.23
Ascension	2.28	Orleans	2.23
Assumption	2.25	Ouachita	2.25
Avoyelles	2.27	Plaquemines	2.28
Beauregard	2.22	Pointe Coupee	2.28
Bienville	2.23	Rapides	2.24
Bossier	2.22	Red River	2.23
Caddo	2.22	Richland	2.26
Calcasieu	2.22	Sabine	2.22
Caldwell	2.25	St. Bernard	2.28
Cameron	2.22	St. Charles	2.28
Catahoula	2.26	St. Helena	2.25
Claiborne	2.23	St. James	2.27
Concordia	2.28	St. John the Baptist	2.28
De Soto	2.22	St. Landry	2.28
East Baton Rouge	2.28	St. Martin	2.26
East Carroll	2.28	St. Mary	2.25
East Feliciana	2.25	St. Tammany	2.25
Evangeline	2.24	Tangipahoa	2.25
Franklin	2.26	Tensas	2.28
Grant	2.24	Terrebonne	2.25
Iberia	2.25	Union	2.25
Iberville	2.27	Vermilion	2.24
Jackson	2.24	Vernon	2.22
Jefferson	2.28	Washington	2.25
Jefferson Davis	2.23	Webster	2.23
Lafayette	2.25	West Baton Rouge	2.28
Lafourche	2.25	West Carroll	2.27
La Salle	2.25	West Feliciana	2.28
Lincoln	2.24	Winn	2.24
Livingston	2.28		
Madison	2.28		

MARYLAND

Anne Arundel	\$2.26	Prince Georges	\$2.26
Baltimore	2.26	Queen Annes	2.26
Calvert	2.26	St. Marys	2.25
Caroline	2.26	Somerset	2.26
Cecil	2.26	Talbot	2.26
Charles	2.25	Wicomico	2.26
Dorchester	2.26	Worcester	2.26
Harford	2.26	All other counties	2.23
Howard	2.26		
Kent	2.26		

MICHIGAN

Allegan	\$2.20	Hillsdale	\$2.25
Arenac	2.19	Huron	2.19
Barry	2.20	Ingham	2.22
Bay	2.19	Ionia	2.20
Barrien	2.25	Iosco	2.18
Branch	2.24	Isabella	2.18
Calhoun	2.22	Jackson	2.23
Cass	2.25	Kalamazoo	2.21
Clare	2.18	Kent	2.19
Clinton	2.20	Lapeer	2.21
Eaton	2.21	Lenawee	2.27
Genesee	2.21	Livingston	2.22
Gladwin	2.18	Macomb	2.22
Gratiot	2.19	Mecosta	2.18

MICHIGAN—Continued

County	Rate per bushel	County	Rate per bushel
Midland	\$2.18	St. Clair	\$2.21
Monroe	2.28	St. Joseph	2.24
Montcalm	2.19	Sanilac	2.20
Muskegon	2.18	Shiawassee	2.20
Newaygo	2.18	Tuscola	2.20
Oakland	2.22	Van Buren	2.22
Oceana	2.18	Washtenaw	2.24
Ottawa	2.19	Wayne	2.25
Saginaw	2.19		

MINNESOTA

Aitkin	\$2.15	Meeker	\$2.20
Anoka	2.22	Mille Lacs	2.18
Becker	2.14	Morrison	2.16
Beltrami	2.12	Mower	2.22
Benton	2.18	Murray	2.19
Big Stone	2.17	Nicollet	2.23
Blue Earth	2.23	Nobles	2.20
Brown	2.22	Norman	2.13
Carlton	2.17	Olmsted	2.22
Carver	2.24	Otter Tail	2.14
Cass	2.15	Pennington	2.12
Chippewa	2.19	Pine	2.18
Chisago	2.20	Pipestone	2.18
Clay	2.14	Polk	2.12
Clearwater	2.13	Pope	2.17
Cottonwood	2.20	Ramsey	2.24
Crow Wing	2.15	Red Lake	2.12
Dakota	2.24	Redwood	2.20
Dodge	2.22	Renville	2.18
Douglas	2.16	Rice	2.22
Faribault	2.22	Rock	2.19
Fillmore	2.22	Roseau	2.11
Freeborn	2.22	Scott	2.24
Goodhue	2.22	Sherburne	2.21
Grant	2.16	Sibley	2.23
Hennepin	2.24	Stearns	2.18
Houston	2.22	Steele	2.22
Hubbard	2.13	Stevens	2.17
Isanti	2.20	Swift	2.17
Jackson	2.20	Todd	2.16
Kanabec	2.18	Traverse	2.16
Kandiyohi	2.19	Wabasha	2.22
Kittson	2.11	Wadena	2.14
Lac qui Parle	2.19	Waseca	2.22
Le Sueur	2.23	Washington	2.23
Lincoln	2.18	Watsonwan	2.22
Lyon	2.19	Wilkin	2.14
McLeod	2.22	Winona	2.22
Mahnomen	2.13	Wright	2.21
Marshall	2.11	Yellow	
Martin	2.21	Medicine	2.20

MISSISSIPPI

Adams	\$2.28	Lee	\$2.26
Alcorn	2.26	Leflore	2.28
Amite	2.28	Lincoln	2.28
Benton	2.27	Madison	2.28
Bolivar	2.28	Marshall	2.28
Calhoun	2.28	Montgomery	2.28
Carroll	2.28	Panola	2.28
Claiborne	2.28	Prentiss	2.26
Coahoma	2.28	Quitman	2.28
Copiah	2.28	Sharkey	2.28
De Soto	2.28	Sunflower	2.28
Franklin	2.28	Tallahatchie	2.28
Grenada	2.28	Tate	2.28
Hancock	2.28	Tishomingo	2.26
Harrison	2.28	Tunica	2.28
Hinds	2.28	Warren	2.28
Holmes	2.28	Washington	2.28
Humphreys	2.28	Wilkinson	2.28
Issaquena	2.28	Yalobusha	2.28
Itawamba	2.26	Yazoo	2.28
Jackson	2.28	All other counties	2.27
Jefferson	2.28		
Lafayette	2.28		

MISSOURI

Adair	\$2.23	Bates	\$2.19
Andrew	2.20	Benton	2.20
Atchison	2.20	Bollinger	2.26
Audrain	2.25	Boone	2.23
Barry	2.18	Buchanan	2.20
Barton	2.18	Butler	2.27

MISSOURI—Continued

County	Rate per bushel	County	Rate per bushel
Caldwell	\$2.20	Marion	\$2.27
Callaway	2.23	Mercer	2.21
Camden	2.21	Miller	2.21
Cape Girardeau	2.28	Mississippi	2.28
Carroll	2.21	Moniteau	2.22
Carter	2.24	Monroe	2.25
Cass	2.19	Montgomery	2.24
Cedar	2.18	Morgan	2.21
Chariton	2.22	New Madrid	2.28
Christian	2.19	Newton	2.18
Clark	2.27	Nodaway	2.20
Clay	2.20	Oregon	2.24
Clinton	2.20	Osage	2.22
Cole	2.22	Ozark	2.22
Cooper	2.22	Pemiscot	2.28
Crawford	2.23	Perry	2.28
Dade	2.18	Pettis	2.21
Dallas	2.20	Phelps	2.21
Davies	2.20	Pike	2.27
De Kalb	2.20	Platte	2.20
Dent	2.22	Polk	2.20
Douglas	2.20	Pulaski	2.21
Dunklin	2.28	Putnam	2.22
Franklin	2.25	Rails	2.27
Gasconade	2.23	Randolph	2.23
Gentry	2.20	Ray	2.20
Greene	2.19	Reynolds	2.24
Grundy	2.21	Ripley	2.26
Harrison	2.20	St. Charles	2.27
Henry	2.19	St. Clair	2.19
Hickory	2.20	St. Francois	2.25
Holt	2.20	St. Genevieve	2.28
Howard	2.22	St. Louis	2.28
Howell	2.23	Saline	2.21
Iron	2.25	Schuyler	2.23
Jackson	2.19	Scotland	2.25
Jasper	2.18	Scott	2.28
Jefferson	2.28	Shannon	2.22
Johnson	2.19	Shelby	2.25
Knox	2.25	Stoddard	2.28
Laclede	2.20	Stone	2.19
Lafayette	2.19	Sullivan	2.22
Lawrence	2.18	Taney	2.20
Lewis	2.27	Texas	2.21
Lincoln	2.27	Vernon	2.18
Linn	2.22	Warren	2.25
Livingston	2.21	Washington	2.25
McDonald	2.18	Wayne	2.25
Macon	2.23	Webster	2.20
Madison	2.25	Worth	2.20
Maries	2.21	Wright	2.20

NEBRASKA

Adams	\$2.12	Madison	\$2.15
Antelope	2.14	Merrick	2.13
Boone	2.13	Nance	2.13
Boyd	2.12	Nemaha	2.18
Burt	2.18	Nuckolls	2.13
Butler	2.16	Otoe	2.18
Cass	2.18	Pawnee	2.17
Cedar	2.15	Pierce	2.15
Clay	2.13	Platte	2.15
Colfax	2.16	Polk	2.15
Cuming	2.17	Richardson	2.18
Dakota	2.18	Saline	2.15
Dixon	2.17	Sarpy	2.18
Dodge	2.17	Saunders	2.17
Douglas	2.18	Seward	2.15
Fillmore	2.14	Stanton	2.16
Gage	2.16	Thayer	2.14
Greeley	2.12	Thurston	2.18
Hall	2.12	Washington	2.18
Hamilton	2.13	Wayne	2.16
Holt	2.12	Webster	2.12
Howard	2.12	Wheeler	2.12
Jefferson	2.15	York	2.14
Johnson	2.17	All other counties	2.11
Knox	2.15		
Lancaster	2.17		

NEW JERSEY

Atlantic	\$2.23	Cape May	\$2.23
Burlington	2.24	Cumberland	2.25
Camden	2.25	Gloucester	2.26

RULES AND REGULATIONS

NEW JERSEY—Continued

County	Rate per bushel	County	Rate per bushel
Hunterdon	\$2.22	Ocean	\$2.23
Mercer	2.23	Salem	2.26
Middlesex	2.23	Somerset	2.22
Monmouth	2.23	Warren	2.22

NEW MEXICO

All counties	\$2.11
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NEW YORK

All counties	\$2.12
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NORTH CAROLINA

Beaufort	\$2.28	Lee	\$2.25
Bertie	2.28	Lenoir	2.26
Bladen	2.24	Martin	2.28
Brunswick	2.24	Moore	2.24
Camden	2.28	Nash	2.27
Carteret	2.27	New Hanover	2.24
Chatham	2.25	Northampton	2.27
Chowan	2.28	Onslow	2.25
Columbus	2.24	Orange	2.24
Craven	2.27	Pamlico	2.27
Cumberland	2.24	Pasquotank	2.28
Currituck	2.28	Pender	2.24
Dare	2.28	Perquimans	2.28
Duplin	2.25	Pitt	2.27
Durham	2.25	Randolph	2.24
Edgecombe	2.28	Robeson	2.24
Franklin	2.26	Sampson	2.25
Gates	2.28	Scotland	2.24
Granville	2.24	Tyrrell	2.28
Greene	2.27	Vance	2.25
Hallfax	2.27	Wake	2.26
Harnett	2.25	Warren	2.26
Hertford	2.28	Washington	2.28
Hoke	2.24	Wayne	2.26
Hyde	2.28	Wilson	2.27
Johnston	2.26	All other counties	2.23
Jones	2.26		

NORTH DAKOTA

Barnes	\$2.10	Richland	\$2.13
Cass	2.13	Sargent	2.11
Cavalier	2.09	Steele	2.10
Grand Forks	2.12	Towner	2.09
Griggs	2.09	Trall	2.12
Nelson	2.10	Walsh	2.11
Pembina	2.11	All other counties	2.08
Ramsey	2.09		
Ransom	2.11		

OHIO

Adams	\$2.22	Henry	\$2.30
Allen	2.29	Highland	2.22
Ashland	2.26	Hocking	2.22
Ashtabula	2.26	Holmes	2.24
Athens	2.22	Huron	2.29
Auglaize	2.28	Jackson	2.22
Belmont	2.22	Jefferson	2.22
Brown	2.22	Knox	2.25
Butler	2.22	Lake	2.26
Carroll	2.22	Lawrence	2.22
Champaign	2.27	Licking	2.24
Clark	2.25	Logan	2.28
Clermont	2.22	Lorain	2.27
Clinton	2.22	Lucas	2.31
Columbiana	2.22	Madison	2.24
Coshocton	2.23	Mahoning	2.24
Crawford	2.28	Marion	2.28
Cuyahoga	2.26	Medina	2.25
Darke	2.26	Melgs	2.22
Defiance	2.28	Mercer	2.27
Delaware	2.26	Miami	2.26
Erie	2.29	Monroe	2.22
Fairfield	2.22	Montgomery	2.24
Fayette	2.22	Morgan	2.22
Franklin	2.24	Morrow	2.27
Fulton	2.30	Muskingum	2.22
Gallia	2.22	Noble	2.22
Geauga	2.26	Ottawa	2.31
Greene	2.24	Paulding	2.28
Guernsey	2.22	Perry	2.22
Hamilton	2.22	Pickaway	2.22
Hancock	2.29	Pike	2.22
Hardin	2.29	Portage	2.25
Harrison	2.22	Preble	2.24

OHIO—Continued

County	Rate per bushel	County	Rate per bushel
Putnam	\$2.29	Tuscarawas	\$2.22
Richland	2.27	Union	2.26
Ross	2.22	Van Wert	2.28
Sandusky	2.30	Vinton	2.22
Scioto	2.22	Warren	2.22
Seneca	2.29	Washington	2.22
Shelby	2.27	Wayne	2.25
Stark	2.24	Williams	2.28
Summit	2.25	Wood	2.30
Trumbull	2.25	Wyandot	2.28

OKLAHOMA

Adair	\$2.18	Nowata	\$2.15
Cherokee	2.17	Osage	2.13
Choctaw	2.16	Ottawa	2.18
Craig	2.17	Pittsburg	2.14
Delaware	2.18	Pushmataha	2.16
Haskell	2.16	Rogers	2.15
Latimer	2.16	Sequoyah	2.18
Le Flore	2.18	Tulsa	2.14
McCurtain	2.18	Wagoner	2.15
McIntosh	2.14	Washington	2.14
Mayes	2.17	All other counties	2.12
Muskogee	2.15		

PENNSYLVANIA

All counties	\$2.18
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SOUTH CAROLINA

Abbeville	\$2.24	Greenwood	\$2.25
Aiken	2.26	Hampton	2.28
Allendale	2.27	Horry	2.24
Anderson	2.24	Jasper	2.28
Bamberg	2.27	Kershaw	2.25
Barnwell	2.26	Lancaster	2.24
Beaufort	2.28	Laurens	2.25
Berkeley	2.28	Lee	2.25
Calhoun	2.27	Lexington	2.26
Charleston	2.28	McCormick	2.25
Cherokee	2.24	Marion	2.24
Chester	2.25	Marlboro	2.24
Chesterfield	2.24	Newberry	2.25
Clarendon	2.27	Oconee	2.24
Colleton	2.28	Orangeburg	2.27
Darlington	2.25	Pickens	2.24
Dillon	2.24	Richland	2.26
Dorchester	2.28	Saluda	2.25
Edgefield	2.25	Spartanburg	2.24
Fairfield	2.25	Sumter	2.26
Florence	2.25	Union	2.25
Georgetown	2.26	Williamsburg	2.26
Greenville	2.24	York	2.24

SOUTH DAKOTA

Bon Homme	\$2.15	Lake	\$2.15
Brookings	2.17	Lincoln	2.18
Charles Mix	2.13	McCook	2.15
Clark	2.14	Marshall	2.13
Clay	2.17	Miner	2.14
Codington	2.15	Minnehaha	2.18
Davison	2.13	Moody	2.17
Day	2.13	Roberts	2.15
Deuel	2.17	Sanborn	2.13
Douglas	2.13	Turner	2.16
Grant	2.17	Union	2.18
Hamlin	2.15	Yankton	2.15
Hanson	2.14	All other counties	2.12
Hutchinson	2.15		
Kingsbury	2.14		

TENNESSEE

Carroll	\$2.23	Lake	\$2.28
Chester	2.23	Lauderdale	2.28
Crockett	2.26	McNairy	2.23
Dyer	2.28	Madison	2.24
Fayette	2.26	Obion	2.26
Gibson	2.26	Shelby	2.28
Hardeman	2.24	Tipton	2.28
Haywood	2.26	Weakley	2.24
Henderson	2.23	All other counties	2.22
Henry	2.23		

TEXAS

Bowie	\$2.19	Calhoun	\$2.16
Brazoria	2.20	Cass	2.19

TEXAS—Continued

County	Rate per bushel	County	Rate per bushel
Chambers	\$2.22	Newton	\$2.21
Fort Bend	2.20	Orange	2.22
Galveston	2.22	Polk	2.19
Hardin	2.21	Red River	2.18
Harris	2.22	San Jacinto	2.19
Jackson	2.16	Tyler	2.19
Jasper	2.21	Waller	2.19
Jefferson	2.22	Washington	2.17
Lamar	2.17	Wharton	2.18
Liberty	2.22	All other counties	2.14
Matagorda	2.18		
Montgomery	2.20		

VIRGINIA

Accomack	\$2.25	Mecklenburg	\$2.24
Amelia	2.24	Middlesex	2.25
Brunswick	2.26	Nansemond	2.28
Caroline	2.25	New Kent	2.25
Charles City	2.25	Newport News City	2.25
Chesapeake City	2.28	Northampton	2.25
Chesterfield	2.25	Northumberland	2.25
Dinwiddie	2.26	Powhatan	2.24
Essex	2.25	Prince George	2.26
Gloucester	2.25	Richmond	2.25
Goochland	2.24	Southampton	2.27
Greensville	2.26	Surrey	2.28
Hampton City	2.25	Sussex	2.26
Hanover	2.26	Virginia Beach	2.28
Henrico	2.25	Warwick	2.25
Isle of Wight	2.28	Westmoreland	2.25
James City	2.25	York	2.25
King and Queen	2.25	All other counties	2.23
King George	2.25		
King William	2.25		
Lancaster	2.25		
Lunenburg	2.24		
Mathews	2.25		

WEST VIRGINIA

All counties	\$2.20
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WISCONSIN

Adams	\$2.19	Marquette	\$2.20
Barron	2.17	Menominee	2.18
Brown	2.18	Milwaukee	2.24
Buffalo	2.18	Monroe	2.19
Burnett	2.16	Oconto	2.18
Calumet	2.19	Oneida	2.16
Chippewa	2.17	Outagamie	2.18
Clark	2.17	Ozaukee	2.23
Columbia	2.22	Pepin	2.18
Crawford	2.21	Pierce	2.18
Dane	2.23	Polk	2.17
Dodge	2.23	Portage	2.18
Door	2.17	Price	2.16
Douglas	2.16	Racine	2.25
Dunn	2.18	Richland	2.21
Eau Claire	2.18	Rock	2.25
Fond du Lac	2.21	Rusk	2.16
Grant	2.22	St. Croix	2.17
Green	2.24	Sauk	2.21
Green Lake	2.20	Sawyer	2.16
Iowa	2.22	Shawano	2.18
Jackson	2.19	Sheboygan	2.21
Jefferson	2.24	Taylor	2.16
Juneau	2.19	Trempealeau	2.18
Kenosha	2.26	Vernon	2.20
Kewaunee	2.17	Walworth	2.25
La Crosse	2.19	Washburn	2.16
Lafayette	2.23	Washington	2.23
Langlade	2.17	Waukesha	2.24
Lincoln	2.16	Waupaca	2.18
Manitowoc	2.19	Waushara	2.19
Marathon	2.17	Winnebago	2.19
Marquette	2.17	Wood	2.18

(b) Premium—Low Moisture.

Percent:	Cents per bushel
12.2 or less	+2
12.3 through 12.7	+1
12.8 through 13.0	0

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

[Docket No. 71-585]

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111-113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

In § 76.2, the reference to the State of Michigan in the introductory portion of paragraph (e) and paragraph (e) (2) relating to the State of Michigan are deleted, and paragraph (f) is amended by adding thereto the name of the State of Michigan.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f, 29 F.R. 1621o, as amended)

Effective date. The foregoing amendment shall become effective upon issuance.

The amendment excludes portions of Cass and St. Joseph Counties in Michigan from the areas quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to the excluded areas, but will continue to apply to the quarantined areas described in § 76.2(e). Further, the restrictions pertaining to the interstate movement of swine and swine products from nonquarantined areas contained in said Part 76 will apply to the excluded areas. No areas in Michigan remain under the quarantine.

The amendment adds Michigan to the list of hog cholera eradication States in § 76.2(f), and the special provisions pertaining to the interstate movement of swine and swine products from or to such eradication States are applicable to Michigan.

Insofar as the amendment relieves certain restrictions presently imposed but no longer deemed necessary to prevent the spread of hog cholera, it must be made effective immediately to be of maximum benefit to affected persons. In-

sofar as it imposes restrictions it should be made effective promptly in order to prevent the spread of hog cholera. It does not appear that public participation in this rule making proceeding would make additional relevant information available to this Department. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and unnecessary, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 15th day of July 1971.

F. J. MULHERN,
Acting Administrator,
Agricultural Research Service.

[FR Doc.71-10259 Filed 7-19-71;8:49 am]

SUBCHAPTER D—EXPORTATION AND IMPORTATION OF ANIMALS AND ANIMAL PRODUCTS

PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), NEWCASTLE DISEASE (AVIAN PNEUMOENCEPHALITIS), AND AFRICAN SWINE FEVER: PROHIBITED AND RESTRICTED IMPORTATIONS

Addition of Cuba to List of Countries Where African Swine Fever Exists

Pursuant to the provisions of section 2 of the Act of February 2, 1903, as amended (21 U.S.C. 111), the introductory paragraph of § 94.8 of Part 94, Title 9, Code of Federal Regulations, which relates to the importation of pork and pork products from countries where African swine fever exists, is hereby amended by adding Cuba to the list of countries where such disease exists. As amended, the introductory paragraph of § 94.8 reads as follows:

§ 94.8 Pork and pork products from countries where African swine fever exists.

African swine fever is potentially the most dangerous and destructive of all communicable swine diseases. The causative virus is highly virulent and may be present in pork and pork products originating in countries where the disease exists. The only known practical method of destroying the contagion of the disease in pork and pork products is by heat treatment. In view of these circumstances and in order to prevent the introduction and dissemination of the contagion of African swine fever, the regulations in this section are promulgated with respect to the importation of pork and pork products from the following countries where the disease exists:

- All countries of Africa.
- Cuba.
- France.
- Italy.
- Portugal.
- Spain.

• • • • •

(c) Discounts.	
(1) Class.	
Class:	Cents per bushel
Black	-25
Brown	-25
Mixed	-25
(2) Moisture.	
Percent:	Cents per bushel
13.1 through 13.5	-1
13.6 through 14.0	-2
(3) Test weight per bushel.	
Pounds:	Cents per bushel
53.0 through 53.9	-1/2
52.0 through 52.9	-1
51.0 through 51.9	-1 1/2
50.0 through 50.9	-2
49.0 through 49.9	-2 1/2
(4) Splits.	
Percent:	Cents per bushel
20.1 through 25.0	-1/4
25.1 through 30.0	-1/2
30.1 through 35.0	-3/4
35.1 through 40.0	-1
(5) Damaged kernels:	
Heat (percent):	Cents per bushel
0.6 through 1.0	-1
1.1 through 1.5	-2
1.6 through 2.0	-3
2.1 through 2.5	-4
2.6 through 3.0	-5
Total (percent):	Cents per bushel
2.1 through 3.0	-1/2
3.1 through 4.0	-1
4.1 through 5.0	-1 1/2
5.1 through 6.0	-2
6.1 through 7.0	-2 1/2
7.1 through 8.0	-3
	Cents per bushel
(6) Materially weathered	-5
(7) Stained	-2
(8) Purple mottled	-2
(9) Weed control laws. (Where required by § 1421.25)	-10
(10) Other factors. Amounts determined by CCC to represent market discounts for quality factors not specified above which affect the value of the soybeans, such as (but not limited to) moisture, musty, sour, and heating. Such discounts will be established not later than the time delivery of soybeans to CCC begins and will thereafter be adjusted from time to time as CCC determines appropriate to reflect changes in market conditions. Producers may obtain schedules of such factors and discounts at county ASCS offices approximately 1 month prior to the loan maturity date.	

Effective date: Upon publication in the FEDERAL REGISTER (7-20-71).

Signed at Washington, D.C., on July 9, 1971.

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

[FR Doc.71-10169 Filed 7-19-71;8:45 am]

¹Use column which yields the higher applicable discount.

(Sec. 2, 32 Stat. 792, as amended; 21 U.S.C. 111; 29 F.R. 16210, as amended)

Effective date. This amendment shall become effective upon publication in the FEDERAL REGISTER (7-20-71).

The purpose of this amendment is to prohibit the importation into the United States from Cuba of all pork and pork products except in accordance with the conditions prescribed in § 94.8 of 9 CFR Part 94.

The protection of the livestock of the United States demands that this amendment be made effective as soon as possible. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure concerning this amendment are impracticable and contrary to the public interest, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 15th day of July 1971.

F. J. MULHERN,
Acting Administrator,
Agricultural Research Service.

[FR Doc. 71-10258 Filed 7-19-71; 8:48 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

SUBCHAPTER C—AIRCRAFT

[Airworthiness Docket No. 70-WE-33-AD; Amdt. 39-1245]

PART 39—AIRWORTHINESS DIRECTIVES

McDonnell Douglas DC-9 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring modification of the forward cabin attendant's jump seat assembly on Douglas DC-9 series airplanes was published in FEDERAL REGISTER 35 F.R. 16937.

Interested parties have been afforded an opportunity to participate in the making of the amendment. A number of comments were received in response to this notice. The comments, together with the changes to the proposal resulting therefrom, are discussed below:

One comment noted that most of the operators have complied with the manufacturer's Service Bulletin 25-113 or have accomplished equivalent modifications meeting the intent of the service bulletin. It was also noted that there are some operators who, based on their service experience, elected not to modify the seat. The comment questioned the need for an airworthiness directive. The FAA does not agree with the conclusion, since several incidents have been attributed to design features of seat attachments (key hole slots) and/or seat operating linkage.

If the modifications as outlined in the proposed notice, and/or as discussed herein, are not incorporated, other injury type incidents could occur.

One comment noted that the majority of Service Bulletin 25-146 is related to comfort items and should not be the subject of AD action, and that the only part of the service bulletin which may be pertinent to safety is Step 2.j of the accomplishment instructions. The FAA agrees in part with this comment. Step 2.j applies to modification of only that seat attachment hardware located on the Electrical Power Control (EPC) access panel. Since compatible structural modifications must also be made to the attachment hardware on the seat assembly, it is necessary that other rework instructions of this service bulletin be accomplished. In addition, there have been reports of injuries to crew members as the result of certain design features of the seat operating mechanism; in some cases, as a result of link over-travel, the seat collapsed with the stewardess seated in it. Certain other features of the seat retract mechanism have caused injuries to crew members. Therefore, modification of the seat assembly and installation is necessary to insure a level of safety commensurate with the intent of the Federal Aviation Regulations. Service Bulletin 25-146 contains provisions for accomplishing those modifications.

Other comments note that worn keyhole slots and/or subsequent beam cracking permit the seat back to separate from the wall attachments and that Service Bulletin 25-113 attempts to provide corrective action for this problem. The FAA agrees. Service Bulletin 25-113 provides instructions for rework of the outboard key-hole slot only, and the amendment as adopted contains provisions for accomplishing rework of the inboard seat back attachments.

The words "FAA approved equivalent modifications" in the notice have been changed to read "or other equivalent modifications approved by the Chief, Aircraft Engineering Division, FAA Western Region."

Subsequent to issuance of the notice and as a result of the comments received, it was determined that only certain accomplishment instructions outlined in paragraph 2 in Service Bulletin 25-146 (those relating to the seat attachments and seat operating linkage) were directly associated with the incidents previously discussed. The manufacturer has issued All Operators Letter (AOL) 9-595, dated June 25, 1971, which contains rework instructions for accomplishing those modifications associated with the seat attachments and seat operating linkage. For those operators who have complied with Service Bulletin 25-113 only, or the intent thereof, All Operators Letter (AOL) 9-595, dated June 25, 1971, contains provisions to rework the remaining inboard keyhole slot prior to incorporating the modification outlined in Service Bulletin 25-146 or those modifica-

tions associated with the seat operating mechanism. Therefore, the amendment as adopted requires compliance with Service Bulletin 25-146, or later FAA approved revisions, or All Operators Letter 9-595, dated June 25, 1971.

Another comment recommended that the proposed 500-hour compliance time should be extended to at least 2,000 hours, since parts availability is estimated to be 150 to 210 days from date of order. The FAA in considering this comment, based on the manufacturer's estimated kit delivery time (now estimated at 90 to 120 days) and the changes to the proposed notice as discussed herein, has revised the adopted amendment to require compliance within 1,500 hours' time in service.

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

McDONNELL DOUGLAS. Applies to DC-9 series airplanes certificated in all categories.

Compliance required within the next 1,500 hours' time in service after the effective date of the AD, unless already accomplished.

To prevent possible separation of the forward cabin attendant's(s) seat assembly from the wall panel and to lessen the possibility of crew member injuries, modify the forward cabin attendant's(s) seat assembly in accordance with:

- (1) Paragraph 2, accomplishment instructions of Douglas Service Bulletin 25-146, dated September 10, 1969, and Revision 2 thereto, dated August 21, 1970, or later FAA approved revisions, or other equivalent modifications approved by the Chief, Aircraft Engineering Division, FAA Western Region; or
- (2) Douglas All Operators Letter (AOL) 9-595, dated June 25, 1971, or other equivalent modifications approved by the Chief, Aircraft Engineering Division, FAA Western Region.

This amendment becomes effective August 21, 1971.

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

Issued in Los Angeles, Calif., on July 9, 1971.

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

[FR Doc. 71-10217 Filed 7-19-71; 8:45 am]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 71-WE-37]

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

Alteration of Transition Area Correction

In F.R. Doc. 71-9585 appearing on page 12843 in the issue of Thursday, July 8, 1971, the latitude coordinate ap-

pearing in the third and fourth lines of the Montague, Calif., transition area (§ 71.181) reading "40°46'55'" should read "41°46'55'".

[Airspace Docket No. 71-EA-64]

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

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Alteration of Control Areas, Jet Advisory Areas, and Reporting Points

On May 1, 1971, F.R. Doc. 71-6134 was published in the FEDERAL REGISTER (36 F.R. 8210), effective on July 22, 1971, and was amended by F.R. Doc. 71-7854 published in the FEDERAL REGISTER (34 F.R. 10947) on June 5, 1971.

Subsequent to the publication of these documents, the U.S. Coast Guard advised that there is a continuing requirement for the use of the Nantucket, Mass., CONSOLAN station and requested that the effective date of F.R. Doc. 71-6134 be temporarily deferred. Accordingly, such action is taken herein.

Since this amendment is minor in nature and no substantive change in the regulation is effected, notice and public procedure thereon are unnecessary, and good cause exists for making this amendment effective on less than 30 days notice.

In consideration of the foregoing, effective upon publication in the FEDERAL REGISTER (7-20-71), F.R. Doc. 71-6134 (36 F.R. 8210) is further amended by deleting "effective 0901 G.m.t., July 22, 1971," and substituting "effective 0901 G.m.t., November 11, 1971," therefor. (Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a); and sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on July 16, 1971.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc. 71-10318 Filed 7-19-71; 8:50 am]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 11232; Amdt. 95-208]

PART 95—IFR ALTITUDES

Miscellaneous Amendments

The purpose of this amendment to Part 95 of the Federal Aviation Regulations is to make changes in the IFR altitudes at which all aircraft shall be flown over a specified route or portion thereof. These altitudes, when used in conjunction with the current changeover points for the routes or portions thereof, also assure navigational coverage that is

adequate and free of frequency interference for that route or portion thereof.

As a situation exists which demands immediate action in the interest of safety, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 95 of the Federal Aviation Regulations is amended, effective July 22, 1971 as follows:

1. By amending Subpart C as follows:

Section 95.619 *Blue Federal airway 19* is amended to read in part:

From, to, and MEA

Fish Hook, Fla., LF/RBN; Hondo LF INT, Fla.; *1,500. *1,300—MOCA.
Hondo LF INT, Fla.; Perrine, Fla.; VOR; *2,000. *1,600—MOCA.

Section 95.1001 *Direct routes—United States* is amended to delete:

Perrin, Tex., VOR; McAlester, Okla., VOR; *4,000. *2,500—MOCA.

Perrin, Tex., VOR; Int. 042° M rad, Ardmore VOR and 007° M rad, Perrin VOR; *6,000. *2,900—MOCA.

Grand Bahama, Bahamas LF/RBN; Marshall INT, Bahamas; *6,000. *1,400—MOCA. MAA—3,900.

Campo INT, Calif.; Int., 124° M rad, Linden VOR and 322° M rad, Castle VOR; 5,000.

Fontana INT, Calif.; *George AFB, Calif., VOR via VCV 156° rad; 8,000. *5,500—MCA George AFB VOR southeastbound. MAA—4,500.

George AFB, Calif., VOR via VCV 345° rad; Helendale INT, Calif.; 6,000.

Section 95.1001 *Direct routes—United States* is amended by adding:

Lufkin, Tex., VORTAC; Scurry, Tex., VOR; *3,500. *1,800—MOCA. COP 46 NM LFK.

Lufkin, Tex., VOR; Blue Ridge, Tex., VOR; *7,000. *2,200—MOCA. COP 62 NM LFK.

Grand Bahama, Bahamas, LF/RBN; Elbow INT, Bahamas, *2,000. *1,400—MOCA.

Section 95.1001 *Direct routes—United States* is amended to read in part:

Palm Beach, Fla., VOR; *Sturgeon INT, Fla. (via Control 1,150); 18,000. *14,000—MRA.

Porpoise LF INT, Fla.; Sturgeon LF INT, Fla. (via Control 1,150); 2,000.

Sturgeon LF INT, Fla.; Barracuda LF INT, Fla. (via Control 1,150); 2,000.

Gainesville, Fla., VOR; *Roy INT, Fla.; **2,500. MRA. *2,500—MRA. **1,400—MOCA.

Wilmington, N.C., VOR; Fayetteville, N.C., VOR; *4,000. *1,400—MOCA.

Hot Springs, Ark., VOR; Malvern INT, Ark.; 2,500.

Texarkana, Ark., VOR; Hot Springs, Ark., LF/RBN; 2,500.

Section 95.5000 *High Altitude RNAV.*

From/to; total distance; changeover point distance from geographic location; track angle; MEA; and MAA

J800R:

Robbinsville, N.J., VORTAC, 165.6; Riddle, Pa., W/P; 43, Robbinsville, 40°09'08" N., 75°25'41" W.; 276°/96° to COP, 271°/91° to Riddle; 18,000; 45,000.

Riddle, Pa., W/P, Horn, Pa., W/P; 99; 49.5, Riddle, 39°59'41" N., 79°09'07" W.; 279°/99° to COP, 276°/96° to Horn; 18,000; 45,000.

Horn, Pa., W/P, Thackery, Ohio, W/P; 175.5; 87.7, Horn, 40°01'05" N., 82°07'46" W.; 276°/96° to COP, 260°/89° to Thackery; 18,000; 45,000.

Thackery, Ohio, W/P, Mellott, Ind., W/P; 137.8; 55, Thackery, 39°57'39" N., 85°13'23" W.; 269°/89° to COP, 265°/85° to Mellott; 18,000; 45,000.

Mellott, Ind., W/P, Chapin, Ill., W/P; 165.7; 70, Mellott, 39°48'29" N., 88°31'33" W.; 265°/85° to COP, 259°/79° to Chapin; 18,000; 45,000.

Chapin, Ill., W/P, Kansas City, Mo., VORTAC; 187.5; 93.7, Chapin, 39°29'21" N., 92°35'33" W.; 259°/79° to COP, 254°/74° to Kansas City; 18,000; 45,000.

Kansas City, Mo., VORTAC, Culver, Kans., W/P; 149.1; 74.5, Kansas City, 39°04'20" N., 96°09'58" W.; 253°/73° to COP, 250°/70° to Culver; 18,000; 45,000.

Culver, Kans., W/P, Granada, Colo., W/P; 236.2; 108, Culver, 38°29'06" N., 99°58'32" W.; 250°/70° to COP, 244°/64° to Granada; 18,000; 45,000.

Granada, Colo., W/P, Delhi, Colo., W/P; 78.2; 39.1, Granada, 37°50'06" N., 103°-25'13" W.; 244°/64° to COP, 242°/62° to Delhi; 18,000; 45,000.

Delhi, Colo., W/P, Sanford, Colo., W/P; 78.6; 39.3, Delhi, 37°29'50" N., 105°00'44" W.; 242°/62° to COP, 241°/61° to Sanford; 18,000; 45,000.

Sanford, Colo., W/P, Flora, N. Mex., W/P; 115.5; 57.7, Sanford, 37°04'25" N., 106°-58'00" W., 241°/61° to COP, 239°/59° to Flora; 18,000; 45,000.

Flora, N. Mex., W/P, Cameron, Ariz., W/P; 157.5; 60, Flora, 36°30'35" N., 109°17'18" W.; 239°/59° to COP, 236°/56° to Cameron; 18,000; 45,000.

Cameron, Ariz., W/P, Fenner, Calif., W/P; 199.3; 103.5, Cameron, 35°23'00" N., 113°-11'40" W.; 236°/56° to COP, 234°/54° to Fenner; 18,000; 45,000.

Fenner, Calif., W/P, Morrow, Calif., W/P; 120; 60, Fenner, 34°25'46" N., 116°08'24" W.; 234°/54° to COP, 233°/53° to Morrow; 18,000; 45,000.

J801R:

Mesquite, Calif., W/P, Paria, Ariz., W/P; 191.9; 65, Mesquite, 36°07'33" N., 114°-22'20" W.; 52°/232° to COP, 54°/234° to Paria; 18,000; 45,000.

Paria, Ariz., W/P, Gypsum, Calif., W/P; 171; 65, Paria, 37°16'21" N., 110°39'29" W.; 54°/234° to COP, 58°/238° to Gypsum; 18,000; 45,000.

Gypsum, Calif., W/P, Powder Horn, Colo., W/P; 79.5; 23, Gypsum, 37°58'31" N., 108°-05'57" W., 58°/238° to COP, 59°/239° to Powder Horn; 18,000; 45,000.

Powder Horn, Colo., W/P, Rosemont, Colo., W/P; 104; 42, Powder Horn, 38°31'14" N., 105°54'30" W.; 59°/239° to COP, 61°/241° to Rosemont; 18,000; 45,000.

Rosemont, Colo., W/P, Dresden, Kans., W/P; 214.3; 91, Rosemont, 39°09'27" N., 102°-58'18" W.; 62°/242° to COP, 66°/246° to Dresden; 18,000; 45,000.

Dresden, Kans., W/P, Ruskin, Nebr., W/P; 117.2; 58.6, Dresden, 39°53'39" N., 99°10'-19" W.; 63°/243° to COP, 66°/246° to Ruskin; 18,000; 45,000.

Ruskin, Nebr., W/P, Garden Grove, Iowa, W/P; 207.9; 95, Ruskin, 40°30'21" N., 95°-55'46" W.; 66°/246° to COP, 72°/252° to Garden Grove; 18,000; 45,000.

Garden Grove, Iowa, W/P, Joliet, Ill., VORTAC; 238.1; 119, Garden Grove, 41°15'04" N., 90°55'40" W.; 72°/252° to COP, 80°/260° to Joliet; 18,000; 45,000.

Joliet, Ill., VORTAC, Wolverine, Ohio, W/P; 199.1; 110, Joliet, 41°56'35" N., 85°55'38"

W.; 75°/255° to COP, 83°/263° to Wolverine; 18,000; 45,000.
 Wolverine, Ohio, W/P, Ormsby, Pa., W/P; 239.7; 114.9, Wolverine, 42°03'15" N., 81°-24'26" W.; 98°/278° to COP, 106°/286° to Ormsby; 18,000; 45,000.
 Ormsby, Pa., W/P, Sparta, N.J., VORTAC; 190.3; 45, Ormsby, 41°38'31" N., 77°39'45" W.; 110°/290° to COP, 116°/296° to Sparta; 18,000; 45,000.

J802R:

Robbinsville, N.J., VORTAC, Furnace, Pa., W/P; 164.5; 27, Robbinsville, 40°16'36" N., 75°04'30" W.; 290°/110° to COP, 284°/104° to Furnace; 18,000; 45,000.
 Furnace, Pa., W/P, Shiloh, Ohio, W/P; 204.5; 102.3, Furnace, 40°48'29" N., 80°16'16" W.; 284°/104° to COP, 276°/96° to Shiloh; 18,000; 45,000.
 Shiloh, Ohio, W/P, San Pierre, Ind., W/P; 206.5; 93, Shiloh, 41°03'52" N., 84°32'50" W.; 276°/96° to COP, 271°/91° to San Pierre; 18,000; 45,000.
 San Pierre, Ind., W/P, Hartsburg, Ill., W/P; 115.1; 78, San Pierre, 41°09'35" N., 88°46'-07" W.; 271°/91° to COP, 263°/83° to Hartsburg; 18,000; 45,000.
 Hartsburg, Ill., W/P, Emerald, Nebr., W/P; 325.1; 165, Hartsburg, 41°05'44" N., 93°13'-30" W.; 264°/84° to COP, 257°/77° to Emerald; 18,000; 45,000.
 Emerald, Nebr., W/P, Melton, Nebr., W/P; 192.5; 76, Emerald, 40°50'17" N., 98°24'28" W.; 258°/78° to COP, 253°/73° to Melton; 18,000; 45,000.
 Melton, Nebr., W/P, Gilcrest, Colo., W/P; 179.2; 89.8, Melton, 40°29'09" N., 102°53'-48" W.; 253°/73° to COP, 249°/69° to Gilcrest; 18,000; 45,000.
 Gilcrest, Colo., W/P, Blanco, Colo., W/P; 142.3; 71.1, Gilcrest, 40°05'27" N., 106°21'-34" W.; 249°/69° to COP, 244°/64° to Blanco; 18,000; 45,000.
 Blanco, Colo., W/P, Hill Creek, Utah, W/P; 98.6; 49.3, Blanco, 39°43'44" N., 108°55'15" W.; 244°/64° to COP, 242°/62° to Hill Creek; 18,000; 45,000.
 Hill Creek, Utah, W/P, Nebo, Utah, W/P; 79.7; 39.8, Hill Creek, 39°25'28" N., 110°48'19" W.; 242°/62° to COP, 241°/61° to Nebo; 18,000; 45,000.
 Nebo, Utah, W/P, Grafton, Nev., W/P; 140; 70, Nebo, 30°00'27" N., 113°05'58" W.; 241°/61° to COP, 239°/59° to Grafton; 18,000; 45,000.
 Grafton, Nev., W/P, Coaldale, Nev., VORTAC; 157.9; 95, Grafton, 38°17'55" N., 116°29'40" W.; 239°/59° to COP, 236°/56° to Coaldale; 18,000; 45,000.

J803R:

Gabbs, Nev., W/P, Bristol, Nev., W/P; 157.4; 30, Gabbs, 38°43'41" N., 117°25'42" W.; 54°/234° to COP, 57°/237° to Bristol; 18,000; 45,000.
 Bristol, Nev., W/P, Clear Lake, Utah, W/P; 102.8; 51.7, Bristol, 39°37'58" N., 113°46'13" W.; 57°/237° to COP, 58°/238° to Clear Lake; 18,000; 45,000.
 Clear Lake, Utah, W/P, Ouray, Utah, W/P; 119.4; 59.7, Clear Lake, 40°07'58" N., 111°27'44" W.; 58°/238° to COP, 60°/240° to Ouray; 18,000; 45,000.
 Ouray, Utah, W/P, Maybelle, Colo., W/P; 97.6; 48.7, Ouray, 40°34'37" N., 109°10'20" W.; 60°/240° to COP, 62°/242° to Maybelle; 18,000; 45,000.
 Maybelle, Colo., W/P, Tank, Wyo., W/P; 154.8; 35, Maybelle, 40°53'21" N., 107°22'-47" W.; 62°/242° to COP, 66°/246° to Tank; 18,000; 45,000.
 Tank, Wyo., W/P, Sand, Nebr., W/P; 165.6; 82.7, Tank, 41°31'36" N., 102°59'17" W.; 66°/246° to COP, 71°/251° to Sand; 18,000; 45,000.
 Sand, Nebr., W/P, Plum Creek, Nebr., W/P; 192.8; 95.9, Sand, 41°56'50" N., 99°02'47" W.; 71°/251° to COP, 76°/256° to Plum Creek; 18,000; 45,000.

Plum Creek, Nebr., W/P, Scales Mound, Ill., W/P; 289.6; 108, Plum Creek, 40°15'34" N., 94°28'37" W.; 76°/256° to COP, 83°/263° to Scales Mound; 18,000; 45,000.
 Scales Mound, Ill., W/P, Haven, Mich., W/P; 183; 58, Scales Mound, 42°22'46" N., 89°-05'45" W.; 84°/264° to COP, 92°/272° to Haven; 18,000; 45,000.
 Haven, Mich., W/P, Wolverine, Ohio, W/P; 103.4; 51.7, Haven, 42°16'52" N., 85°07'42" W.; 92°/272° to COP, 97°/277° to Wolverine; 18,000; 45,000.
 Wolverine, Ohio, W/P, Ormsby, Pa., W/P; 239.7; 114.9, Wolverine, 42°03'15" N., 81°24'26" W.; 98°/278° to COP, 106°/286° to Ormsby; 18,000; 45,000.
 Ormsby, Pa., W/P, Sparta, N.J., VORTAC; 190.3; 45, Ormsby, 41°38'31" N., 77°39'45" W.; 110°/290° to COP, 116°/296° to Sparta; 18,000; 45,000.

Section 95.6001 VOR Federal airway 1 is amended to read in part:

From, to and MEA

Honey INT, S.C.; *Georgetown INT, S.C.; **2,500. *3,000—MRA. **1,500—MOCA.
 Georgetown INT, S.C.; *Planter INT, S.C.; **2,500. *2,500—MRA. **1,500—MOCA.

Section 95.6002 VOR Federal airway 2 is amended to read in part:

Muskegon, Mich., VOR via S alter.; James INT, Mich., via S alter.; *2,600. *2,100—MOCA.

James INT, Mich., via S alter.; Grand Rapids, Mich., VOR via S alter.; *2,600. *2,300—MOCA.

Section 95.6003 VOR Federal airway 3 is amended to read in part:

Ranch INT, Fla.; Biscayne Bay, Fla., VOR; *2,000. *1,600—MOCA.

Leroy INT, Mass.; Kittville INT, Mass.; *4,500. *2,000—MOCA.
 Kittville INT, Mass.; Weston INT, Mass.; *3,000. *1,800—MOCA.

Section 95.6006 VOR Federal airway 6 is amended to read in part:

Touhy INT, Nebr.; Yutan INT, Nebr.; *3,000. *2,500—MOCA.
 Yutan INT, Nebr.; Richfield INT, Nebr.; 3,000.

Section 95.6008 VOR Federal airway 8 is amended to read in part:

Touhy INT, Nebr.; Yutan INT, Nebr.; *3,000. *2,500—MOCA.

Yutan INT, Nebr.; Richfield INT, Nebr.; 3,000.
 Hanksville, Utah, VOR via S alter.; Uranium INT, Utah, via S alter.; *10,700. *8,200—MOCA.

Uranium INT, Utah, via S alter.; Grand Junction, Colo., VOR via S alter.; 10,800.

Section 95.6009 VOR Federal airway 9 is amended to read in part:

Joliet, Ill., VOR; Naperville, Ill., VOR; *2,500. *2,200—MOCA.

Section 95.6010 VOR Federal airway 10 is amended to read in part:

Triumph INT, Ill.; Naperville, Ill., VOR; *2,500. *2,200—MOCA.

Section 95.6011 VOR Federal airway 11 is amended to delete:

Bloomington, Ind., VOR via E alter.; Brooklyn INT, Ind., via E alter.; *2,800. *2,200—MOCA.

Brooklyn INT, Ind., via E alter.; Indianapolis, Ind., VOR via E alter.; *2,700. *2,000—MOCA.

Section 95.6011 VOR Federal airway 11 is amended by adding:

Bloomington, Ind., VOR via E alter.; Paragon INT, Ind., via E alter.; *2,800. *2,200—MOCA.

Paragon INT, Ind., via E alter.; Indianapolis, Ind., VOR via E alter.; *2,700. *2,200—MOCA.

Section 95.6012 VOR Federal airway 12 is amended to read in part:

Wilbur INT, Ind.; Rose INT, Ind.; *2,600. *1,900—MOCA.

Rose INT, Ind.; Shelbyville, Ind., VOR; *2,600. *2,100—MOCA.

Section 95.6013 VOR Federal airway 13 is amended to delete:

Des Moines, Iowa, VOR via E alter.; Elkhart INT, Iowa, via E alter.; 2,500.
 Elkhart INT, Iowa, via E alter.; Union, INT, Iowa, via E alter.; *3,000. *2,400—MOCA.

Union INT, Iowa, via E alter.; Ackley INT, Iowa, via E alter.; *3,000. *2,400—MOCA.
 Ackley INT, Iowa, via E alter.; Mason City, Iowa, VOR via E alter.; *3,000. *2,500—MOCA.

Section 95.6013 VOR Federal airway 13 is amended to read in part:

Houston, Tex., VOR; Humble, Tex., VOR; 2,000.

Section 95.6015 VOR Federal airway 15 is amended to read in part:

Houston, Tex., VOR; Silver INT, Tex.; 2,000.
 Houston, Tex., VOR via E alter.; Humble, Tex., VOR via E alter.; 2,000.

Section 95.6016 VOR Federal airway 16 is amended to read in part:

Columbus, N. Mex., VOR; El Paso, Tex., VOR; 9,000.
 El Paso, Tex., VOR; *Salt Flat, Tex., VOR; *8,000. *9,100—MCA Salt Flat VOR, eastbound. *7,400—MOCA.

Section 95.6018 VOR Federal airway 18 is amended to read in part:

Hubbard INT, Tex.; Quitman, Tex., VOR; *3,000. *2,000—MOCA.

Section 95.6019 VOR Federal airway 19 is amended to read in part:

Cimmarron, N. Mex. VOR; Gordon, INT, Colo.; *11,000. *10,200—MOCA.

Section 95.6025 VOR Federal airway 25 is amended to read in part:

Geyserville INT, Calif.; *Lakeport INT, Calif.; **12,000. *11,000—MCA Lakeport INT, southbound. *9,000—MRA. **6,300—MOCA.

Lakeport INT, Calif.; *Green Water INT, Calif.; **9,000. *5,500—MCA Green Water INT, southbound. **8,500—MOCA.

Green Water INT, Calif.; Red Bluff, Calif., VOR; 3,000.

Red Bluff, Calif., VOR; *Whitmore INT, Calif.; 5,000. *7,000—MCA Whitmore INT, northbound.

Section 95.6035 VOR Federal airway 35 is amended to read in part:

Gulfstream INT, Fla.; Cutler INT, Fla.; *4,000. *1,200—MOCA.

Cutler INT, Fla.; Miami, Fla., VOR; *2,000. *1,300—MOCA.

Int. W. crs I—MFA and 147.M rad; Miami VOR via W. alter.; *1,200—MOCA. Jersey INT, Fla., via W. alter.; *1,500. *1,200—MOCA.

Jersey INT, Fla., via W. alter.; *Vega INT, Fla., via W. alter.; **2,000. *3,100—MRA. *3,800—MCA Vega INT, northwestbound.

Vega INT, Fla., via W. alter.; *Copeland INT, Fla., via W. alter.; **3,800. *2,500—MRA. **1,500—MOCA.

Section 95.6051 *VOR Federal airway 51* is amended to read in part:

Rancho INT, Fla.; Biscayne Bay, Fla., VOR; *2,000. *1,600—MOCA.

Section 95.6066 *VOR Federal airway 66* is amended to read in part:

Columbus, N. Mex., VOR; El Paso, Tex., VOR; 9,000.

El Paso, Tex., VOR; Hudspeth, Tex., VOR; *7,400. *7,300—MOCA.

Section 95.6068 *VOR Federal airway 68* is amended to read in part:

Roswell, N. Mex., VOR; Hagerman INT, N. Mex., *6,000. *5,000—MOCA.

Section 95.6083 *VOR Federal airway 83* is amended to read in part:

*Alamosa, Colo., VOR; Blanca INT, Colo.; eastbound **14,000; westbound **10,400; *10,400—MCA Alamosa VOR, southbound. **10,100—MOCA.

Blanca INT, Colo.; *Gordon INT, Colo.; **14,000. *13,500—MCA Gordon INT, southwestbound. **13,000—MOCA.

Section 95.6084 *VOR Federal airway 84* is amended to read in part:

Malta INT, Ill.; Northbrook, Ill., VOR; *2,800. *2,300—MOCA.

Section 95.6103 *VOR Federal airway 103* is amended to read in part:

Greensboro, N.C., VOR; Mayo INT, N.C.; 2,500.

United States-Canadian border; Salem, Mich., VOR; *3,000. *2,200—MOCA.

Section 95.6107 *VOR Federal airway 107* is amended to read in part:

Reyes INT, Calif.; Derby INT, Calif.; *11,000. *10,800.

Section 95.6116 *VOR Federal airway 116* is amended to read in part:

Joliet, Ill., VOR; Naperville, Ill., VOR; *2,500. *2,200—MOCA.

Section 95.6133 *VOR Federal airway 133* is amended to read in part:

Wheeler INT, Mich.; *Lake City INT, Mich.; *3,500. *4,000—MRA. **2,500—MOCA.

Lake City INT, Mich.; Walton INT, Mich.; *3,500. *2,500—MOCA.

Walton INT, Mich.; Traverse City, Mich., VOR; *3,100. *2,300—MOCA.

Section 95.6138 *VOR Federal airway 138* is amended to read in part:

Lincoln, Neb., VOR; Yutan INT, Tex.; *2,900. *2,400—MOCA.

Yutan INT, Tex.; Neola, Iowa, VOR; 3,000.

Section 95.6143 *VOR Federal airway 143* is amended to read in part:

Greensboro, N.C., VOR; Leaksville INT, N.C.; 2,500.

Section 95.6161 *VOR Federal airway 161* is amended to delete:

Des Moines, Iowa, VOR via W alter.; Elkhart INT, Iowa, via W alter.; 2,500.

Elkhart INT, Iowa, via W alter.; Waterloo, Iowa, VOR via W alter.; *3,000. *2,400—MOCA.

Section 95.6163 *VOR Federal airway 163* is amended to read in part:

Lometa, Tex., VOR via E alter.; *Carlton INT, Tex., via E alter.; **3,400. *4,000—MRA. **2,700—MOCA.

Section 95.6175 *VOR Federal airway 175* is amended to read in part:

Bethlehem INT, Iowa; Lacona INT, Iowa; *2,800. *2,500—MOCA.

Lacona INT, Iowa; Des Moines, Iowa, VOR; *2,800. *2,200—MOCA.

Section 95.6195 *VOR Federal airway 195* is amended to read:

Oakland, Calif., VOR; *Cordelia INT, Calif.; 4,000. *5,000—MCA Cordelia INT, northbound.

Cordelia INT, Calif.; *Berryessa INT, Calif.; **6,500. *6,500—MCA Berryessa INT, southbound. **5,000—MOCA.

Berryessa INT, Calif.; Williams, Calif., VOR; 5,000.

Williams, Calif., VOR; Red Bluff, Calif., VOR; *3,000. *2,000—MOCA.

Red Bluff, Calif., VOR; Burr INT, Calif.; 3,000. Burr INT, Calif.; *Tomhead INT, Calif.; 6,000. *7,000—MCA Tomhead INT, westbound.

Tomhead INT, Calif.; Yager INT, Calif.; *9,000. *7,900—MOCA.

*Yager INT, Calif.; Fortuna, Calif., VOR; 6,000. *7,000—MCA Yager INT, eastbound.

Section 95.6198 *VOR Federal airway 198* is amended to read in part:

Brookley, Ala., VOR; *Daphne INT, S.C.; **2,000. *2,200—MRA. **1,700—MOCA.

Daphne INT, S.C.; Saufley, Fla., VOR; *2,000. *1,700—MOCA.

Marianna, Fla., VOR; *Sneads INT, Fla.; **2,000. *3,000—MRA. **1,600—MOCA.

Sneads INT, Fla.; Tallahassee, Fla., VOR; *2,000. *1,600—MOCA.

Columbus, N. Mex., VOR; El Paso, Tex., VOR; 9,000. El Paso, Tex., VOR; Hudspeth, Tex., VOR; *7,400. *7,300—MOCA.

Section 95.6199 *VOR Federal airway 199* is amended to read in part:

Ukiah, Calif., VOR; *Henleyville INT, Calif.; **9,000. *5,000—MCA Henleyville INT, Southbound. **8,300—MOCA.

Henleyville INT, Calif.; Red Bluff, Calif., VOR; 3,000.

Section 95.6205 *VOR Federal airway 205* is amended to read in part:

Leroy INT, Mass.; Kittville INT, Mass.; *4,500. *2,000—MOCA.

Kittville INT, Mass.; Weston INT, Mass.; *3,000. *1,800—MOCA.

Section 95.6210 *VOR Federal airway 210* is amended to read in part:

Reservoir INT, N. Mex.; Capulin INT, Colo.; 14,800.

Capulin INT, Colo.; *Alamosa, Colo., VOR; westbound 14,800; eastbound 10,000. *11,200—MCA Alamosa VOR, westbound.

Manuel INT, N. Mex., via S alter.; Romeo INT, Colo., via S alter.; 13,000.

Romeo INT, Colo., via S alter.; Alamosa, Colo., VOR via S alter.; southwestbound 13,000; northeastbound 10,000.

*Alamosa, Colo., VOR; Blanca INT, Colo.; eastbound **14,000; westbound **10,400. *11,200—MCA Alamosa VOR, westbound. **10,100—MOCA.

Blanca INT, Colo.; *Gordon INT, Colo.; **14,000. *13,500—MCA Gordon INT, southwestbound. **13,000—MOCA.

Section 96.6222 *VOR Federal airway 222* is amended to read in part:

El Paso, Tex., VOR; Salt Flat, Tex., VOR; *8,000. *7,400—MOCA.

Section 95.6229 *VOR Federal airway 229* is amended to read in part:

Leroy INT, Mass.; Millbury INT, Mass.; *3,000. *2,200—MOCA.

Section 95.6232 *VOR Federal airway 232* is amended to read:

Cooksburg INT, Pa.; Keating, Pa., VOR; *4,000. *3,900—MOCA.

Keating, Pa., VOR; Swisssdale INT, Pa.; *4,000. *3,900—MOCA.

Swisssdale INT, Pa.; Watson INT, Pa.; *4,000. *3,800—MOCA.

Watson INT, Pa.; Milton, Pa., VOR; *4,000. *2,900—MOCA.

Milton, Pa., VOR; Freeland INT, Pa.; *4,000. *3,500—MOCA.

Freeland INT, Pa.; Pennwell INT, N.J.; *7,000. *4,000—MOCA.

Pennwell, N.J.; Broadway INT, N.J.; *7,000. *2,700—MOCA.

Section 95.6241 *VOR Federal airway 241* is amended to read in part:

Dothan, Ala., VOR; Eufaula, Ala., VOR; *2,000. *1,900—MOCA.

Section 95.6244 *VOR Federal airway 244* is amended to read in part:

Hanksville, Utah, VOR; *Uranium INT, Utah; **10,700. *12,600—MCA Uranium INT, eastbound. **8,200—MOCA.

Uranium INT, Utah; Paradox INT, Colo.; 15,000.

Section 95.6277 *VOR Federal airway 277* is amended to read in part:

Millersburg INT, Ind.; Bristol INT, Ind.; *2,700. *2,300—MOCA.

Bristol INT, Ind.; Keeler, Mich., VOR; *2,700. *2,000—MOCA.

Section 95.6280 *VOR Federal airway 280* is amended to read in part:

Pinon, N. Mex., VOR; *Hope INT, N. Mex.; **8,800. *7,400—MCA Hope INT, southwestbound. **8,600—MOCA.

Section 95.6298 *VOR Federal airway 298* is amended to read in part:

Pendleton, Ore., VOR; Cabbage Hill INT, Ore.; eastbound 7,000; westbound, 6,000.

Cabbage Hill INT, Ore.; Meacham INT, Ore.; eastbound 12,000; westbound 7,000.

Meacham INT, Ore.; McCall, Idaho, VOR; 12,000.

Section 95.6447 *VOR Federal airway 447* is amended to read in part:

Houston, Tex., VOR; Humble, Tex., VOR; 2,000.

Houston, Tex., VOR via W alter.; Silver INT, Tex., via W alter.; 2,000.

Section 95.7014 *Jet Route No. 14* is amended to read in part:

From, to, MEA, and MAA

Richmond, Va., VORTAC; Kenton, Del., VORTAC; 18,000; 41,000.

Section 95.7037 *Jet Route No. 37* is amended to read in part:

Gordonsville, Va., VORTAC; Kenton, Del., VORTAC; 18,000; 41,000.

Kenton, Del., VORTAC; Coyle, N.J., VORTAC; 18,000; 45,000.

Section 95.7140 *Jet Route No. 140* is added to read:

Fargo, N. Dak., VORTAC; Duluth, Minn., VORTAC; 18,000; 45,000.

Duluth, Minn., VORTAC; Sault Ste. Marie, Mich., VORTAC; 18,000; 45,000.

2. By amending Subpart D as follows: Section 95.8003 *VOR Federal airway changeover points*.

From, to, changeover point; distance from

V-87 is amended to delete: Maxwell, Calif., VORTAC; Red Bluff, Calif., VORTAC; 18; Maxwell.

V-122 is amended to delete: Crescent City, Calif., VOR; Medford, Oreg., VORTAC; 32; Crescent City.

V-195 is amended to delete: Red Bluff, Calif., VOR; Fortuna, Calif., VOR; 52; Red Bluff.

V-199 is amended to delete: Ukiah, Calif., VOR; Red Bluff, Calif., VORTAC; 35; Ukiah.

V-232 is amended to delete: Milton, Pa., VOR; Kennedy, N.Y., VOR; 60; Milton.

Section 95.8005 *Jet routes changeover points*.

J-140 is amended by adding: Duluth, Minn., VORTAC; Sault Ste. Marie, Mich., VORTAC; 171; Duluth.

(Secs. 307, 1110, Federal Aviation Act of 1958, 49 U.S.C. 1348, 1510)

Issued in Washington, D.C., on July 9, 1971.

R. S. SLIFF,
Acting Director,
Flight Standards Service.

[FR Doc. 71-10153 Filed 7-19-71; 8:45 am]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission SUBCHAPTER C—REGULATIONS UNDER SPECIFIC ACTS OF CONGRESS

[Docket No. 205-11]

PART 302—RULES AND REGULATIONS UNDER FLAMMABLE FABRICS ACT

Reasonable and Representative Tests and Recordkeeping Requirements Relating to Carpet Guaranties

By notice published February 13, 1971, in the FEDERAL REGISTER, 36 F.R. 2973, the Federal Trade Commission proposed to amend Part 302, Subchapter C, Chapter I, Title 16, Code of Federal Regulations, constituting the rules and regulations under the Flammable Fabrics Act (hereinafter sometimes referred to as "Act,") (67 Stat. 111, 68 Stat. 770, 81 Stat. 568, 15 U.S.C. section 1191, et seq.) to add a new section [Rule], § 302.15 [Rule 15] thereto, prescribing reasonable and representative tests and recordkeeping requirements to certain carpets and rugs for guaranty purposes pursuant to section 8 of the Act, 15 U.S.C. section 1197.

On April 16, 1970, the Department of Commerce caused to be published in the FEDERAL REGISTER a "Standard for the Surface Flammability of Carpets and Rugs, DOC FF 1-70," (hereinafter referred to as "Standard") 35 F.R. 6211, pursuant to authority granted by section 4 of the Act, 15 U.S.C. § 1193, to

become effective 12 months from the above publication date.

Section 3 of the Flammable Fabrics Act, 15 U.S.C. section 1192, provides:

(a) The manufacture for sale, the sale, or the offering for sale, in commerce, or the importation into the United States, or the introduction, delivery for introduction, transportation or causing to be transported, in commerce, or the sale or delivery after a sale or shipment in commerce, of any product, fabric, or related material which fails to conform to an applicable standard or regulation issued or amended under the provisions of section 4 of this Act, shall be unlawful and shall be an unfair method of competition and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act.

(b) The manufacture for sale, the sale, or the offering for sale, of any product made of fabric or related material which fails to conform to an applicable standard or regulation issued or amended under section 4 of this Act, and which has been shipped or received in commerce shall be unlawful and shall be an unfair method of competition and an unfair and deceptive act or practice in commerce under the Federal Trade Commission Act.

Section 8(a) of the Act, 15 U.S.C. section 1197(a), provides, in pertinent part:

(a) No person shall be subject to prosecution under section 7 of this Act for a violation of section 3 of this Act if such person (1) establishes a guaranty received in good faith signed by and containing the name and address of the person by whom the product, fabric, or related material guaranteed was manufactured or from whom it was received, to the effect that reasonable and representative tests made in accordance with standards issued or amended under the provisions of section 4 of this Act show that the fabric or related material covered by the guaranty, or used in the product covered by the guaranty, conforms with applicable flammability standards issued or amended under the provisions of section 4 of this Act, and (2) has not, by further processing, affected the flammability of the fabric, related material, or product covered by the guaranty which he received.

The Commission is prescribing reasonable and representative tests relative to those carpets and rugs to which the new Standard is applicable so that such tests might be used as bases upon which guaranties relating to such carpets and rugs can be issued pursuant to section 8 of the Act. The Commission is also prescribing necessary recordkeeping requirements applicable to such tests and guaranties.

Interested parties were invited to participate in this proceeding by submitting in writing to the Federal Trade Commission their views; arguments; or other data, including suggested revisions, additions, or deletions; as well as written rebuttal. Oral presentation of views, arguments, or other data was also invited. No hearing was held, as no request for opportunity to make oral presentation was received. However, written comments were received from a number of organizations connected with the carpet and rug trade and industry.

Some concern was expressed in the comments to paragraph (f) of proposed § 302.15 [Rule 15] on the ground that carpets or rugs in inventory upon the

effective date of the Standard are exempted from its operation by the following provision from the paragraph of the Standard entitled "Effective date:":

Carpets and rugs, and materials which may reasonably be expected to be used as carpets and rugs, in inventory or with the trade as of the effective date shall be exempt from the Standard.

Paragraph (f) was inserted to provide means by which a guaranty might be given for carpets and rugs which are exempted. However, in the Commission's view, this exemption applies only to carpets and rugs and materials which may reasonably be expected to be used as carpets and rugs, in inventory or with the trade as of the effective date of the Standard, which are located in the United States and are in the form in which they will be delivered to the ultimate consumer.

It has come to the Commission's attention that there is some confusion among the carpet and rug trade and industry as to the purpose and effect of the guaranties provided for in proposed § 302.15 [Rule 15] and section 8 of the Act. For this reason, the Commission has included an explanatory note with § 302.15 [Rule 15] generally explaining the purpose and effect of such guaranties.

Additionally a question has arisen as to the effect of failing tests on goods in stock. Once tests, whether required or nonrequired for the issuance of a guaranty, indicate failure of a particular quality of carpet or rug to meet the acceptance criterion of the standard, no guaranty may be issued for goods in stock which were manufactured since the last passing test unless the guarantor (1) determines the cause of the failure, (2) identifies all goods which would not meet the acceptance criterion, and (3) treats or processes such goods so that they meet the acceptance criterion before sale or distribution.

After full consideration of the views, arguments, and data submitted pursuant to the previously mentioned rule making Notice herein and other pertinent information and material available to the Commission, the Commission has determined to amend the rules and regulations under the Act in the manner set forth below. Such amendment is necessary and proper for administration and enforcement of the Act and is made pursuant to section 5(c) thereof, 15 U.S.C. section 1194(c), and Subpart B of Part 1 of the Commission's Procedures and Rules of Practice, 16 CFR 1.11, et seq.

Part 302, rules and regulations under Flammable Fabrics Act, Subchapter C, Chapter I, Title 16, Code of Federal Regulations, is hereby amended by addition of the following new section [Rule] thereto, § 302.15 [Rule 15]:

§ 302.15 Reasonable and representative tests and recordkeeping requirements relating to carpet guaranties.

[EXPLANATION: Section 8 of the Act, among other things, provides that no person shall be subject to criminal prosecution under section 7 of the Act for a violation of section 3

of the Act if such person establishes a guaranty received in good faith signed by and containing the name and address of the person by whom the product, fabric, or related material guaranteed was manufactured, or from whom it was received, to the effect that reasonable and representative tests made in accordance with applicable flammability standards show that the product, fabric, or related material covered by the guaranty conforms with such standards.

[While a person establishing a guaranty received in good faith would not be subject to criminal prosecution under section 7 of the Act, he, and/or the merchandise involved, would nevertheless remain subject to the administrative processes of the Federal Trade Commission under section 5 of the Act as well as injunction and condemnation procedures under section 6 thereof. A guarantor derives no immunity of any kind, civil or criminal, from the issuance of his own guaranty or performance of the reasonable and representative tests prescribed by this section.]

[The furnishing of guaranties is not mandatory under the Act. The purpose of this section is to establish minimum requirements for reasonable and representative tests upon which guaranties may be based. The section does not have any legal effect beyond that specified in section 8 of the Act.]

(a) For the purposes of this section the following definitions apply:

(1) "Standard" means the "Standard for the Surface Flammability of Carpets and Rugs, DOC FF 1-70," promulgated by the Secretary of Commerce, 35 F.R. 6211.

(2) "Test" means a test as prescribed by the Standard.

(3) "Acceptance criterion" means "acceptance criterion" as defined in the Standard.

(4) "Test criterion" means "test criterion" as defined in the Standard.

(5) "Carpet" and "rug" mean "carpet" and "rug" as defined in the Standard.

(6) "Quality of machine-made carpets or rugs" means any line of carpets or rugs, essentially machine-made, which are substantially alike in all respects, including, as applicable, constructional units (needles, pitch, rows, shot, stitches, and weight), dye class, dyestuff, dyeing application method, gage, pile levels, pile height, average pile thickness, pile weight, pile yarn, total thickness, total weight, tufts, tuft length, tuft bind, warp yarn, filler yarn, yarn ends per needle, loop length, backing, back coating, primary backing, secondary backing, backing thickness, backing fabric count, backing warp and filler yarns, including stuffer and dead frame yarns, backing weight, fiber and/or other materials content, and fire retardant treatment received including the specifications and quantity of chemicals used.

(7) "Quality of handmade or hide carpets or rugs" means any line of carpets or rugs which are essentially handmade and/or are essentially hides and which are alike in all respects, including those specified in subparagraph (6) of this paragraph, where applicable, except that such carpets or rugs may vary where unavoidable and/or may vary because of natural variations in hides of the same

type, so long as such variations do not affect flammability.

(b) The tests set forth in paragraphs (c), (d), (e), and (f) of this section are reasonable and representative tests with regard to any carpets or rugs or qualities thereof to which they apply, except, however, that any test of any quality, whenever performed, which does not show a meeting of the acceptance criterion of the Standard shall be considered the reasonable and representative test for that quality and no guaranty with respect thereto shall be issued after the performance of such test. Immediately before conditioning and testing, each carpet or rug specimen tested pursuant to this section shall be in the form in which the carpet or rug or quality thereof which it represents is sold or offered for sale to the ultimate consumer.

(c) Reasonable and representative tests with respect to any quality of machine-made carpets or rugs are (1) at least one test performed upon commencement of production, importation, or other receipt thereof, (2) at least one test performed after production, importation, or other receipt of the first 25,000 linear yards of the quality, and (3) at least one test after production, importation, or other receipt of every 50,000 linear yards of the quality thereafter. Except, however, that tests need be performed only after production, importation, or receipt of each additional 100,000 linear yards of the quality, so long as all 24 specimens required to be tested in a complete series of three required tests immediately preceding any given test (eight out of eight specimens in each of the three preceding tests) meet the test criterion, rather than seven out of eight specimens, as permitted under the acceptance criterion of the Standard.

(d) Reasonable and representative tests with respect to any quality of handmade or hide carpets or rugs are at least one test performed upon the commencement of production, importation, or other receipt thereof and at least one test after production, importation, or other receipt of every 10,000 square yards of the quality thereafter.

(e) Reasonable and representative tests of a one-of-a-kind carpet or rug, machine made; handmade, or hide, is one test thereof or one test of an identical representative sample.

(f) Guaranties for carpets or rugs in inventory upon the effective date of the Standard may be issued in the same manner as other guaranties are issued. Reasonable and representative tests with respect to qualities of such carpets or rugs are at least one test performed upon approximately the first linear yard and one test thereafter for each 25,000 linear yards of a quality of machine-made carpets or rugs and at least one test performed upon approximately the first square yard and thereafter for each 10,000 square yards of a category of handmade or hide carpets or rugs, in the order of the production, importation, or receipt by the guarantor of that quality.

(g) Any person issuing a guaranty for one or more carpets or rugs or qualities thereof based on reasonable and representative tests, shall maintain the following records for a period of 3 years from the date the tests were performed, or in the case of paragraph (h) of this section, the date the guaranties were furnished. These records must be maintained in the United States by a person subject to section 3 of the Act:

(1) All identifying numbers, symbols, etc., manufacturing specifications including all other information described in paragraph (a) (6) of this section, as applicable, and source of products or raw materials used therein.

(2) A physical sample of each carpet or rug or quality thereof covered by the guaranty at least 6 inches by 6 inches in size (36 square inches).

(3) The original or a copy of the report of each test performed for purposes of the guaranty (whether or not such report shows a meeting of the acceptance criterion) which shall disclose the date of the test, the results, and sufficient information to clearly identify the carpet or rug tested.

(4) A record applicable to each test in subparagraph (3) of this paragraph showing the approximate yardage at which it was performed. Records otherwise required to be maintained in linear yards may be maintained in square yards on the basis of 4 square yards equals 1 linear yard.

(h) Persons furnishing guaranties based on guaranties received by them shall maintain records showing the guaranty received and identification of the carpet or rug or quality thereof guaranteed in turn by them.

(i) Any person furnishing a carpet or rug guaranty under section 8(a) of the Act who neglects or refuses to maintain and preserve the records prescribed in this section shall be deemed to have furnished a false guaranty under the provisions of section 8(b) of the Act.

[Rule 15]

(Sec. 5, 67 Stat. 112, as amended by 81 Stat. 570, 15 U.S.C. sec. 1194)

Effective date. There is an immediate need by the public and among the carpet and rug trade and industry for the protection to be afforded by carpet and rug flammability guaranties. And because issuance of such guaranties is not mandatory, no hardship can be expected to result from making possible their issuance without delay. Therefore, upon good cause found, § 302.15 (16 CFR 302.15) [Rule 15] of the rules and regulations under the Act, shall become effective upon its publication in the FEDERAL REGISTER (7-20-71).

Issued: July 7, 1971.

By the Commission.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc.71-10241 Filed 7-19-71;8:47 am]

Title 20—EMPLOYEES' BENEFITS

Chapter V—Manpower Administration, Department of Labor

PART 609—UNEMPLOYMENT COMPENSATION FOR FEDERAL CIVILIAN EMPLOYEES

Finality of Federal Findings

Pursuant to 5 U.S.C. 8508, and the delegation of authority to the Deputy Assistant Secretary for Manpower and Manpower Administrator by Secretary's Orders Nos. 7-71, and 9-71, §§ 609.18 and 609.25 of Title 20, Code of Federal Regulations, are hereby amended to read as set forth below.

The purpose of the amendments is to make the regulations as to finality of Federal findings in resignation cases accord with the construction placed on 5 U.S.C. 8506 by the U.S. Court of Appeals for the District of Columbia Circuit in *Smith v. District Unemployment Compensation Board*, 435 F. (2d) 433, by providing that in resignation cases Federal findings which contradict the reasons given by a Federal civilian employee for his resignation or which relate to the validity of the employee's reasons shall be final and conclusive only if the Federal civilian employee has been afforded a fair hearing by the Federal employing agency or the U.S. Civil Service Commission on

any issue involved in the alleged reasons for resignation.

As these regulations relate solely to procedure and agency personnel, notice of proposed rule making, public participation in their adoption, and delay in effective date are not required (5 U.S.C. 553). Accordingly, they shall become effective on the date of their publication in the FEDERAL REGISTER (7-20-71).

1. Section 609.18 of Title 20 of the Code of Federal Regulations is amended to read as follows:

§ 609.18 Finality of Federal findings.

(a) Federal findings under § 609.6 or § 609.7 shall be final and conclusive except that Federal findings which contradict the reasons given by a Federal civilian employee for his resignation or which relate to the validity of such reasons shall not be final and conclusive unless such employee has been afforded an opportunity for a fair hearing on any issue involved in the alleged reasons for resignation. Such opportunity for hearing may be afforded by the Federal agency or the U.S. Civil Service Commission at any appropriate stage with respect to any personnel action, or upon request for reconsideration under § 609.23.

(b) Additional information submitted by a Federal agency under § 609.8 shall be considered part of the original Federal findings which, as so supplemented, shall be final and conclusive, as provided in paragraph (a) of this section.

(c) Federal findings which after reconsideration under § 609.9 have been

affirmed, modified, or reversed by the Federal agency shall be final and conclusive, as provided in paragraph (a) of this section.

2. Section 609.25 of Title 20 of the Code of Federal Regulations is amended to read as follows:

§ 609.25 Appeal by Federal civilian employee.

(a) A determination or redetermination by a State agency as to a Federal civilian employee's entitlement to compensation is subject to review, except for Federal findings which are final and conclusive under § 609.18, in the same manner and to the same extent as other determinations of entitlement under the State unemployment compensation law.

(b) A determination or redetermination as to entitlement to compensation by the Virgin Islands agency is, subject to the same exception with respect to Federal findings, as in paragraph (a) of this section, to be reviewed as provided in §§ 609.34 and 609.46.

(80 Stat. 590, 5 U.S.C. 8508; 80 Stat. 589, 5 U.S.C. 8506)

Signed at Washington, D.C., this 12th day of July 1971:

PAUL J. FASSER, JR.,
Deputy Assistant Secretary for
Manpower and Manpower
Administrator.

[FR Doc.71-10232 Filed 7-19-71;8:47 am]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 81]

INSPECTION OF POULTRY AND POULTRY PRODUCTS

Water Temperature for Hand- Washing Facilities at Federal Poultry Inspection Stations

Notice is hereby given in accordance with the administrative procedure provisions in 5 U.S.C. 553 that the Consumer and Marketing Service is considering issuance of a regulation to appear in § 81.37 of the Federal Poultry Inspection Regulations (7 CFR 81.37) to require that hot and cold running water or tempered water be available at inspection stations in federally inspected poultry plants, under the authority of sections 7 and 14 of the Federal Poultry Products Inspection Act, as amended (71 Stat. 441, as amended by the Act of June 25, 1962, 76 Stat. 110, and the Wholesome Poultry Products Act of August 13, 1968, 82 Stat. 791-808; 21 U.S.C. 451 et seq.).

Statement of considerations. The purpose of the proposed regulation change is to require facilities that will provide tempered water at inspection stations on evisceration lines in federally inspected poultry plants.

The running water for handwashing that is delivered to inspection stations on the evisceration lines in some plants is not heated between its source and point of delivery. Such cold water tends to detract from the inspector's ability to inspect the carcasses properly. When used continuously, it deadens the sense of touch that is essential to the proper conduct of inspection. Further, it may discourage inspectors from frequently washing their hands which is necessary for proper sanitation.

It is, therefore, proposed to amend § 81.37 of the regulations (7 CFR 81.37) by adding the following sentence to paragraph (e):

§ 81.37 Lavatories, toilets, and other sanitary facilities.

(e) * * * Both hot and cold running water shall be available at each inspection station on the eviscerating line and shall be delivered through a suitable mixing device controlled by the inspector or, alternatively, water for handwashing shall be delivered to such inspection stations at a minimum temperature of 75° F.

All persons who desire to submit written comments on the proposal shall file

the same in duplicate with the Office of the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 30 days after publication hereof in the FEDERAL REGISTER. Comments on the proposal should bear a reference to the date and page number of this issue of the FEDERAL REGISTER. All such written statements will be available for public inspection in the Office of the Hearing Clerk during regular office hours in a manner convenient to the public business (7 CFR 1.27 (b)). Persons desiring opportunity for oral presentation of views should address such requests to the Standards and Services Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. A transcript of all views orally presented will be made and filed in the Office of the Hearing Clerk for public inspection during regular office hours in a manner convenient to the public business.

Done at Washington, D.C., on July 2, 1971.

CLAYTON YEUTTER,
Administrator,
Consumer and Marketing Service.
[FR Doc.71-10237 Filed 7-19-71;8:47 am]

DEPARTMENT OF LABOR

Manpower Administration

[20 CFR Part 625]

DISASTER UNEMPLOYMENT ASSISTANCE

Notice of Proposed Rule Making

Section 240 of the Disaster Relief Act of 1970 makes permanent a temporary program contained in section 12 of the Disaster Relief Act of 1969 for the payment of disaster unemployment assistance to individuals employed as the result of a major disaster. An amendment to § 625.1 of Part 625 of Title 20 of the Code of Federal Regulations, which implemented section 12 of the Disaster Relief Act of 1969, was issued to implement the Disaster Relief Act of 1970 (36 F.R. 601). On the basis of experience in administering the program, I hereby propose a complete revision of 20 CFR Part 625 to read as set forth below. The sections with respect to the self-employed may be revised in the future after the completion of a study now being made of disaster unemployment assistance for self-employed farmers.

Interested persons may submit written data, views, or arguments regarding the proposal by mailing them to the Secretary of Labor, U.S. Department of Labor, Washington, D.C. 20210, attention of Robert C. Goodwin, Associate Manpower Administrator for Unemployment Insur-

ance, within 15 days after this notice is published in the FEDERAL REGISTER. Persons interested in inspecting or copying submissions received pursuant to this notice should call 202-961-2701 and necessary arrangements will be made.

As proposed to be revised, Part 625 would read as follows:

PART 625—DISASTER UNEMPLOYMENT ASSISTANCE

Sec.	
625.1	Purpose.
625.2	Definitions.
625.3	Announcement of major disaster.
625.4	Applications.
625.5	Employment services.
625.6	Interstate applications.
625.7	Eligibility.
625.8	Unemployment result of major disaster.
625.9	Amount.
625.10	Disclosure of information.
625.11	Determinations.
625.12	Reconsideration and review.
625.13	Overpayments.
625.14	Reports to the Secretary.
625.15	Inquiry.

AUTHORITY: The provisions of this Part 625 issued under sec. 240 of the Disaster Relief Act of 1970, Public Law 91-606, 84 Stat. 1755; E.O. 11575, Dec. 31, 1970, 36 F.R. 37; and the Delegation of Authority from the Director of the Office of Emergency Preparedness to the Secretary of Labor, Jan. 8, 1971, 36 F.R. 1007.

§ 625.1 Purpose.

The regulations in this part are promulgated to effectuate the purpose of—

(a) Section 240 of the Act to pay disaster unemployment assistance, as promptly as possible, in order to mitigate the hardships of individuals unemployed as the result of a major disaster in a State, where the Governor of the State has entered into an agreement with the Secretary for the purpose; and

(b) The last sentence of section 226 (b) of the Act to provide employment services to individuals who are unemployed as a result of a major disaster.

The regulations in this part are to be liberally construed to accomplish their objective.

§ 625.2 Definitions.

(a) "Act" means the Disaster Relief Act of 1970, Public Law 91-606, 84 Stat. 1744.

(b) "Additional unemployment compensation" means cash benefits to individuals with respect to their unemployment totally financed by the State (except when paid pursuant to a Federal unemployment compensation law), in addition to regular unemployment compensation, payable under a State law or Federal unemployment compensation law, including 5 U.S.C. Chapter 85 and the Railroad Unemployment Insurance Act, by reason of conditions of high unemployment or by reason of other special

factors, such as, an individual's being in training with the approval of the State agency.

(c) "Announcement date" means the first date on which the Governor announces the availability of disaster unemployment assistance in the State, pursuant to § 625.3.

(d) "Applicable State law" means, with respect to an individual, the unemployment compensation law of the State in which the major disaster occurred as the result of which such individual became unemployed, except when the major disaster occurred in the Territory of Guam, American Samoa, or the Trust Territory of the Pacific Islands, in which case applicable State law means the Hawaii Employment Security Law.

(e) "Date the major disaster began" means the date specified for the purpose in the agreement between the Director, Office of Emergency Preparedness, and the Governor of the State in which the major disaster occurred, and communicated in writing by the Office of Emergency Preparedness to the U.S. Department of Labor.

(f) "Disaster assistance period" means with respect to an individual the 1-year period beginning with the first day of the week that includes the date the major disaster began as the result of which such individual became unemployed, except in special circumstances determined by the Director, Office of Emergency Preparedness, after consultation with the Secretary, the disaster assistance period means with respect to an individual the shorter period beginning with the first day of a week specified in the agreement between the Director, Office of Emergency Preparedness, and the Governor of the State.

(g) "Extended unemployment compensation" means cash benefits to individuals with respect to their unemployment payable under provisions of a State law which satisfy the requirements of the Federal-State Extended Unemployment Compensation Act of 1970, including extended unemployment compensation payable pursuant to 5 U.S.C. Chapter 85.

(h) "Governor" means the chief executive of any State.

(i) "Initial application" means the first application for disaster unemployment assistance filed by an individual subsequent to the announcement date of the major disaster as the result of which such individual became unemployed.

(j) "Major disaster" means a major disaster as determined by the President pursuant to section 102 of the Act.

(k) "Major disaster area" means the area identified as eligible for Federal assistance by the Director, Office of Emergency Preparedness, pursuant to Presidential Declaration of a major disaster.

(l) "Notification" means the written communication in which the President notifies the Governor that a major disaster has been declared in his State.

(m) "Regular unemployment compensation" means cash benefits to individu-

als with respect to their unemployment payable under any State law or Federal unemployment compensation law, including 5 U.S.C. Chapter 85 and the Railroad Unemployment Insurance Act, other than additional unemployment compensation and extended unemployment compensation.

(n) "Secretary" means the Secretary of Labor of the United States.

(o) "Self-employed individual" means an individual whose primary reliance for income is on his performance of services in his own business or on his own farm.

(p) "Self-employment" means services performed as a self-employed individual.

(q) "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the Territory of Guam, American Samoa, and the Trust Territory of the Pacific Islands.

(r) "State agency" means, in all States except Guam, American Samoa, and the Trust Territory of the Pacific Islands, the agency administering the State law, and in Guam, American Samoa and the Trust Territory of the Pacific Islands means the agency designated by the Governor in his agreement with the Secretary to carry out such provisions.

(s) "State law" means the unemployment compensation law of one of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico and the Virgin Islands.

(t) "Subsequent disaster assistance period" means a second or subsequent disaster assistance period initiated by another major disaster before an applicant's prior disaster assistance period has expired.

(u) "Suitable work" means the same as it does under the applicable State law.

(v) "Wages" means remuneration for services performed for another and net income for services performed in self-employment.

(w) "Week" means a week as defined in the applicable State law.

(x) "Week of unemployment" means, with respect to an individual, a week of unemployment as defined in the applicable State law except that the wages payable to him with respect to such week must be less than the disaster unemployment assistance payable to him for a week of total unemployment.

§ 625.3 Announcement of major disaster.

After the Governor of a State (who has signed an agreement with the Secretary for the payment of disaster unemployment assistance) receives a notification, he shall promptly announce through all available news media in the State, including newspapers, radio, and television, that individuals who are unemployed as the result of the major disaster may be entitled to disaster unemployment assistance; that they should file initial applications for disaster unemployment assistance, as soon as possible, but not later than the 30th day after the announcement date; the beginning date of the disaster assistance period; and where they should go for information.

§ 625.4 Applications.

(a) (1) An initial application for disaster unemployment assistance shall be filed by an applicant within 30 days after the announcement date of the major disaster as the result of which the applicant became unemployed. But an initial application filed later (except as provided in subparagraph (2) of this paragraph) shall be accepted by the State agency and a determination made whether the applicant had good cause for the late filing. If the State agency determines that there was such good cause, the initial application shall be deemed to have been timely filed; otherwise the application will be rejected.

(2) No application shall be accepted by the State agency if it is filed after the expiration of 1 year from the announcement date of the major disaster as the result of which the applicant became unemployed.

(b) (1) Except as provided in subparagraph (2) of this paragraph, applications (including initial applications) shall be filed in person at a local employment office or a local claims office, as directed by the State agency, but in American Samoa and in the Trust Territory of the Pacific Islands such applications shall be filed in person at the office designated by the Governor.

(2) When the State agency finds that there is an emergency or that individuals are disabled or ill, applications (including initial applications) shall be filed at such times, in such places and in such manner as directed by the State agency.

§ 625.5 Employment services.

Applicants for disaster unemployment assistance and all other individuals who are unemployed as a result of a major disaster shall be afforded employment services (including counseling and referrals to suitable work opportunities and suitable training) to assist them in obtaining suitable work as soon as possible.

§ 625.6 Interstate applications.

The interstate benefit payment plan shall apply, to the extent that it is appropriate, to individuals filing applications for disaster unemployment assistance whose unemployment is the result of a major disaster in a State but who because of the disaster are not in the State.

§ 625.7 Eligibility.

(a) Disaster unemployment assistance shall be payable under these regulations to an individual for a week of unemployment in his disaster assistance period if with respect to such week—

(1) He has applied therefor as provided in § 625.4;

(2) His unemployment is found by the State agency to be the result of a major disaster in a major disaster area as provided in § 625.3; and

(3) He is able to work and available for work within the meaning of the applicable State law, but if his inability to work or unavailability for work is

the result of the major disaster, he shall be deemed to meet this requirement.

(b) No disaster unemployment assistance shall be payable for any period of unemployment before the date the major disaster began in the major disaster area nor for a week of unemployment which begins after the last day of his disaster assistance period.

§ 625.8 Unemployment result of major disaster.

(a) The unemployment of an applicant shall be deemed to be the result of the major disaster in the major disaster area if—

(1) He worked for another as an employee in the major disaster area at the time of such major disaster and, due directly to the disaster, (i) he no longer has the job, or (ii) he cannot perform his job because of damage to his place of work or such other reasons as that necessary material, supplies, or personnel cannot reach his place of work, or (iii) he cannot reach his place of work;

(2) He lived in the major disaster area at the time of the major disaster and he cannot reach his place of work outside of such area as the result of damage to the means of transportation caused by the disaster;

(3) He was a self-employed individual in the major disaster area at the time of such major disaster and he cannot perform services in his business because of damage caused by the disaster to the place(s) where he performed such services or to the means of transportation so that he cannot reach such place(s), or because of such other reasons as that necessary material, supplies, or personnel cannot reach his place(s) of work.

(4) He was to begin working for another as an employee or in self-employment in the major disaster area when or after the major disaster began and can not do so as the result of the disaster;

(5) He had been unemployed at the time of the major disaster for a period of less than 10 weeks and is prevented from obtaining work in the major disaster area as the result of the disaster;

(6) He had completed his schooling or training for work no earlier than 10 weeks prior to the major disaster and is prevented from obtaining work in the major disaster area as the result of the disaster;

(7) He has become the head of a household and is seeking suitable work because the head of the household died as the result of the major disaster in the major disaster area; or

(8) He, on any other basis, is found by the State agency to be unemployed as the result of the major disaster in the major disaster area, in which case the State agency shall notify the Associate Manpower Administrator for Unemployment Insurance, Room 5102, Main Labor Building, Washington, D.C. 20210, of the facts and the basis for its finding and shall obtain his approval before disaster unemployment assistance is paid to the individual.

(b) In connection with applications for disaster unemployment assistance for past weeks of unemployment, the criteria in paragraph (a) of this section for determining whether the applicants' unemployment was the result of a major disaster in the major disaster area shall be deemed to be written as to apply to such past weeks.

§ 625.9 Amount.

(a) *Weekly amount.* (1) In all the States except Guam, American Samoa, and the Trust Territory of the Pacific Islands the disaster unemployment assistance payable to an applicant for a week of total unemployment shall be whichever of the following is the greater:

(i) The amount of the average weekly regular unemployment compensation payment (including allowances for dependents) in the State in which the major disaster occurred as the result of which the individual became unemployed, computed by dividing the amount of regular unemployment compensation for total unemployment paid by the State in the first four of the last five completed calendar quarters immediately preceding the quarter in which the disaster began, by the number of weeks of total unemployment for which regular unemployment compensation was paid in that period. The computed average, if not an exact dollar amount, shall be rounded to the next higher dollar.

(ii) The weekly amount he would have been entitled to under the State law for a week of total unemployment had his work and wages been included as employment and wages under such State law.

(2) In Guam the disaster unemployment assistance payable to an applicant for a week of total unemployment shall be the average of the payments of regular unemployment compensation made by all States (except the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands) for weeks of total unemployment in the first four of the last five completed calendar quarters immediately preceding the quarter in which the disaster began.

(3) In American Samoa and the Trust Territory of the Pacific Islands the disaster unemployment assistance payable to an applicant for a week of total unemployment shall be \$10 (the basic training allowance payable in the Island of Panape under the Manpower Development and Training Act of 1962, as amended).

(b) *Maximum amount.* Except as provided in paragraph (d) of this section, the maximum amount of disaster unemployment assistance payable to an applicant—

(1) If his disaster assistance period is the 1-year period specified in § 625.2(f), shall be the weekly amount provided pursuant to paragraph (a) of this section multiplied by the maximum number of weeks of regular unemployment compensation for total unemployment payable to any claimant under the applicable State

law, except that in Guam, American Samoa, and the Trust Territory of the Pacific Islands the maximum amount of such disaster unemployment assistance shall be the weekly amount provided pursuant to paragraph (a) of this section multiplied by 26; or

(2) If his disaster assistance period is a period of less than 1 year determined pursuant to § 625.2(f), shall be the weekly amount provided pursuant to paragraph (a) of this section multiplied by the number of weeks in his disaster assistance period, but in no event more than the maximum amount computed in accordance with subparagraph (1) of this section.

(c) *Deductions.* The disaster unemployment assistance payable to an applicant for a week shall be reduced by:

(1) The amount of any of the following that an applicant has received for the week or would receive for the week if he filed a claim or application therefor and took all procedural steps necessary under the appropriate law or insurance policy:

(i) Regular unemployment compensation, additional unemployment compensation, extended unemployment compensation, or

(ii) Trade readjustment allowance under the Trade Expansion Act of 1962 or the Automotive Products Trade Act of 1965, or

(iii) Any compensation or insurance from any source for loss of wages due to illness or disability, or

(iv) A supplemental unemployment benefit pursuant to a collective bargaining agreement, or

(v) Training allowance under the Manpower Development and Training Act of 1962 (other than transportation and subsistence payments), or

(vi) Private income protection insurance.

(2) The amount of a retirement pension or annuity under a public or private retirement plan or system (including title II of the Social Security Act) prorated, where necessary, by weeks, but only if, and to the extent that, such amount would be deducted from unemployment compensation payable under the applicable State law;

(3) Wages payable to him with respect to such week to the same extent that such wages would be deducted from regular unemployment compensation payable under the applicable State law.

(d) *Subsequent disaster assistance period.* If, when an individual establishes a subsequent disaster assistance period, he has not exhausted the disaster unemployment assistance payable to him with respect to his disaster assistance period, any remaining entitlement as the result of the previous major disaster shall be canceled and any payment for weeks of unemployment thereafter shall be with respect to the subsequent disaster assistance period under the new major disaster and in accordance with the weekly and maximum amount of disaster unemployment assistance payable with respect to such subsequent period.

PROPOSED RULE MAKING

§ 625.10 Disclosure of information.

Information obtained by a State agency in the administration of the disaster unemployment assistance program shall be kept confidential and may be disclosed only to the same extent and in the same manner as information obtained by such State agency in administering its State law, or in the case of a State that has no State law, to the same extent and in the same manner as information obtained by the State agency of Hawaii under the Hawaii Employment Security Law.

§ 625.11 Determinations.

(a) Upon the filing of an initial application the State agency shall determine an applicant's eligibility for disaster unemployment assistance, his disaster assistance period, the amount payable to him for each week of his unemployment and the maximum amount payable to him during such period.

(b) The State agency shall give notice in writing to the applicant of any determination under paragraph (a) of this section and any subsequent determination denying or reducing the disaster unemployment assistance payable to him for a week. Such notice shall include a statement of his right to reconsideration or review, and the manner in which such reconsideration or review may be obtained, and if there has been a denial or reduction, the statement shall include the reasons for such denial or reduction. Notice of a determination shall be given to the applicant by delivering the notice to him personally or by mailing it to his last known address. Any information the applicant may receive as to his entitlement to disaster unemployment assistance prior to his receipt of this notice is not a determination and the applicant shall be so informed at the time he files his initial application.

§ 625.12 Reconsideration and review.

(a) *States, except Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.* Any determination by a State agency, other than that of the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, made pursuant to § 625.11 may be reconsidered by the State agency and may be appealed by the applicant under the State law to the first stage State administrative appellate authority under the State's regular appellate procedures. Notice of the reconsidered determination or the decision on appeal, and the reasons therefor, shall be given to the applicant by delivering the notice to him personally or by mailing it to his last known address. Such notice shall contain information as to the applicant's right to review by the appropriate Regional Manpower Administrator and the manner of obtaining such review, including the name and address of such Administrator. Notice of the decision on appeal shall be given also to the State agency and to the appropriate

Regional Manpower Administrator.

(b) *The Virgin Islands.* In the case of an appeal by an applicant from a determination by the State agency of the Virgin Islands, the applicant shall be entitled to a hearing and decision in accordance with the procedures set forth in §§ 609.34-609.45 of this chapter by a referee appointed by the Secretary. Notice of the referee's decision, and the reasons therefor, shall be given to the applicant by delivering the notice to him personally or by mailing it to his last known address. Such notice shall contain information as to the applicant's right to review by the Regional Manpower Administrator for Region II (New York) and the manner of obtaining such review, including the address of such Administrator. Notice of the decision on appeal shall be given also to the State agency and to the appropriate Regional Manpower Administrator.

(c) *Guam, American Samoa, and the Trust Territory of the Pacific Islands.* In the case of an appeal by an applicant from a determination by the State agency of Guam, American Samoa, or the Trust Territory of the Pacific Islands, the applicant shall be entitled to a hearing and decision in accordance with the procedures set forth in §§ 609.34-609.45 of this chapter by a referee appointed by the Secretary. Notice of the referee's decision, and the reasons therefor, shall be given to the applicant by delivering the notice to him personally or by mailing it to his last known address. Such notice shall contain information as to the applicant's right to review by the Regional Manpower Administrator for Region IX (San Francisco) and the manner of obtaining such review, including the address of such Administrator. Notice of the decision on appeal shall be given also to the State agency, and to the appropriate Regional Manpower Administrator.

(d) *Review by the Regional Manpower Administrator.* The appropriate Regional Manpower Administrator, upon request for review by an applicant or a State agency, shall, or upon his own motion, may, review a decision rendered pursuant to paragraph (a), (b), or (c) of this section. Any request to the Regional Manpower Administrator by an applicant or a State agency shall be filed, and any review by the Regional Manpower Administrator on his own motion shall be undertaken, within 15 days after notice of the decision rendered pursuant to paragraph (a), (b), or (c) of this section has been given. Requests for review by an applicant shall be filed through the appropriate State agency for transmittal to the Regional Manpower Administrator for the region in which the State is located. Requests for review by the State agency shall be filed with such Regional Manpower Administrator and a copy shall be mailed promptly to the applicant at his last known address. When a Regional Manpower Administrator undertakes a review on his own motion, he shall promptly so notify, by mail,

the applicant at his last known address, and the State agency. Upon receipt of a request for review by an applicant or the State agency, or when the Regional Manpower Administrator so requests, the State agency shall forward the entire record to the Regional Manpower Administrator. The decision of the Regional Manpower Administrator shall be rendered within 15 days after his receipt of the record from the State agency and notice of such decision shall be mailed promptly to the last known address of the applicant and to the State agency. The decision of the Regional Manpower Administrator shall be final and conclusive.

§ 625.13 Overpayments.

(a) *Recovery.* If a State agency finds, after affording an applicant a reasonable opportunity for a fair hearing that he has been paid disaster unemployment assistance to which he is not entitled, such applicant shall be liable to repay such amount to the State agency. The State agency shall take such measures as it believes appropriate to recover such amount including deductions from any future disaster unemployment assistance payable to such applicant.

(b) *Criminal prosecutions for fraud.* The provisions of 18 U.S.C. 1001 are applicable to the disaster unemployment assistance program.

§ 625.14 Reports to the Secretary.

In addition to such other reports as may be required by the Secretary, within 60 days after all payments of disaster unemployment assistance as the result of a major disaster in the State have been made the State agency shall submit a report to the Secretary. This report shall contain a narrative summary, a chronological list of significant events, pertinent statistics about the disaster unemployment assistance provided to disaster victims, brief statements of major problems encountered, discussion of lessons learned, and suggestions for improvement of the program during future major disasters.

§ 625.15 Inquiry.

Pursuant to Article IV of the agreement between the several States and the Secretary for the payment of disaster unemployment assistance, the Secretary shall, if there is evidence that a State agency may not have complied or is not complying with the agreement, these regulations, or instructions issued pursuant to the regulations, direct an inquiry to be made to determine the facts and a report thereon to be made to him. Upon receipt of the report the Secretary shall take such action as he deems to be appropriate in the circumstances.

Signed at Washington, D.C., this 14th day of July 1971.

L. H. SILBERMAN,
Acting Secretary of Labor.

[FR Doc.71-10233 Filed 7-19-71; 8:47 am]

**DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE**

Food and Drug Administration

[21 CFR Part 295]

**POISON PREVENTION PACKAGING
ACT OF 1970**

**Proposal To Establish Testing
Procedure for Special Packaging**

Section 3 of the Poison Prevention Packaging Act of 1970 (Public Law 91-601, enacted Dec. 30, 1970), by virtue of delegated authority authorizes the Commissioner of Food and Drugs, after consultation with the technical advisory committee provided for by section 6 of said act, to promulgate standards for special packaging if he finds that (1) the hazard of the substance to children, by reason of its packaging, is such that special packaging is required to protect children and (2) the packaging to be required by the standard is technically feasible, practicable, and appropriate.

Section 2(4) of the said act defines, for purposes of the act, special packaging as "packaging that is designed or constructed to be significantly difficult for children under 5 years of age to open or obtain a toxic or harmful amount of the substance contained therein within a reasonable time and not difficult for normal adults to use properly, but does not mean packaging which all such children cannot open or obtain a toxic or harmful amount within a reasonable time."

The technical advisory committee having been convened and consulted (May 13-14, 1971), the Commissioner concludes that a regulation should be proposed as set forth below to establish a testing procedure for such special packaging.

Accordingly, pursuant to provisions of the Poison Prevention Packaging Act of 1970 (secs. 2(4), 3, 5, 84 Stat. 1670-72; 15 U.S.C. 1471-74) and under authority delegated to him (36 F.R. 11770), the Commissioner propose to add a new Part 295 to Title 21, Chapter I, Subchapter E, as follows:

**PART 295—REGULATIONS UNDER
THE POISON PREVENTION PACKAGING
ACT OF 1970**

§ 295.10 Testing procedure for special packaging.

(a) The protocol for testing "special packaging" as defined in section 2(4) of the Poison Prevention Packaging Act of 1970 shall be as follows:

(1) Use 200 children between the ages of 42 and 51 months inclusive, evenly distributed by age and sex, to test the ability of the special packaging to resist opening by children. The even age distribution shall be determined by having 20 children (plus or minus 10 percent) whose nearest age is 42 months, 20 whose nearest age is 43 months, 20 at 44 months, etc., up to and including the 20 at 51 months of age. There should be no

more than a 10 percent preponderance of either sex in each age group. The children selected should be healthy and normal with no obvious or overt physical or mental handicap.

(2) The children shall be divided into groups of two each. The testing shall be done in a location that is familiar to the children; for example, their customary nursery school or regular kindergarten. Each pair of children shall test no more than two different types of special packagings, and for each test shall receive the same special packaging simultaneously. When more than one special packaging is being tested they shall be presented to the paired children in random order, and this order shall be recorded. The special packaging shall be given to each of the two children with a request for them to open it. Each child shall be allowed up to 5 minutes to open it. For those children unable to open the special packaging after the first 5 minutes, a single visual demonstration, without verbal explanation, shall be given by the demonstrator and a second 5 minutes allowed for opening the special packaging. If a child fails to use his teeth during the first 5 minutes, the demonstrator shall instruct him that he is permitted to use his teeth if he wishes.

(3) Records shall be kept on the number of children who were and were not able to open the special packaging with and without demonstration. When the number of children who fail to open the special packaging is divided by 2, the resulting figure is the percent of child effectiveness of the special packaging.

(4) Use 100 adults, 18 to 45 years of age inclusive, with no overt physical or mental handicaps, and 70 percent of whom are female, as the test panel for normal adults. The adults shall be tested individually rather than in groups of two or more. The adults shall receive such instructions as will appear on the package as it is delivered to the consumer on how to open and properly secure the special packaging, and they shall be allowed up to 3 minutes to complete the opening and securing process.

(5) Records shall be kept on the number of adults unable to open and the number who fail to properly secure the special packaging. The number of adults who successfully open the special packaging and then properly resecure the special packaging (if resealing is appropriate) is the percent of adult effectiveness of the special packaging.

(b) The standards published as regulations issued for the purpose of designating substances as being subject to the requirements for special packaging under the Poison Prevention Packaging Act of 1970 will stipulate such special packaging as is or are deemed to be appropriate and the percent of effectiveness required for each.

(c) It is recommended that producers of special packaging and packages of substances subject to regulations issued pursuant to this Act submit to the Commissioner of Food and Drugs summaries of data resulting from tests conducted in accordance with this protocol.

Interested persons may, within 30 days after publication hereof in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-62, 5600 Fishers Lane, Rockville, Md. 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: July 16, 1971.

CHARLES C. EDWARDS,
Commissioner of Food and Drugs.
[FR Doc.71-10310 Filed 7-19-71;8:53 am]

**DEPARTMENT OF
TRANSPORTATION**

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 71-EA-82]

**CONTROL ZONE AND TRANSITION
AREA**

Proposed Alteration

The Federal Aviation Administration is considering amending §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Weyers Cave, Va., control zone (36 F.R. 2137) and transition area (36 F.R. 2293).

Cancellation of the NDB-A instrument approach procedure for Shenandoah Valley Airport will require alteration of the Weyers Cave, Va., control zone and 700-foot-floor transition area.

The proposed alteration will provide the controlled airspace necessary to protect aircraft executing the NDB RWY 4 and LOC RWY 4 instrument approach procedures for Shenandoah Valley Airport and the NDB (ADF)-1 instrument approach procedure for Bridgewater Airport.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Weyers Cave, Va., proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Weyers Cave, Va., control zone and insert the following in lieu thereof:

Within a 5-mile radius of the center (38° 15'49" N., 78°53'46" W.), of Shenandoah Valley Airport, Weyers Cave, Va., and within 3 miles each side of the 218° bearing and the 038° bearing from the Staunton LOM extending from the 5-mile radius zone to 8.5 miles southwest of the LOM. This control zone is effective from 0600 to 2400 hours, local time, daily.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Weyers Cave, Va., 700-foot-floor transition area and insert the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center (38° 15'49" N., 78°53'46" W.) of Shenandoah Valley Airport, Weyers Cave, Va. within 4.5 miles southeast and 6.5 miles northwest of the 218° bearing from the Staunton LOM extending from the LOM to 11.5 miles southwest; within a 7.5-mile radius of the center (38°21'58" N., 78°57'35" W.) of Bridgewater Airport, Bridgewater, Va. and within 4.5 miles northwest and 6.5 miles southeast of the 210° bearing and the 030° bearing from the Bridgewater RBN (38°21'56" N., 78°57'41" W.), extending from 5.5 miles northeast of the RBN to 11.5 miles southwest of the RBN.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on July 7, 1971.

LOUIS J. CARDINALI,
Acting Director, Eastern Region.
[FR Doc.71-10214 Filed 7-19-71;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 71-EA-79]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is proposing to amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Wellsville, N.Y., transition area (36 F.R. 2292).

A new VOR instrument approach procedure to Wellsville Municipal (Tarrantine) Airport was authorized recently. To provide controlled airspace for this procedure, alteration of the 700-foot-floor transition area is required.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in

triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Wellsville, N.Y., proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Wellsville, N.Y., 700-foot-floor transition area and insert the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center (42°06'34" N., 77°59'59" W.) of Wellsville Municipal (Tarrantine) Airport, Wellsville, N.Y., and within 3.5 miles each side of the Wellsville, N.Y., VOR 196° radial extending from the 9-mile-radius area to 11.5 miles south of the VOR.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on July 7, 1971.

LOUIS J. CARDINALI,
Acting Director, Eastern Region.
[FR Doc.71-10213 Filed 7-19-71;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 71-EA-85]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate an Oakland, Md., transition area.

A new VOR RWY-26 instrument approach procedure developed for Garrett County Airport, Oakland, Md., requires designation of a 700-foot-floor transition area to provide controlled airspace for aircraft executing the procedure.

Interested parties may submit such written data or views as they may de-

sire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Oakland, Md., proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71, Federal Aviation Regulations, so as to designate an Oakland, Md., 700-foot-floor transition area as follows:

OAKLAND, MD.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center 39°34'49" N., 79°20'25" W. of Garrett County Airport, Oakland, Md., and within 2 miles each side of the Grantsville VORTAC 256° radial, extending from the 6-mile-radius area to 9 miles west of the VORTAC.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on July 2, 1971.

LOUIS J. CARDINALI,
Acting Director, Eastern Region.

[FR Doc.71-10215 Filed 7-19-71;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 71-EA-92]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Berkeley Springs, W. Va., transition area.

A new VOR RWY 29 instrument approach procedure developed for Potomac Airpark, Berkeley Springs, W. Va., requires designation of a 700-foot-floor transition area to provide controlled airspace for IFR arrivals and departures.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Berkeley Springs, W. Va., proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71, Federal Aviation Regulations, so as to designate a Berkeley Springs, W. Va., 700-foot-floor transition area as follows:

BERKELEY SPRINGS, W. VA.

That airspace extending upward from 700 feet above the surface within a 14.5-mile radius of the center (39°41'30" N., 78°09'45" W.) of Potomac Airpark, Berkeley Springs, W. Va., extending clockwise from the 062° bearing to the 167° bearing from the airport; within a 22.5-mile radius of Potomac Airpark, extending clockwise from the 167° bearing to the 215° bearing from the airport; within a 21.5-mile radius of Potomac Airpark, extending clockwise from the 215° bearing to the

266° bearing from the airport; within a 15.5-mile radius of Potomac Airpark, extending clockwise from the 266° bearing to the 304° bearing from the airport; within a 19.5-mile radius of Potomac Airpark, extending clockwise from the 304° bearing to the 342° bearing from the airport; within a 21.5-mile radius of Potomac Airpark, extending clockwise from the 342° bearing to the 023° bearing from the airport; within a 23.5-mile radius of Potomac Airpark, extending clockwise from the 023° bearing to the 062° bearing from the airport; within 2.5 miles each side of the Hagerstown VOR 268° radial, extending from the 14.5-mile radius to 1 mile west of the VOR, excluding the portion within the Hagerstown, Md., and Martinsburg, W. Va., transition areas.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on July 7, 1971.

LOUIS J. CARDINALI,
Acting Director, Eastern Region.

[FR Doc.71-10216 Filed 7-19-71;8:45 am]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

CAST IRON SOIL PIPE FITTINGS FROM POLAND

Antidumping Proceeding Notice

JULY 13, 1971.

On January 14, 1971, information was received in proper form pursuant to §§ 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27) indicating a possibility that cast iron soil pipe fittings from Poland are being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.).

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Having conducted a summary investigation as required by § 153.29 of the Customs Regulations (19 CFR 153.29) and having determined as a result thereof that there are grounds for so doing, the Bureau of Customs is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information received from all sources is as follows:

The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices of such or similar merchandise sold for exportation to the United States by a country not having a controlled economy.

This notice is published pursuant to § 153.30 of the Customs Regulations (19 CFR 153.30).

[SEAL] ROBERT V. MCINTYRE,
Acting Commissioner of Customs.

[FR Doc.71-10239 Filed 7-19-71; 8:47 am]

[T.D. 71-177; License 4268]

SHIRLEY H. JACKSON

Cancellation With Prejudice of Customhouse Broker's License

JULY 12, 1971.

Notice is hereby given that the Commissioner of Customs on July 12, 1971, pursuant to section 641, Tariff Act of 1930, as amended, and § 111.51(b), Customs Regulations, as amended, upon the specific request of Shirley H. Jackson, Gardena, Calif., canceled with prejudice customhouse broker's license No. 4268 issued to her on May 4, 1970, for the Customs District of Los Angeles. The

Commissioner's decision is effective as of July 12, 1971.

[SEAL] ROBERT V. MCINTYRE,
Acting Commissioner of Customs.

[FR Doc.71-10254 Filed 7-19-71; 8:48 am]

[T.D. 71-178]

SWISS FRANC

Rates of Exchange

JULY 6, 1971.

Rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York for the Swiss franc between June 28 and June 30, 1971.

Treasury Decision 71-101 published as the rate of exchange for the Swiss franc for use during the calendar quarter beginning April 1 through June 30, 1971, \$0.232800, as certified to the Secretary of the Treasury by the Federal Reserve Bank of New York under the provisions of section 522(c) of the Tariff Act of 1930, as amended (31 U.S.C. 372(c)).

For the dates listed below, the Federal Reserve Bank of New York certified rates for the Swiss franc which vary by 5 per centum or more from the rate \$0.232800. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert Swiss currency into currency of the United States, conversion shall be at the daily rate certified by the Federal Reserve Bank of New York, as herewith published:

Swiss franc:

For the period June 28 through June 30, 1971, rate of \$0.232800.

Rate did not vary by 5 per centum or more from the rate of exchange published in T.D. 71-101 for use during calendar quarter beginning Apr. 1, 1971.

[SEAL] ROBERT V. MCINTYRE,
Acting Commissioner of Customs.

[FR Doc.71-10255 Filed 7-19-71; 8:48 am]

Office of the Secretary

[T.D. 71-180]

SECOND CLEAR WHEAT FLOUR

Change of Practice Ruling; Tariff Classification

JULY 14, 1971.

Pursuant to § 16.10a(d), notice was given in the FEDERAL REGISTER of March 5, 1971 (36 F.R. 4428), that it had been tentatively concluded that all wheat flour, including second clear, should be regarded as fit for human consumption in the tariff sense unless it is adulterated or contaminated at the time of importation in such a manner that it cannot be

consumed by humans without processing to eliminate such contamination or adulteration and that the existing established and uniform practice of classifying wheat flour as unfit for human consumption on the basis of its ash content would be reviewed.

The representations submitted in response to all prior notices, as well as the notice of March 5, 1971, have been reviewed and it has been concluded that the ash content of wheat flour does not in and of itself render wheat flour unfit for human consumption. Further, it has been also concluded that all wheat flour, including second clear, is fit for human consumption in the tariff sense unless it is adulterated or contaminated at the time of importation in such a manner that it cannot be consumed by humans without processing to eliminate such contamination or adulteration.

Accordingly, all wheat flour, including second clear, is considered fit for human consumption in the tariff sense and classifiable under the provision for wheat flour fit for human consumption in item 131.40, Tariff Schedules of the United States (TSUS), with duty at the rate of 52 cents per hundred pounds unless it is adulterated or contaminated at the time of importation in such a manner that it cannot be consumed by humans without processing to eliminate such contamination or adulteration. Wheat flour, including second clear, which is so contaminated or adulterated is considered unfit for human consumption in the tariff sense and classifiable in item 131.72, TSUS, with duty at the rate of 2.5 per cent ad valorem.

This ruling shall apply only to flour, including second clear, which is entered, or withdrawn from warehouse, for consumption after the expiration of 90 days after the date of publication of this ruling in the weekly Customs Bulletin. Until the expiration of that period the existing established and uniform practice will be continued.

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

[FR Doc.71-10240 Filed 7-19-71; 8:47 am]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

OTIS B. HOCKER

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken

place in my financial interests during the past 6 months:

- (1) None.
- (2) None.
- (3) None.
- (4) None.

This statement is made as of June 16, 1971.

Dated: June 21, 1971.

OTIS B. HOCKER.

[FR Doc.71-10236 Filed 7-19-71;8:47 am]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[File No. 26(70)-11]

GERARD VERSCHOOR AND HOLLAND GEVE CORP.

Order Denying Export Privileges for Indefinite Period

In the matter of Gerard Verschoor and Holland GeVe Corp., Stadhoudersweg 100b, Rotterdam, The Netherlands; respondents.

The Director, Investigations Division, Office of Export Control, Bureau of International Commerce, U.S. Department of Commerce, has applied for an order denying to the above respondents all export privileges for an indefinite period because the said respondents, without good cause being shown, failed to furnish answers to interrogatories and failed to furnish certain records and other writings specifically requested. This application was made pursuant to § 388.15 of the Export Control Regulations (Title 15, Chapter III, Subchapter B, Code of Federal Regulations).

In accordance with the usual practice, the application for an indefinite denial order was referred to the Compliance Commissioner, Bureau of International Commerce, who after consideration of the evidence has recommended that the application be granted. The report of the Compliance Commissioner and the evidence in support of the application have been considered.

The evidence presented shows that the respondent Gerard Verschoor is the owner of the respondent company Holland GeVe Corp. The company represents itself to be a user of electronic equipment and engaged in film and television operations; the said Verschoor on behalf of Holland GeVe Corp. personally participated in the transactions hereinafter described. The evidence presented further shows that commencing about April 1969 the respondents acted as procurer of U.S.-origin commodities, some of strategic nature, for Herbert E. Schifter of Vienna, Austria; said Schifter since May 1964 has been subject to an order denying all U.S. export privileges; the respondents while acting as procurer of U.S.-origin commodities for Schifter knew that he was subject to the aforesaid order. The evidence presented also shows that respondents knowingly participated in the unauthorized reexporta-

tion of U.S.-origin commodities from Holland.

The Investigations Division is conducting an investigation to ascertain the facts and circumstances relating to respondents' participation in the above transactions and also to ascertain what other parties, if any were involved in said transactions.

It is impracticable to subpoena the respondents, and relevant and material interrogatories were served on them pursuant to Section 388.15 of the Export Control Regulations. The respondents, also pursuant to said section, were requested to furnish certain specific documents relating to the aforesaid matters. Said respondents have failed to respond to said interrogatories or to furnish the documents requested as required by said section, and they have not shown good cause for such failure. I find that an order denying export privileges to said respondents for an indefinite period is reasonably necessary to protect the public interest and to achieve effective enforcement of the Export Administration Act of 1969.

Accordingly, it is hereby ordered:

I. All outstanding validated export licenses in which respondents appear or participate in any manner or capacity are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

II. The respondents, their assigns, representatives, agents and employees hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States, in whole or in part, or to be exported, or which are otherwise subject to the Export Control Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or any document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control document; (d) in the carrying on of negotiations with respect to or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data in whole or in part exported or to be exported from the United States; and (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondents, but also to their agents and employees and to any person, firm, corporation, or business organization with which they now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. This order shall remain in effect until the respondents provide responsive answers, written information, and documents in response to the interrogatories heretofore served upon them or give adequate reasons for failure to do so, except insofar as this order may be amended or modified hereafter in accordance with the Export Control Regulations.

V. No person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, or carry on negotiations with respect thereto, in any manner or capacity, on behalf of or in any association with the respondents, or whereby the respondents may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any respondent, or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VI. A copy of this order shall be served on respondents.

VII. In accordance with the provisions of § 388.15 of the Export Control Regulations, the respondents may move at any time to vacate or modify this Indefinite Denial Order by filing with the Compliance Commissioner, Bureau of International Commerce, U.S. Department of Commerce, Washington, D.C. 20230, an appropriate motion for relief, supported by substantial evidence, and may also request an oral hearing thereon, which, if requested, shall be held before the Compliance Commissioner at Washington, D.C., at the earliest convenient date.

This order shall become effective on July 20, 1971.

Dated: July 14, 1971.

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

[FR Doc.71-10271 Filed 7-19-71;8:50 am]

National Oceanic and Atmospheric Administration

[Docket No. A-578]

ROY M. ALLEY

Notice of Loan Application

JULY 14, 1971.

Roy M. Alley, Kenny Lake, Alaska 99573, has applied for a loan from the Fisheries Loan Fund to aid in financing

the purchase of a used wood vessel, about 48-foot in length, to engage in the fishery for salmon, halibut, shrimp, and herring.

Notice is hereby given, pursuant to the provisions of 16 U.S.C. 742c, Fisheries Loan Fund Procedures (50 CFR Part 250, as revised), and Reorganization Plan No. 4 of 1970, that the above-entitled application is being considered by the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, Interior Building, Washington, D.C. 20235. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, National Marine Fisheries Service, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operation of the vessel will or will not cause such economic hardship or injury.

JAMES F. MURDOCK,
Chief,

Division of Financial Assistance.

[FR Doc.71-10223 Filed 7-19-71;8:46 am]

**Office of Import Programs
DEERFIELD BEACH HIGH SCHOOL,
FLA.**

**Notice of Decision on Application for
Duty-Free Entry of Scientific Article**

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 1578 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00134-16-61800. Applicant: Deerfield Beach High School, 910 Southwest 15th Street, Deerfield Beach, FL 33441. Article: Model Apollo planetarium and auxiliary projectors. Manufacturer: Goto Optical Co., Japan.

Intended use of article: The article, operated manually or automatically, will be used for instruction in grades 1 through 12 in such subjects as astronomy, navigation, earth-space relationship, elementary science, water cycles, causes of weather and the solar system.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires for its purposes an apparatus that could be used with domes of approximately 10 feet in diameter; is easily movable from one classroom to another and from one school to another; can be automatically as well as manually controlled; provides a minimum of 750 stars and automatic phasing of the moon and has facilities for automatically pointing to any given planet or star. (1) The Spitz Model A4 planetarium has a density of 1,345 stars, but specifies a 30-foot dome. The Spitz Model A4 is primarily designed for fixed installation in museums and similar places for viewing by larger groups. The Spitz Model A4, therefore, does not provide the characteristic of mobility which is considered to be pertinent to the purposes for which the foreign article is intended to be used. (2) The Nova Model III planetarium provides 750 stars and can be equipped for use with domes of 10 feet in diameter. The Nova Model III is also capable of being operated both automatically and manually. However, it is not designed for portability. Moreover, the Model III does not provide any means for automatically pointing to and identifying any particular stars or planets. (3) The Observa Dome Model A-24 planetarium is a fixed installation which provides 1,200 stars, but lacks portability as well as the facility for automatically pointing out a given star or planet. We are advised by the National Bureau of Standards (NBS) in its memorandum dated December 15, 1970, that the automatic pointer cited above is pertinent to the purposes for which the foreign article is intended to be used. For the foregoing reasons, we find that neither the Spitz Model A4, the Nova Model III, nor the Observa Dome Model A-24 is of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director,

Office of Import Programs.

[FR Doc.71-10268 Filed 7-19-71;8:49 am]

HOWARD UNIVERSITY ET AL.

**Notice of Applications for Duty-Free
Entry of Scientific Articles**

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purpose for which the article is intended to be used is being manufactured in the

United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the FEDERAL REGISTER.

Amended regulations issued under cited Act, as published in the October 14, 1969, issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Program, Division, Department of Commerce, Washington, D.C.

Docket No. 71-00509-33-46040. Applicant: Howard University, Department of Pathology, 520 W Street NW., Washington, DC 20001. Article: Electron microscope, Model EM-9S-2. Manufacturer: Carl Zeiss, Inc., West Germany. Intended use of article: The article will be used for teaching students and residents in the College of Medicine. The function and operation of the electron microscope will be taught to persons without any previous experience, therefore the most important factor is the overall ease of operation. Application received by Commissioner of Customs: April 26, 1971.

Docket No. 71-00513-33-46500. Applicant: DHEW, PHS, MSMHA, Center for Disease Control, 255 East Paces Ferry Road NE., Atlanta, GA 30305. Article: Ultramicrotome, Model OmU2. Manufacturer: C. Reichert Optische Werke, A.G., Austria. Intended use of article: The article will be used to study normal and diseased tissue from animals and humans. Other materials include tissue cultures and preparations of bacteria, fungi, protozoa, and viruses for ultrastructural observations. Application received by Commissioner of Customs: April 27, 1971.

Docket No. 71-00522-33-77030. Applicant: University of Wisconsin, McArdle Laboratory, Madison, Wis. 53706. Article: NMR spectrometer, Model R12A. Manufacturer: Perkin-Elmer Ltd., United Kingdom. Intended use of article: The article will be used for research on synthesizing new chemical compounds as potential drugs to be used for the treatment of cancer and to isolate new metabolites of carcinogenic (cancer-producing) chemicals. These studies concern the cellular and molecular mechanisms whereby chemical compounds produce cancer and the synthesis of new drugs for the treatment of human cancer. Application received by Commissioner of Customs: April 29, 1971.

Docket No. 71-00523-65-46070. Applicant: Iowa State University of Science and Technology, Ames, Iowa 50010. Article: Scanning electron microscope, Model JSM-U3. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan. Intended use of article: The article will be utilized in microstructural and microchemical property correlation investigations for a variety of materials. Projects concern research on fabric and

structure of clays; studies of aluminum oxide fracture surfaces; and studies of inorganic materials of colloidal origin. Application received by Commissioner of Customs: May 3, 1971.

Docket No. 71-00524-33-46040. Applicant: Microbiological Association, Inc., for National Cancer Institute, NIH, 4733 Bethesda Avenue, Bethesda, MD 20014. Article: Electron Microscope, Model HU-11E. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used to study ultrathin sections of normal and cancerous tissues, and tissue culture cells; and negative stain preparations. These studies are being conducted for the express purpose of finding evidence of C-type particles and other virus or virus-like particles that may be etiologically related to oncogenesis. Application received by Commissioner of Customs: May 3, 1971.

Docket No. 71-00525-33-46040. Applicant: University of California, San Francisco, Purchasing Department, 1438 South 10th Street, Richmond, CA 94804. Article: Electron microscope, Model HU-11E. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used to screen for viral particles in brain tumors; for histochemical analysis of various enzyme system on ultrastructural level in brain tumors; and for studies of intercellular and internuclear bridges in the human and animal glioma in tissue culture. Application received by Commissioner of Customs: May 3, 1971.

Docket No. 71-00526-33-46040. Applicant: Temple University, School of Dentistry, Electron Microscope Laboratory, Philadelphia, PA 19140. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronics NVD, The Netherlands. Intended use of article: The article will be used to study cellular damage and molecular changes inflicted upon tissues of the parotid gland by X-irradiation and other cell damaging agents. The experiments involve the study of the ultrastructure of normal and altered glands. Other research concerns the study of enzyme localizations and the localization of radioactive amino acids administered to the experimental animals. Application received by Commissioner of Customs: May 3, 1971.

Docket No. 71-00527-33-84100. Applicant: Yale University, Purchasing Department, 260 Whitney Avenue, New Haven, CT 06520. Article: 2510T teleprinter projector and six rolls of mylar paper for use with projector. Manufacturer: I. P. Sharp Associates, Ltd., Canada. Intended use of article: The article will be used in conjunction with experiments in interaction with computer programs. Application received by Commissioner of Customs: May 3, 1971.

Docket No. 71-00528-00-46040. Applicant: Meloy Laboratories, Mel Lab Inc., 6631 Iron Place, Springfield, VA 22151. Article: Exposure measurement and control instrument. Manufacturer: Siemens A.G., West Germany. Intended use of article: The article is an accessory for an existing Elmiskop IA elec-

tron microscope. Application received by Commissioner of Customs: May 4, 1971.

Docket No. 71-00530-75-07795. Applicant: University of California, Los Alamos Scientific Laboratory, Post Office Box 990, Los Alamos, NM 87544. Article: Image converter camera. Manufacturer: John Hadland Ltd., United Kingdom. Intended use of article: The article will be used for a study of radiation emitted by a high energy neon plasma. The time behavior and spatial distribution of the visible and near ultraviolet radiation of plasma will be studied. Application received by Commissioner of Customs: May 4, 1971.

Docket No. 71-00531-33-46500. Applicant: Dartmouth College, Hanover, N.H. 03755. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used to study biological substances, consisting of normal and tumor cells, from both animals and man, growing on plastic petri dishes. Investigations concern the interactions between cells under a variety of experimental conditions, involving the sectioning of monolayers of cells. Application received by Commissioner of Customs: May 4, 1971.

Docket No. 71-00532-00-77040. Applicant: University of Illinois, Purchasing Division 223 Administration Building, Urbana, Ill. 61801. Article: Electrical detection accessory kit. Manufacturer: Associated Electrical Industries, United Kingdom. Intended use of article: The electrical detection unit will be used to upgrade the analytical capabilities of an existing MS-7 mass spectrometer.

Docket No. 71-00533-33-46040. Applicant: Veterans' Administration Hospital, 4435 Beacon Avenue South, Seattle, WA 98108. Article: Electron microscope, Model EM 801. Manufacturer: Associated Electrical Industries, Ltd., United Kingdom. Intended use of article: The article will be used for research and research training. Projects include studies of basal lamina, collagen, structure of capillaries and products from cell and tissue culture. Residents in Pathology will be trained in the use and application of electron microscopic techniques. Application received by Commissioner of Customs: May 5, 1971.

Docket No. 71-00534-75-46070. Applicant: University of Chicago, Operator of Argonne National Laboratory, 9700 South Cass Avenue, Argonne, IL 60439. Article: Scanning electron microscope Model Mark II, and accessories. Manufacturer: Cambridge Instrument Co., Ltd., United Kingdom. Intended use of article: The article will be used in the fuels and examination facility to aid in understanding of irradiation-induced microstructural changes which occur in EBR-II fuels and structural materials. Application received by Commissioner of Customs: May 5, 1971.

Docket No. 71-00535-01-77030. Applicant: College of William and Mary, Williamsburg, Va. 23185. Article: NMR spectrometer, Model R-20-B. Manufacturer: Hitachi, Ltd., Japan. Intended use

of article: The article will be used in an advanced laboratory course, for undergraduate courses, and for the graduate research program. Studies concern sparingly soluble coordination compounds and similar organogermanium compounds; the examination of the stereochemical lability of ligands; and research involving the study of polymer solutions at temperatures of 100°-180°. Application received by Commissioner of Customs: May 10, 1971.

Docket No. 71-00536-33-46040. Applicant: University of Maryland, School of Medicine, Department of Pathology, 31 South Greene Street, Baltimore, MD 21201. Article: Electron microscope, JEM-100B-2. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan. Intended use of article: The article will be used for research on cells, cellular organelles, cell membranes and cellular products, macro-molecules and viruses, and to compare the alteration of the abnormal state with the normal state morphologically and functionally. Projects concern membranes altered by such pathological processes such as peroxidation and studies on membrane associated protein complexes. Application received by Commissioner of Customs: May 10, 1971.

Docket No. 71-00537-50-02000. Applicant: Texas Agricultural Experiment Station, Department of Soil and Crop Sciences, College Station, Tex. 77843. Article: Six anemometers, Type R/AMC-6, and 10-yard multistrand cable fitted with one eight-pin cable socket and plug. Manufacturer: Rauchs Instruments and Staff Pty., Australia. Intended use of article: The equipment is to be used for the measurement of wind profiles at a number of heights to calculate the intensity of atmospheric mixing above a crop. Application received by Commissioner of Customs: May 10, 1971.

Docket No. 71-00538-65-46040. Applicant: University of Connecticut Institute of Materials Science, Storrs, Conn. 06268. Article: Electron microscope, Model HU-200F. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for studies on dislocation structures and subboundary structures formed in high temperature alloys during fatigue and creep; of stacking-faults and antiphase boundaries in nickel-base superalloys; of precipitation hardened alloys and high strength directionally solidified eutectic alloys; on oral biological materials; and on polymeric materials. Application received by Commissioner of Customs: May 10, 1971.

Docket No. 71-00539-33-46040. Applicant: East Los Angeles College, Department of Life Sciences, 5357 East Brooklyn, Los Angeles, CA 90022. Article: Electron microscope, Model HS-8. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The primary function of the article will be to provide instruction in basic technique of electron microscopy and specimen preparation. Students involved in the program of instruction will be disadvantaged, physically handicapped, and others. Courses include In-

roduction to Electron Microscopy, Techniques of Electron Microscopy, Biological Applications of Electron Microscopy, and Electron Microscope Optics and Theory. Application received by Commissioner of Customs: May 10, 1971.

Docket No. 71-00540-00-46040: Applicant: Emory University, Yerkes Regional Primate Research Center, 954 Gatewood Road NE., Atlanta, GA 30322. Article: Anticontamination device, anode plate, screw cap for Wehnelt cylinder and magnifier 1.6X. Manufacturer: Siemens A.G., West Germany. Intended use of article: The articles are accessories for an existing Elmiskop electron microscope used for research and educational purposes. Application received by Commissioner of Customs: May 11, 1971.

Docket No. 71-00541-33-46500. Applicant: Michigan State University, 516 Biochemistry, MSU, East Lansing, Mich. 48823. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used for research to determine the reaction of the postnatal mouse cerebellum to injury by an alkylating agent with coordinated ultrastructural and biochemical studies at various postinjection intervals. These coordinated studies will be conducted on both whole tissue and fraction preparations from the cerebellum. Application received by Commissioner of Customs: May 11, 1971.

Docket No. 71-00542-33-46040. Applicant: University of Houston, Department of Biology, 3801 Cullen Boulevard, Houston, TX 77004. Article: Electron microscope, Model HS-8. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used to instruct graduate students in electron microscopy and will carry the burden of a sustained graduate research program in the area of biological ultrastructure. The types of preparations to be examined are negatively stained preparations of viruses, bacteria, and various cellular isolates; shadow-cast preparations of viruses and bacteria; both stained and unstained thin sections of bacterial, plant and animal cells; and ultracytochemical and autoradiographic studies which will also be performed with bacterial, plant and animal cells. Application received by Commissioner of Customs: May 11, 1971.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc.71-10261 Filed 7-19-71; 8:49 am]

MIRAMAR HIGH SCHOOL, FLA.

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.). A copy

of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00126-16-61800. Applicant: Miramar High School, 3601 Southwest 89th Avenue, Miramar, FL 33023. Article: Model Apollo planetarium and auxiliary projectors. Manufacturer: Goto Optical Co., Japan.

Intended use of article: The article, which may be operated manually or automatically, will be used for instruction in grades 1 through 12 in such subjects as astronomy, navigation, earth-space relationship, elementary science, water cycles, causes of weather, and the solar system.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires for its purposes an apparatus that could be used with domes of approximately 10 feet in diameter; is easily movable from one classroom to another and from one school to another; can be automatically as well as manually controlled; provides a minimum of 750 stars and automatic phasing of the moon and has facilities for automatically pointing to any given planet or star. (1) The Spitz Model A4 planetarium has a density of 1,345 stars, but specifies a 30-foot dome. The Spitz Model A4 is primarily designed for fixed installation in museums and similar places for viewing by larger groups. The Spitz Model A4, therefore, does not provide the characteristic of mobility which is considered to be pertinent to the purposes for which the foreign article is intended to be used. (2) The Nova Model III planetarium provides 750 stars and can be equipped for use with domes of 10 feet in diameter. The Nova Model III is also capable of being operated both automatically and manually. However, it is not designed for portability. Moreover, the Model III does not provide any means for automatically pointing to and identifying any particular stars or planets. (3) The Observa Dome Model A-24 planetarium is a fixed installation which provides 1,200 stars, but lacks portability as well as the facility for automatically pointing out a given star or planet. We are advised by the National Bureau of Standards (NBS) in its memorandum dated December 15, 1970, that the automatic pointer cited above is pertinent to the purposes for which the foreign article is intended to be used. For the foregoing reasons, we find that neither the Spitz Model A4, the Nova Model III, nor the Observa Dome Model A-24 is of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc.71-10267 Filed 7-19-71; 8:49 am]

NATIONAL INSTITUTES OF HEALTH

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00120-33-46500. Applicant: National Institutes of Health, National Cancer Institute, Building 37, Room 3A21, Bethesda, Md. 20014. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter A.B., Sweden.

Intended use of article: The article will be used for research on experimental lung cancer in laboratory animals and the effect of various nutritional states on this malignant process. Ultrathin sections of various animal tissues and cell fractions will be examined ultrastructurally for further insight into the process of carcinogenesis and its prevention in man.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article has the ability to produce orthogonal cut surfaces on the specimen without remounting. This orientation feature is essential in studies requiring three-dimensional reconstructions in which exact replication must be obtained with minimum loss of detail or in studies wherein a property is to be observed which depends on the exact angle of relationship between orthogonal cuts. The most closely comparable domestic instrument is the Model MT-2B ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). We are advised by the National Bureau of Standards (NBS) in its memorandum dated December 4, 1970, that the specimen orientation feature described above is pertinent to the applicant's research studies

involving the development of three-dimensional reconstructions of the ultrastructure of lung materials. NBS further advises that the Sorvall Model MT-2B does not provide the pertinent orientation feature of the foreign article.

For the foregoing reasons, we find that the Model MT-2B is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc. 71-10265 Filed 7-19-71; 8:49 am]

NORTHWESTERN UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00132-82-75000. Applicant: Northwestern University, 619 Clark Street, Evanston, IL 60201. Article: Soil testing apparatus. Manufacturer: McGill University, Canada.

Intended use of article: The article will be used to study the behavior of clay soils, to investigate clay properties, and to test soils of various initial structure under three-dimensional stress conditions in order to establish a relationship between the fabric and the engineering properties of clay soils.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The capability of applying different stresses in three mutually perpendicular directions is pertinent to the purposes for which the foreign article is intended to be used. We are advised by the National Bureau of Standards (NBS) in its memorandum dated December 11, 1970, that the foreign article has the unique characteristic of being capable of applying different stresses in three mutually perpendicular directions. NBS further advised, that it knows of no available domestic instrument or appa-

ratus that can be used for the applicant's intended purposes.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc. 71-10266 Filed 7-19-71; 8:49 am]

OHIO SCHOOL FOR THE DEAF

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00104-99-01200. Applicant: The Ohio School for the Deaf, 500 Morse Road, Columbus, OH 43214. Article: Four SUVAG 1 trainers which are specialized group amplifying equipment. Manufacturer: Societe Sedi Monsieur Germe.

Intended use of article: The article will be used in grades kindergarten through 12 for classroom instruction in the applicant's program for a method of training the deaf.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides filter networks for emphasizing specific octave bands in the audio spectrum. We are advised by the Department of Health, Education, and Welfare (HEW), that the feature described above is pertinent to the purposes for which the foreign article is intended to be used. (Memorandum dated December 15, 1970.) HEW further advises that it knows of no comparable instrument or apparatus being manufactured in the United States, which provides the above-cited characteristics of the foreign article.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc. 71-10264 Filed 7-19-71; 8:49 am]

UNIVERSITY OF ARKANSAS

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of

the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 70-00756-01-77040. Applicant: University of Arkansas, Fayetteville, Ark. 72701. Article: Mass spectrometer, Model RMU-6E. Manufacturer: Hitachi, Ltd., Japan.

Intended use of article: The article will be used for the research and the teaching needs of the department of chemistry. Research projects concern synthesis of diterpenoid alkaloids; isolation and structure determination of natural products; electrolytic reduction of organic compounds; disproportionations in acid-catalyzed ketone rearrangements; structure-spectra correlations of structurally related aliphatic ketones and cyclobutanones; stereochemistry of organic molecular rearrangements; and the mechanism of surface-catalyzed hydrogenation of unsaturated molecules.

Comments: Comments have been received from the CEC Analytical Instruments Division of Bell & Howell (CEC), dated July 1, 1970, which state inter alia "The applicant University of Arkansas has failed to establish a valid foundation for its belief that no instrument or apparatus of equivalent scientific value to the instrument or apparatus sought to be imported free of duty is being manufactured in the United States."

Decision: Application denied. An instrument of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The application is a resubmission of Docket No. 68-00428-01-77040 which was denied without prejudice to resubmission on July 5, 1968.¹ In the ap-

¹ In the notice of denial of the original application without prejudice to resubmission, the applicant was referred to § 602.2(b)(4) of the regulations then in force (§ 602.2(b)(1) in current regulations) which require that the specifications of the foreign article must be in a form that permits comparison with the specifications of domestic instruments. This is important as to mass spectrometers because the specification for any given parameter (resolution, sensitivity, mass range, etc.), is functionally related to the substance used as a reference sample and to the values of other relevant parameters that are correspondingly attained. For example, the specification for resolution is meaningful only if the corresponding values for sensitivity and scan speed are also given, as well as the mass range over which the specified resolution is attainable and the basis for measuring the resolution—i.e., 10 percent valley definition, 50 percent valley definition, 1 percent cross contribution, etc. A basic factor in determining sensitivity is the substance used as the reference sample, the minimum quantity of the sample which provides a useable spectrum, signal-to-noise ratio, the corresponding accelerating voltage and the ionizing current. In the application, however, the applicant did not comply with § 602.2(b)(4) of the applicable regulations.

plication, the applicant alleges that the foreign article is superior to the most closely comparable domestic instrument in respect to resolution, sensitivity, and repetitive scan capability, fast scan capability, dual direct inlet systems, ion optic system, ion source and negative ion capability.

In its memorandum dated October 2, 1970, the National Bureau of Standards (NBS) advised that the Model 12-90-G mass spectrometer manufactured by the Nuclide Corp. (Nuclide) is scientifically equivalent to the foreign article for the purposes for which the applicant intends to use the article. NBS stated, that the applicant's comparison of the foreign article with the Nuclide 12-90-G is based on erroneous data which does not agree with Nuclide's published specifications for the 12-90-G. NBS compared the Nuclide 12-90-G with the foreign article as to each of seven characteristics listed by the applicant in response to Question 8(b) (2).

Resolution. The resolution for the foreign article is specified as 20,000 at a 50 percent or less valley definition which corresponds to approximately 10,000 when defined at a 10 percent valley. The Nuclide 12-90-G has a specified resolution of 30,000 at the 10 percent valley definition.

Sensitivity. The literature on the foreign article does not specify sensitivity. Instead, the foreign manufacturer specifies the correlative parameter—detectability—to be better than 0.05 part per million, without specifying the reference sample. The foreign manufacturer's specification for minimum sample sizes is expressed in terms of gases, i.e., liquids and solids. For solids, which includes cholesterol, the minimum sample size specified by the foreign manufacturer is 10 nanograms. In its specification for sensitivity, Nuclide specifies that a sample of 10 nanograms of cholesterol or similar material, with the direct insertion probe, can be readily identified. When the Nuclide 12-90-G is connected to a gas chromatograph with a single stage glass frit helium separator, Nuclide specifies that 2 nanograms of benzene injected into the column can be detected with the mass spectrometer at a signal-to-noise ratio for the parent peak of 500 to 1 at a sample flow rate of 1×10^{-11} gram per second into the separator. The applicant states: "For coupling with gas chromatography, chromatographic samples of less than 3 nanograms can be analyzed at full resolution with the helium separator and fast scan provisions of the RMU-6E." However, the important associated parameters of signal-to-noise ratio (which is a fundamental determinant of sensitivity) and the nature of the sample as well as the rate at which the substance flows through the separator into the mass spectrometer, which are other important factors related to sensitivity, are not specified. The foreign manufacturer specifies 10 nanograms injected into the gas chromatograph to be the minimum sample size for gas chromatography, but the identity or

nature of the sample as well as other associated parameters related to sensitivity are not specified. We are unable, moreover, to find specifications for the sensitivity of the foreign article in any literature relating to the RMU-6E. Notwithstanding this informational deferring, if we give maximum weight to the specifications provided by the foreign manufacturer, we conclude that on the basis of manufacturer's specifications the sensitivity of the Nuclide 12-90-G matches that of the foreign article.

Repetitive scan capability. The applicant alleges that the foreign article has a "reproducibility of better than 0.2 mass units on repetitive scanning." (The foreign manufacturer specifies a pattern coefficient of reproducibility of 0.03 percent.) The reproducibility specification is normally understood to represent the plus or minus deviation from a full-scale recorded peak, measured as a percent of the full-scale recorded peak. The percent deviation is a function of the type of the recorder (linear or nonlinear), the number of samples used in establishing the pattern of reproducibility and the time span over which the pattern was obtained. The applicant, however, refers to reproducibility in terms of "better than 0.2 mass units on repetitive scanning" which cannot be found in any literature on the foreign article. Moreover, such terms customarily are used in referring to the precision with which the mass of the substance is measured. But the deviation in terms of mass units must be related to a particular mass/charge ratio if it is to be meaningful. For example, Nuclide specifies that with its mass marker which is useable up to mass 2,000, the mass at $m/e=800$ will be indicated within plus or minus 0.4 atomic mass units.

Fast scan capability. The applicant states that the foreign article is capable of scanning from m/e 1 to 300 or from 12-2,400 in 3 seconds and that the range m/e 12 to 400 can be scanned in 1 second. There is an apparent discrepancy in this statement, because the brochure on the foreign article specifies the scanning speed to be from one mass decade per second to one peak per minute in 12 steps.

This means that the foreign article can scan from m/e 1 to 10 in 1 second, from m/e 1 to 100 in 2 seconds and m/e 1 to 1,000 in 3 seconds; or that m/e 12 to m/e 120 can be scanned in 1 second, m/e 120 to 1,200 in 2 seconds and m/e 1,200 to the upper mass range of the foreign article (2,400) in less than 3 seconds. The scan from m/e 12 to 400 would require approximately $1\frac{1}{2}$ seconds. Nuclide specifies a scan speed of 1.4 seconds per decade, so that the 12-90-G is capable of scanning from m/e 1 to 300 in 3.1 seconds, from m/e 12 to 2,400 in 3 seconds and from m/e 12 to 400 in 1.7 seconds. As NBS notes, the applicant has not described any experiment in which the slight difference in the time needed to scan a given mass range would effect the observation of chromatographic peaks and, furthermore, that it cannot envisage any experiments in which the difference would be significant.

Dual inlet system. NBS considers the differences in the design of the inlet system furnished with the foreign article and that supplied with the Nuclide 12-90-G to be irrelevant with respect to the purposes for which the foreign article is intended to be used. The applicant prefers the inlet system of the foreign article "because of the resulting increase in sample handling and operator time and loss of convenience for handling solid samples routinely, and because of the design characteristics which affect the mass spectrum attained." We note that in defining "pertinent specifications," § 602.1(b) (7) expressly excludes ease of operation from the definition of this term. Moreover, operator's convenience is not relevant to the evaluation of scientific equivalency.

Ion optic system. The Nuclide 12-90-G employs the same basic Nier-Johnson geometry as the foreign article.

Ion source. The Nuclide 12-90-G provides an ion source with variable ionizing voltage from 0 to 100 ev, which NBS has found to be capable of satisfying the applicant's requirements. The applicant relates the ion source of the foreign article to metastable ion transition studies, ion-molecule studies and negative ion studies. We note that the intensity of metastable ions is principally a function of the length of the drift-free region in front of the magnet. The intensity of metastable ions may also be increased by increasing the pressure.

Negative ion capability. Negative ion capability is achieved by reversing the accelerating voltage and the magnet field, which is accomplished by reversing polarity by means of a switch. Providing the reversal of polarity is a common industry practice among mass spectrometer manufacturers and, as NBS noted, the Nuclide 12-90-G does provide for reversal of the polarity at the electric sector.

We, therefore, find that as of the date on which the applicant purchased the foreign article, an instrument of equivalent scientific value to the article for such purposes as the article is intended to be used was being manufactured in the United States. Accordingly, the application is denied.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc.71-10269 Filed 7-19-71;8:50 am]

UNIVERSITY OF MINNESOTA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the

Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00128-33-07520. Applicant: University of Minnesota, Office of the Purchasing Agent, Minneapolis, Minn. 55455. Article: Microcalorimeter, Model 10700-2B. Manufacturer: LKB Produkter A.B., Sweden.

Intended use of article: The article will be used for research on the function of the protein hemoglobin including the use of gaseous reactants in the measurement of thermodynamic changes in the combination of oxygen with hemoglobin.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides capabilities for a precision of 0.1 percent and a sensitivity of one microcalorie. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated December 22, 1970, that the capabilities of precision and sensitivity are pertinent to the purposes for which the foreign article is intended to be used. HEW further advises, that it knows of no instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

SETH M. BODNER,
Director,

Office of Import Programs.

[FR Doc. 71-10263 Filed 7-19-71; 8:49 am]

**VETERANS' ADMINISTRATION
HOSPITAL, IOWA CITY, IOWA, ET AL.**
**Notice of Applications for Duty-Free
Entry of Scientific Articles**

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purpose for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the FEDERAL REGISTER.

Amended regulations issued under cited Act, as published in the October 14, 1969, issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C.

Docket No. 71-00473-33-46040. Applicant: Veterans' Administration Hospital, Highway 6, Iowa City, IA 52240. Article: Electron microscope, Model Elmiskop 101. Manufacturer: Siemens A.G., West Germany. Intended use of article: The article will be used to study the morphology of the spheroids in the cuneate and gracile nuclei in "old" animals, rats maintained on normal laboratory diet for at least 2 years; and to investigate the ultrastructure of the spheroids in the gracile and cuneate nuclei of man from tissue obtained from selected autopsies. Application received by Commissioner of Customs: April 1, 1971.

Docket No. 71-00474-33-07520. Applicant: Southern Illinois University, Department of Chemistry, Carbondale, Ill. 62901. Article: Batch microcalorimeter, conversion kit, and two Perpex pumps. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used to study a number of biologically important systems. Projects concern the interactions of small molecules with proteins, enzymes or other biological macromolecules; and macromolecular transformations accompanying conformational changes in proteins, lipids, and nucleic acids. Application received by Commissioner of Customs: April 1, 1971.

Docket No. 71-00475-00-42900. Applicant: Yale University, Purchasing Department, 260 Whitney Avenue, New Haven, CT 06520. Article: Two 48 percent cobalt steel pole-piece tips and two coils for magnet. Manufacturer: European Organization for Nuclear Research (CERN), Switzerland. Intended use of article: The articles are integral parts of an electromagnet for a polarized proton target, providing a high field (25KG) with reasonably high homogeneity and to be a very open structure to allow the output to be observed over a wide angular range. Application received by Commissioner of Customs: April 1, 1971.

Docket No. 71-00476-01-77030. Applicant: University of Rhode Island, Kingston, R.I. 02881. Article: NMR spectrometer, Model JNM-C-60-HL. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan. Intended use of article: The article will be used for research concerning intramolecular motion barriers; orientation and intramolecular forces in nematic liquid crystals; the structure of nucleosides; RNA structure in solution; squalene 2, 3-oxide cyclase systems; and hydrogen flourine long-range coupling. The instrument will be used in three undergraduate and graduate courses. Physical Methods in Inor-

ganic Chemistry, Applications of Chemical Data Processing, and Qualitative Organic Analysis. Application received by Commissioner of Customs: April 2, 1971.

Docket No. 71-00477-33-46500. Applicant: Mayo Foundation, 200 First Street Southwest, Rochester, NY 55901. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used for studies on viral diseases of the skin, tumors of the skin, ultrastructural histochemical techniques of the skin, and immuno-ultrastructural techniques of the skin in progress. Educational use will be in courses in graduate training and for thesis work investigating biologic and pathologic problems of the skin by ultrastructural methods. Application received by Commissioner of Customs: April 2, 1971.

Docket No. 71-00478-33-46040. Applicant: The University of Arizona, Arizona Medical Center, 1501 North Campbell Avenue, Tucson, AZ 85724. Article: Electron microscope, Model HU-12. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for research, teaching and diagnosis. Projects concern the examination of biopsy material from living patients: muscle, kidney, brain and other tissues. Slow virus infections, the reaction of human tissues to drugs, and microtubules obtained from homogenates of brain will also be studied. Application received by Commissioner of Customs: April 5, 1971.

Docket No. 71-00479-33-46500. Applicant: The University of Connecticut, Storrs, Conn. 06268. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used for studies of unicellular algae, endocrine glands of fish, cutaneous receptor organs of fish, oviducts of birds, electric organs of electric eels, cell membranes of micro-organisms, plant viruses, bacterial viruses, and nerve sheaths. Research concerns the structures of normal materials and experimentally treated materials. Application received by Commissioner of Customs: April 5, 1971.

Docket No. 71-00481-81-80500. Applicant: University of California, Los Alamos Scientific Laboratory, Post Office Box 990, Los Alamos, NM 87544. Article: Two each Blackbody standard radiation lamps. Manufacturer: General Electric Co., Ltd., United Kingdom. Intended use of article: These lamps are used as primary standards of temperature for the calibration of manual-balancing and automatic optical pyrometers. Application received by Commissioner of Customs: April 5, 1971.

Docket No. 71-00483-33-46040. Applicant: The Johns Hopkins University, Purchasing Department, Charles and 34th Streets, Baltimore, MD 21218. Article: Electron microscope, Model JEM-T8. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan. Intended use of article: The article will

be used for the examination of biological tissue in relation to research about the nervous systems, genetics, protein synthesis, and the action of muscles. Electron microscopy in biology for undergraduates and laboratory problems in biophysics for postgraduates are courses in which the instrument will be used as a teaching tool. Application received by Commissioner of Customs: April 7, 1971.

Docket No. 71-00484-33-46040. Applicant: The University of Texas, Medical School at Houston, 102 Jesse H. Jones Library Building, Houston, Tex. 77025. Article: Electron microscope, Model HU-12. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for research on the mammalian central nervous system, autonomic ganglia and adrenal medulla. Cytochemical localization of neurohormones (serotonin, norepinephrine, dopamine) and associated enzymes will be studied. Rat and monkey nervous tissue studies will be made to identify the above compounds in the normal state and under the influence of drugs and stress. Application received by Commissioner of Customs: April 7, 1971.

Docket No. 71-00485-33-46500. Applicant: The Milton S. Hershey Medical Center, The Pennsylvania State University, Department of Microbiology, Hershey, Pa. 17033. Article: Ultramicrotome, Model LKB 4800A. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used for studies of tumor virus and their implications in human cancers. Among the virus groups being studied are the Herpes virus group and other DNA oncogenic viruses. Electron microscopy, a course in the ultrastructural approach to microbiological systems, will be offered to graduate and medical students. Application received by Commissioner of Customs: April 7, 1971.

Docket No. 71-00486-46500. Application: Miami University, Oxford Ohio 45056. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used for research directed toward the production by cells of secretory materials, both for digestion and for formation of connective tissue matrices. Another project concerns the production of structures within spermatocyte nuclei and the investigation of their biochemical constituents. Application received by Commissioner of Customs: April 8, 1971.

Docket No. 71-00487-33-46500. Applicant: College of Medicine and Dentistry of New Jersey at Newark, 100 Bergen Street, Newark, NJ 07103. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used to study biological materials, mainly embryonic hearts that exhibit normal and pathological structures after the administration of various teratogens, especially nicotine. Research will be concentrated on the development of heart with special emphasis on the endocardial cushion tissue. Application received by Commissioner of Customs: April 8, 1971.

Docket No. 71-0488-33-46040. Applicant: State University of New York at Buffalo, 3435 Main Street, Buffalo, N.Y. 14214. Article: Electron microscope, Model Elmiskop 101. Manufacturer: Siemens A.G., West Germany. Intended use of article: The article will be used for the study of antigen-antibody reactions in biological specimens with the aid of immunoferritin techniques and for studies concerning the fine morphologic structure of ferritin-antibody conjugates. A course covering electron microscopy procedures used in histopathologic and immunopathologic studies is offered to research workers (M.D. or Ph. D.). Application received by Commissioner of Customs: April 8, 1971.

Docket No. 71-00490-11-01350. Applicant: National Aeronautics and Space Administration, Langley Research Center, Hampton, Va. 23365. Article: One 15-inch chord NACA 651-213 Airfoil, to be fabricated from 17-4 stainless steel and tested at specified Mach numbers, angles of attack and Reynolds numbers. Manufacturer: Canadian Commercial Corp., Canada. Intended use of article: The article will be used for two-dimensional studies of the effects of Reynolds number and boundary-layer transition location on shock-induced separation. Application received by Commissioner of Customs: April 9, 1971.

Docket No. 71-00491-33-46040. Applicant: University of North Carolina, Chapel Hill, N.C. 27514. Article: Electron microscope with X-ray microanalyzer, Emma-4. Manufacturer: AEI Scientific Apparatus, Ltd., United Kingdom. Intended use of article: The article will be used for the study of fine structure and micro elementary analysis of spermatozoa, ova, early developing embryos, and other biological specimens utilized in research in reproductive biology. Living materials taken from animals and plants will be used for the experiments which involve the detection and the measurement of specific species of atoms in various small volumes of cells and tissues. Application received by Commissioner of Customs: April 9, 1971.

Docket No. 71-00492-00-41200. Applicant: University of California, Los Alamos Scientific Laboratory, Post Office Box 990, Los Alamos, NM 87544. Article: Oscillator tube, Model VKE2409B2. Manufacturer: Varian Associates of Canada, Canada. Intended use of article: The article will be used in an experiment to uniquely assign the angular momentum quantum numbers to the various states formed in the fissioning nucleus. Application received by Commissioner of Customs: April 12, 1971.

Docket No. 71-00493-01-34040. Applicant: University of Utah, Purchasing Department, Salt Lake City, Utah 84111. Article: Microtron MK II microwave power generator. Manufacturer: Electra Medical Supply, United Kingdom. Intended use of article: The article will be used for research on vacuum ultraviolet photochemistry, behavior under irradiation with vacuum ultraviolet light, and photoionization and photodecomposition of small molecules in the gas phase. Ap-

plication received by Commissioner of Customs: April 12, 1971.

Docket No. 71-00494-33-46500. Applicant: William H. Singer Memorial Research Institute, 320 East North Avenue, Pittsburgh, PA 15212. Article: Ultramicrotome, Model OmU2. Manufacturer: C. Reichert Optische Werke A.G., Austria. Intended use of article: The article will be used to prepare ultrathin sections of the following types of cells of tissues: LLC-MK2, BHK, Vero, WI-38 and HeLa cells containing several types of oncogenic simian adenoviruses or Herpes virus; institial cells of Leydig; chick myocardial cells; and human malignant blue nevi (and other melanotic tumors), hilar cell tumors and synovial sarcomas. Application received by Commissioner of Customs: April 12, 1971.

Docket No. 71-00503-01-77030. Applicant: University of Massachusetts, Amherst, Mass. 01002. Article: NMR Spectrometer, Model HX-90, and pulse unit. Manufacturer: Bruker Scientific, Inc., West Germany. Intended use of article: The article will be used to study amino acids, peptides, proteins, purines, pyrimidines, nucleosides, nucleotides, oligonucleotides, polyribonucleotides, polydeoxyribonucleotides, nucleic acids, pentoses, hexoses, and polysaccharides. Application received by Commissioner of Customs: April 16, 1971.

Docket No. 71-00504-33-46050. Applicant: The Ohio State University, Department of Medical Microbiology, 190 North Oval Drive, Columbus, OH 43210. Article: Electron microscope, Model HU-12. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for research concerning bacteriophage; virus associated phenomena; and for the examination of cellular and subcellular membranes by histochemical and immunological techniques. Educational use includes five courses in Medical Microbiology. Application received by Commissioner of Customs: April 20, 1971.

Docket No. 71-00505-65-46070. Applicant: The Regents of the University of California, c/o The Purchasing Office, Post Office Box 112, Riverside, CA 92502. Article: Scanning electron microscope, Model JSM-U3A. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan. Intended use of article: The article will be used for plant pathology research on cell wall fiber development on encystment of fungus spores; germination of fungus spores on and their penetration of leaf and fruit tissue, and the effects of fungicides on this process; and the stem-pitting phenomenon in woody tissues of citrus induced by certain viruses. Other studies concern carbonate petrology and clay minerals. Application received by Commissioner of Customs: April 20, 1971.

Docket No. 71-00507-00-84300. Applicant: University of Rochester, River Station, Rochester, N.Y. 14627. Article: Wind tunnel balance, Model 528. Manufacturer: T.E.M. Instruments, United Kingdom. Intended use of article: The article will be used with an existing MAS wind tunnel in order to investigate aerodynamic forces on aircraft in subsonic

flight. Application received by Commissioner of Customs: April 20, 1971.

SETH M. BODNER,
Director,
Office of Import Programs.

[FR Doc.71-10262 Filed 7-19-71;8:49 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[DESI 7832]

PERIPHERAL VASODILATORS FOR ORAL ADMINISTRATION

Drugs for Human Use; Drug Efficacy Study Implementation.

The Food and Drug Administration has evaluated reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following peripheral vasodilators for oral use:

1. Arlidin Tablets, containing nylidrin hydrochloride; USV Pharmaceutical Corp., Scarsdale Road, Tuckaheo, New York 10707 (NDA 9-367).

2. Paveril Phosphate Powder and Paveril Phosphate Tablets, both containing dioxylone phosphate; Eli Lilly and Co., Post Office Box 618, Indianapolis, Indiana 46206 (NDA 7-832).

3. Cyclospasmol Capsules and Cyclospasmol Tablets, both containing cyclandelate; Ives Laboratories, Inc., 685 Third Avenue, New York, New York 10017 (NDA 11-544).

These drugs are regarded as new drugs. The effectiveness classification and marketing status are described below.

A. *Effectiveness classification.* The Food and Drug Administration has considered the Academy's reports, as well as other available evidence, and concludes that:

1. The above-listed drugs are possibly effective for their labeled indications other than those described below.

2. Nylidrin hydrochloride (oral) lacks substantial evidence of effectiveness for the indications: cerebrovascular disorders such as arteriosclerosis, other ischemic disturbances of the brain and eye, and livedo reticularis.

3. Dioxylone phosphate (oral) lacks substantial evidence of effectiveness for its labeled indication: The relaxation of reflex spasm of blood vessels in coronary thrombosis.

4. Cyclandelate (oral) lacks substantial evidence of effectiveness for the treatment of cerebral thrombosis; vasospastic or occlusive cerebral vascular disease; relief from head noises, ringing in the ears, chronic headache, feeling of weakness, unsteady gait, mental confusion, temporary fluctuations in hearing acuity, poor memory, and slurred speech; prophylaxis against circulatory embarrassment, particularly when the diminished circulation is associated with spasm of the vascular wall; in therapy for mark-

edly impaired peripheral or cerebral circulation; and leg ulceration and gangrene.

B. *Marketing status.* 1. Within 60 days of the date of publication of this announcement in the FEDERAL REGISTER, the holder of any previously approved new-drug application for a drug described in paragraph A above is requested to submit a supplement to his application to provide for revised labeling, as needed, which deletes those indications for which such drug has been classified as lacking substantial evidence of effectiveness. Such supplement should be submitted under the provisions of § 130.9 (d) and (e) of the new-drug regulations (21 CFR 130.9 (d) and (e)), which permit certain changes to be put into effect at the earliest possible time, and the revised labeling should be put into use within the 60-day period. Failure to do so may result in a proposal to withdraw approval of the new-drug application.

2. If any such preparation is on the market without an approved new-drug application, its labeling should be revised if it includes those claims for which substantial evidence of effectiveness is lacking as described in paragraph A above. Failure to delete such indications and put the revised labeling into use within 60 days after the date of publication hereof in the FEDERAL REGISTER may cause the drug to be subject to regulatory proceedings.

3. The notice "Conditions for Marketing New Drugs Evaluated in Drug Efficacy Study," published in the FEDERAL REGISTER, July 14, 1970 (35 F.R. 11273), describes in paragraphs (d), (e), and (f) the marketing status of a drug labeled with those indications for which it is regarded as possibly effective.

The above-named holders of the new drug applications for these drugs have been mailed a copy of the Academy's report. Any interested person may obtain a copy of these reports by writing to the Press Relations Office (CE-200), Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.

Communications forwarded in response to this announcement should be identified with the reference number DESI 7832, directed to the attention of the following appropriate office, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20852:

Supplements (identify with NDA number):
Office of Scientific Evaluation (BD-100),
Bureau of Drugs.

Original new-drug applications: Office of
Scientific Evaluation (BD-100), Bureau of
Drugs.

All other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD-5), Bureau of Drugs.

This notice is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: June 21, 1971.

CHARLES C. EDWARDS,
Commissioner of Food and Drugs.
[FR Doc.71-10219 Filed 7-19-71;8:45 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-394]

CALIFORNIA STATE POLYTECHNIC COLLEGE

Notice of Receipt of Application for Construction Permit and Facility License

The California State Polytechnic College (CSPC) at San Luis Obispo, Calif., has filed an application dated May 30, 1971, pursuant to section 104.c of the Atomic Energy Act of 1954, as amended, for the necessary licenses to receive, construct and operate the AGN-201 (Serial No. 100) nuclear reactor presently located at the U.S. Naval Postgraduate School in Monterey, Calif., and to receive the fuel for the facility. The reactor will be constructed on CSPC's campus in San Luis Obispo, Calif., and is proposed for operation at a power level of 100 milliwatts for educational training and research.

A copy of the application is available for public inspection in the Atomic Energy Commission's Public Document Room at 1717 H Street NW., Washington, DC.

Dated at Bethesda, Md., this 7th day of July 1971.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor
Operations, Division of Reactor
Licensing.

[FR Doc.71-10220 Filed 7-19-71;8:45 am]

FAST FLUX TEST FACILITY

Notice of Availability of Draft Environmental Statement

Notice is hereby given that a document entitled, "Draft Environmental Statement—Fast Flux Test Facility (FFTF)," issued pursuant to the Atomic Energy Commission's implementation of section 102(2)(C) of the National Environmental Policy Act of 1969 is being placed in the Commission's Public Document Room, 1717 H Street NW., Washington, DC 20545, and in the Commission's Richland Operations Office, Post Office Box 550, Richland, WA 99352; the San Francisco Operations Office, 2111 Bancroft Way, Berkeley, CA 94704; the Chicago Operations Office, 9800 South Cass Avenue, Argonne, IL 60439; and the New York Operations Office, 376 Hudson Street, New York, NY 10014. This statement is issued in support of the AEC's proposed administrative action covering the design and construction of the Fast Flux Test Facility to be located at the AEC's Hanford Reservation.

The draft environmental statement will be furnished upon request addressed to the Assistant General Manager for Operations, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at Washington, D.C., this 14th day of July 1971.

For the Atomic Energy Commission.

W. B. McCool,
Secretary of the Commission.

[FR Doc. 71-10221 Filed 7-19-71; 8:45 am]

[Docket No. 50-135]

WALTER REED ARMY MEDICAL CENTER

Order Authorizing Dismantling of Facility

By application dated June 3, 1971, the Walter Reed Army Medical Center requested authorization to remove the fuel solution from its research reactor located in northwest Washington, D.C., and to dismantle the facility and dispose of its component parts and fuel.

The Commission has reviewed the application in accordance with the provisions of the Commission's regulations and has found that the fuel removal, dismantlement and decontamination of the facility site, and disposal of the component parts and fuel will be accomplished in accordance with the Commission's regulations in 10 CFR Ch. I and the application, and will not be inimical to the common defense and security or to the health and safety of the public.

Accordingly, it is hereby ordered that Walter Reed Army Medical Center may proceed with the removal of the fuel solution and thereafter, dismantlement and decontamination of the facility and disposal of the component parts and fuel of its reactor under Facility License No. R-85 in accordance with its application dated June 3, 1971.

Upon satisfactory completion of the removal of the fuel, disposal of the component parts and fuel, decontamination of the facility site, submission of a report by Walter Reed describing the condition of the remaining structure, and an inspection by representatives of the Commission, consideration will be given to the issuance of an order terminating Facility License No. R-85.

This order is effective as of its date of issuance.

For the Atomic Energy Commission.

Date of issuance: July 6, 1971.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[FR Doc. 71-10222 Filed 7-19-71; 8:46 am]

LIQUID METAL FAST BREEDER REACTOR DEMONSTRATION PLANT

Notice of Availability of Draft Environmental Statement

Notice is hereby given that a document entitled, "Draft Environmental State-

ment—Liquid Metal Fast Breeder Reactor (LMFBR) Demonstration Plant," issued pursuant to the Atomic Energy Commission's implementation of section 102(2)(C) of the National Environmental Policy Act of 1969 is being placed in the Commission's Public Document Room, 1717 H Street NW., Washington, DC 20545, and in the Commission's San Francisco Operations Office, 2111 Bancroft Way, Berkeley, CA 94704; the Chicago Operations Office, 9800 South Cass Avenue, Argonne, IL 60439; and the New York Operations Office, 376 Hudson Street, New York, NY 10014. This statement is being issued in support of a proposed administrative action of participating in a cooperative arrangement for the first LMFBR Demonstration Plant.

The draft environmental statement will be furnished upon request addressed to the Assistant General Manager for Operations, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at Washington, D.C., this 14th day of July 1971.

For the Atomic Energy Commission.

W. B. McCool,
Secretary of the Commission.

[FR Doc. 71-10260 Filed 7-19-71; 8:49 am]

CIVIL AERONAUTICS BOARD

[Dockets Nos. 21604, 21695]

ALOHA AIRLINES, INC., AND HAWAIIAN AIRLINES, INC.

Enforcement Proceeding; Notice of Postponement of Hearing

Notice is hereby given that the hearing in the above-entitled proceeding is indefinitely postponed.

Dated at Washington, D.C., July 14, 1971.

[SEAL] MILTON H. SHAPIRO,
Hearing Examiner.

[FR Doc. 71-10247 Filed 7-19-71; 8:47 am]

[Docket No. 23333; Order 71-7-74]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Cargo Rate Matters

Issued under delegated authority July 14, 1971.

An agreement has been filed with the Board pursuant to section 4112(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conference 1-2 of the International Air Transport Association (IATA). The agreement, which was adopted for early effectiveness at the IATA worldwide cargo rate conference in Singapore, May-June 1971, has been assigned the above-designated CAB agreement number.

The agreement incorporates a procedural resolution which would enable carriers to establish, by notification to other IATA carriers and without a substantiation form, specific commodity rates for application on Mid and South Atlantic routes in accordance with current construction principles but at a level which is 5 cents per kilogram higher in the case of construction by use of IATA-agreed Western Hemisphere general cargo rates in conjunction with current North Atlantic specific commodity rates.

The intent of the resolution as it would relate to points in Puerto Rico and the U.S. Virgin Islands is unclear. In this connection, we note that IATA considers the Mid Atlantic to encompass transatlantic matters involving these U.S. points. However, since the construction of specific commodity rates for Puerto Rico or the Virgin Islands would require the use of domestic rates to/from New York in conjunction with North Atlantic specific commodity rates, the language of the resolution does not appear to have the effect of applying a 5 cents per kilogram increase in these cases. In view of the ambiguity involved, our proposed approval of the resolution will be conditioned so as to require that the implementation of any specific commodity rate to/from U.S. points pursuant to the procedures contemplated in the instant resolution shall be preceded by a filing as an agreement pursuant to section 412(a) of the Act and approval by the Board.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found, on a tentative basis, that the following resolution, incorporated in the agreement indicated, is adverse to the public interest or in violation of the Act: *Provided, That, eventual approval is subject to the condition hereinafter stated:*

Agreement CAB	IATA No.	Title	Application
22460; R-7	590r	JT12 Specific Commodity Rates (Mid and South Atlantic) (Expedited) (New).	1/2

Provided, That rates established to/from points in Puerto Rico and the U.S. Virgin Islands pursuant to said resolution shall be filed with the Board as agreements under sec. 412 of the Federal Aviation Act of 1958 and approved by the Board prior to being placed in effect.

Accordingly, it is ordered, That: Action on Agreement CAB 22460, R-7, be and hereby is deferred, with a view toward eventual approval subject to the condition herein stated.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may, within 10 days after the service of this order, file such petitions in support of or

in opposition to our proposed action herein.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[FR Doc.71-10248 Filed 7-19-71;8:48 am]

FEDERAL MARITIME COMMISSION

ALBA FORWARDING CO., INC., AND
BARCO INTERNATIONAL CORP.

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. I. R. Hasson, President, Alba Forwarding Co., Inc., 30 Vesey Street, New York, NY 10007.

Agreement FF 71-6 between Alba Forwarding Co., Inc., and Barco International Corp., is intended to secure Federal Maritime Commission approval whereby Alba Forwarding Co., Inc., and Barco International Corp., would invest an equal amount of money to finance and create a new freight forwarder corporation in the Commonwealth of Puerto Rico under the name of Albarco International (PR), Inc. Albarco International (PR), Inc. is an applicant for an independent ocean freight forwarders license. The management of the new

corporation will be exercised by the present personnel of Alba Forwarding Co., Inc., and Barco International Corp.

Dated: July 14, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.71-10273 Filed 7-19-71;8:50 am]

AMERICAN PRESIDENT LINES, LTD.,
AND SEATRAN LINES, INC.

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. Fermin Mendez, Rate Manager, Seatrain Lines, Inc., Port Seatrain, Weehawken, N.J. 07087.

Agreement No. 9590-1 modifies the basic transshipment agreement between American President Lines, Ltd. (APL), and Seatrain Lines, Inc., by adding Baltimore, Norfolk, and Charleston as transshipment points with respect to cargo moving from Puerto Rico to APL's ports of call in South Vietnam.

Dated: July 15, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.71-10272 Filed 7-19-71;8:50 am]

FEDERAL POWER COMMISSION

[Docket No. R171-1062, etc.]

ATLANTIC RICHFIELD CO. ET AL.

Order Amending Suspension Order

JULY 8, 1971.

By order issued June 2, 1971, in the above-entitled proceedings, the Commission suspended in Docket No. R171-1078 a proposed increased rate of 20.9 cents per Mcf, designated as Supplement No. 4 to Texaco, Inc. (Texaco), FPC Gas Rate Schedule No. 103, for 5 months until November 10, 1971. The proposed rate which relates to a sale in the Oklahoma other area was suspended for 5 months because it was then thought that the filing exceeded the 22.375 cents per Mcf filing limitation established for flowing gas in southern Louisiana, when adjusted for differences in pressure base and State tax in the Oklahoma other area. Prior to May 1, 1971, such differences resulted in a ceiling of 20.6 cents per Mcf for sales in the Oklahoma other area. However, the State of Oklahoma increased its production tax from 5 percent to 7 percent effective as of May 1, 1971. As a result of this new tax increase, the corresponding rate ceiling in the Oklahoma other area was increased to 21 cents per Mcf. Since Texaco's proposed rate does not exceed the new 21 cents per Mcf ceiling, we believe it appropriate to shorten the suspension period for such filing to July 11, 1971, which is 61 days from the date of filing.

The Commission orders: For the reasons set forth above, Supplement No. 4 to Texaco's FPC Gas Rate Schedule No. 103 is suspended until July 11, 1971, in Docket No. R171-1078, in lieu of the suspension period provided in the order issued June 2, 1971, in the above-entitled proceedings.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.71-10242 Filed 7-19-71;8:47 am]

[Docket No. CP71-147]

CUMBERLAND AND ALLEGHENY
GAS CO.

Notice of Petition To Amend

JULY 12, 1971.

Take notice that on June 25, 1971, Cumberland and Allegheny Gas Co. (petitioner), 800 Union Trust Building, Pittsburgh, PA 15219, filed in Docket No. CP71-147 a petition to amend the order of the Commission issuing a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act on April 13, 1971, by increasing the maximum authorized daily deliveries of natural gas to Columbia Gas of West Virginia, Inc. (Columbia), all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner states that it has been informed by Columbia that the requirements of the 1971-72 winter heating season will be in excess of Columbia's current authorized maximum daily delivery limitation. Therefore, petitioner proposes to increase the volume of natural gas sold and delivered to Columbia from 19,800 Mcf per day to 20,600 Mcf per day. Petitioner states that its existing facilities have sufficient capacity to deliver the additional volumes proposed herein.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before August 2, 1971, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.71-10244 Filed 7-19-71;8:47 am]

FEDERAL RESERVE SYSTEM

FIDELITY AMERICAN BANKSHARES, INC.

Notice of Applications for Approval of Acquisition of Shares of Banks

Notice is hereby given that applications have been made, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), by Fidelity American Bankshares, Inc., which is a bank holding company located in Lynchburg, Va., for prior approval by the Board of Governors of the acquisition by applicant of:

- (1) 80 percent or more of the voting shares of the Peoples Bank of Gretna, Culpeper, Va.;
- (2) 80 percent or more of the voting Gretna, Va., and
- (3) 80 percent or more of the voting shares of the Metompkin Bank and Trust Co., Parksley, Va.

Section 3(c) of the Act provides that the Board shall not approve:

- (1) Any acquisition or merger or consolidation under section 3 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 section 3 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 the Board 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 acquisitions 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. The applications may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Richmond.

By order of the Board of Governors,
July 14, 1971.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[FR Doc.71-10224 Filed 7-19-71;8:46 am]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THE REPUBLIC OF CHINA

Entry or Withdrawal From Warehouse for Consumption

JULY 14, 1971.

On July 7, 1971, there was published in the FEDERAL REGISTER (36 F.R. 12816), a letter dated June 29, 1971, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, establishing levels of restraint applicable to certain specified categories of cotton textiles and cotton textile products produced or manufactured in the Republic of China and exported to the United States during the 8-month period beginning January 1, 1971. As set forth in that letter, the levels of restraint are subject to adjustment pursuant to paragraphs 5 and 15 of the bilateral cotton textile agreement of October 12, 1967, as amended and extended, between the Governments of the United States and the Republic of China, which provide that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than five (5) percent; and for the limited carryover of shortfalls in certain categories to the next agreement year. The aforementioned letter also provided that any such adjustment in the levels of restraint would be made to the Commissioner of Customs by letter from the

Chairman of the Interagency Textile Administrative Committee.

Accordingly, at the request of the Government of the Republic of China and pursuant to the provisions of the bilateral agreement referred to above, there is published below a letter of July 14, 1971, from the Chairman of the Interagency Textile Administrative Committee to the Commissioner of Customs amending the level of restraint applicable to cotton textile products in Category 53 for the 8-month period which began on January 1, 1971.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee,
and Deputy Assistant Secretary for Resources.

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

Commissioner of Customs,
Department of the Treasury,
Washington, D.C. 20226.

JULY 14, 1971.

DEAR MR. COMMISSIONER: On June 29, 1971, the Chairman of the President's Cabinet Textile Advisory Committee, directed you to prohibit entry of cotton textiles and cotton textile products in certain specified categories, produced or manufactured in the Republic of China, and exported to the United States on or after January 1, 1971, in excess of the designated levels of restraint. The Chairman further advised you that in the event that there were any adjustments¹ in the levels of restraint you would be so informed by letter from the Chairman of the Interagency Textile Administrative Committee.

Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to paragraphs five (5) and fifteen (15) of the bilateral cotton textile agreement of October 12, 1967, as amended and extended, between the Governments of the United States and the Republic of China, in accordance with Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, and under the terms of the aforementioned directive of June 29, 1971, the level of restraint provided in that directive for cotton textile products in Category 53, produced or manufactured in the Republic of China and exported from the Republic of China to the United States, for the period beginning January 1, 1971, and extending through August 31, 1971, is hereby amended as follows, to be effective as soon as possible:

Category:	Amended 8-month level of restraint ²
53	dozen .. 10,425

The actions taken with respect to the Government of the Republic of China and with respect to imports of cotton textiles

¹ The term "adjustments" refers to those provisions of the bilateral cotton textile agreement of Oct. 12, 1967, as amended and extended, between the Governments of the United States and the Republic of China which provide in part that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than five (5) percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements.

² This level has not been adjusted to reflect entries made on or after Jan. 1, 1971.

products from the Republic of China have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. V, 1965-69). This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and
Deputy Assistant Secretary for Resources.

[FR Doc.71-10270 Filed 7-19-71;8:50 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

BARR FINANCIAL, LTD.

Order Suspending Trading

JULY 13, 1971.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Barr Financial Ltd. (a California corporation), and all other securities of Barr Financial Ltd., 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 July 13, 1971, 4:30 p.m., e.d.t., through July 22, 1971.

By the Commission.

[SEAL] THEODORE L. HUMES,
Associate Secretary.

[FR Doc.71-10227 Filed 7-19-71;8:46 am]

[70-5039]

COLUMBIA GAS SYSTEM, INC., AND COLUMBIA GAS TRANSMISSION CORP.

Proposed Issue and Sale of Notes and Acquisition of Notes

JULY 14, 1971.

Notice is hereby given that Columbia Gas System, Inc. (Columbia), a registered holding company, and one of its nonutility subsidiary companies, Columbia Gas Transmission Co. (Transmission), 20 Montchanin Road, Wilmington, DE 19807, have filed with this Commission an application-declaration and amendments thereto pursuant to the Public Utility Holding Company Act of 1935 (Act), designating sections 6, 7, 9, 10, and 12(b) of the Act and Rules 42 and 45 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the

amended application-declaration, which is summarized below, for a complete statement of the proposed transactions.

The proposed transactions relate to a program of Columbia to supplement its sources of natural gas supply through the importation of gas from Prudhoe Bay, Alaska. To implement such program, agreements have been entered into with BP Oil Corp. (BP), an indirect wholly owned subsidiary company of The Standard Oil Company of Ohio (SOHIO), BP, which owns a number of leases in Prudhoe Bay on which substantial oil and gas reserves have been found, requires substantial capital to finance further development of the properties, not including any pipelines. Columbia, through Transmission, has agreed to advance part of such required capital in consideration for a call on the gas therein. Essentially, the proposed transactions involve Columbia obtaining bank loans of up to \$200 million, lending equal amounts to Transmission, which in turn will advance such amounts to BP. Effectuation of these transactions requires six major agreements, described below, among the various companies involved.

BP and Transmission have entered into an agreement for the sale and purchase of crude oil (Crude Oil Agreement) which provides for advances by Transmission to BP of up to \$200 million prior to July 1, 1975, and the delivery by BP to Transmission of an amount of crude oil which, when sold, will generate proceeds of \$200 million plus interest and other related costs. It is anticipated that oil deliveries will precede gas deliveries from Prudhoe Bay. An agency agreement has also been entered into between BP and Transmission whereby BP will sell the oil for the account of Transmission. SOHIO has entered into a guaranty agreement (Guaranty) with Transmission whereby SOHIO unconditionally guarantees, as primary obligor, the performance of all BP's contractual obligations.

In order to provide Transmission with funds necessary to make the advances, Columbia has obtained commitments from the banks and in the amounts listed below:

First National City Bank, New York	\$75,000,000
The Chase Manhattan Bank, NA, New York	40,000,000
Chemical Bank, New York	25,000,000
Morgan Guaranty Trust Company of New York	25,000,000
Bankers Trust Company, New York	17,500,000
Manufacturers Hanover Trust Co., New York	17,500,000
Total	200,000,000

Columbia and Transmission have entered into an agreement with the above-named banks (Credit Agreement) which provides for the issuance and sale by Columbia of notes thereto which will be subordinated to Columbia's existing debentures and to such other debentures as may be sold during the term of the bank loans. The terms of Transmission's notes

to Columbia will be identical to those in Columbia's notes to the banks.

The notes to the banks will bear interest at a rate of one-fourth of 1 percent above the nominal prime rate of First National City Bank (FNCB) until June 30, 1975, and thereafter at one-half of 1 percent above the FNCB nominal prime rate. Columbia will be obligated to pay a commitment fee of 1 percent per annum on the unused portion of the total \$200 million commitment. The schedule for anticipated borrowings is identical with the schedule for Transmission's obligation to make advances to BP under the Crude Oil Agreement, which is as follows:

Up to \$60 million, prior to July 1, 1972.
Up to \$120 million, prior to July 1, 1973.
Up to \$170 million, prior to July 1, 1974.
Up to \$200 million, prior to July 1, 1975.

Transmission's commitment is subject to the condition that after it has advanced \$60 million to BP, no further payments need be made until final authorizations have been obtained for construction of the necessary crude oil pipelines, and such authorizations must be obtained by July 1, 1975. Under Columbia's agreement with the bank, it will pay the notes in 14 consecutive quarterly installments commencing approximately 9 months after the commitments have been terminated or April 1, 1976, whichever occurs earlier. The banks will require the maintenance of compensating balances equal to 20 percent of the outstanding loan, plus 10 percent of the amounts committed for in the next 12-month period. SOHIO has agreed to maintain the balances required by Chase Manhattan Bank, NA, which constitutes 20 percent of the total obligation. Any balances maintained by companies in the Columbia System in the remaining banks will be credited toward Columbia's obligation for maintenance of compensating balances in those banks.

The terms of the Crude Oil Agreement, which are designed to permit the liquidation of Transmission's advances to BP over a period of 3½ years, provide that the maximum monthly payment of BP will be an amount equal to 2.7 percent of the amounts advanced, plus accrued interest and certain designated costs of Transmission. The payment will be determined when deliveries of crude oil have commenced, but not later than October 1975. At the latest, the date when quarterly payments will be made by BP is January 1, 1976, except that payments will not be made except out of proceeds from the sale of crude oil. If, on January 1, 1976, oil is not yet being delivered, the maximum monthly payment, computed quarterly, will not be made but will constitute a deficit, to be accumulated until oil is delivered, at which time up to 50 percent of the proceeds of delivered crude oil will be available to pay the maximum monthly payments then due, plus the cumulative deficit.

There are at present several companies studying alternative means of delivering natural gas from Prudhoe Bay, but no definitive pipeline route has been established. Construction of any natural gas

pipeline in the United States will have to be certified by the Federal Power Commission, and any section in Alaska will require approval by that State. Authorization from several agencies in Canada will also be required for the Canadian segment. With respect to a proposed oil pipeline from Prudhoe Bay to Valdez, Alaska, it is stated that authorization is required from the U.S. Department of Interior, such authorization being anticipated in 1971, and from the State of Alaska. It is further stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. A statement of the estimated fees and expenses to be incurred in connection therewith will be supplied by amendment.

Notice is further given that any interested person may, not later than 12 m., July 28, 1971, request in writing that a hearing be held on such matter stating the nature of his interest, the reasons for such request and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

[SEAL] THEODORE L. HUMES,
Associate Secretary.

[FR Doc.71-10231 Filed 7-19-71; 8:46 am]

[70-5053]

DELMARVA POWER & LIGHT CO.

Notice of Proposed Issue and Sale of Preferred Stock at Competitive Bidding

JULY 14, 1971.

Notice is hereby given that Delmarva Power & Light Co. (Delmarva), 600 Market Street, Wilmington, DE 19899, a registered holding company, has filed a declaration with this Commission, pursuant to the Public Utility Holding Company

Act of 1935 (Act), designating sections 6 and 7 of the Act and Rule 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

Delmarva proposes to issue and sell, subject to the competitive bidding requirements of Rule 50, 200,000 shares of its cumulative preferred stock, par value \$100 per share. The dividend rate of the preferred stock (which will be a multiple of 0.04 percent and the price, exclusive of accrued dividends, to be paid to Delmarva (which will be not less than \$100 per share nor more than \$102.75) will be determined by the competitive bidding. The terms of the preferred stock include a prohibition until September 1, 1976, against refunding the preferred stock, directly or indirectly, with funds derived from the issuance of debt securities at a lower effective interest cost or other preferred stock at a lower effective dividend cost.

The proceeds received from the issue and sale of the preferred stock will be used by Delmarva and its subsidiary companies in finance, in part, the cost of their 1971 construction program, estimated at \$114,229,000, and to pay all or a portion of unsecured short-term loans incurred prior to the sale of the preferred stock.

A statement of the fees and expenses to be incurred in connection with the proposed transaction will be filed by amendment. It is represented that the Public Service Commission of Delaware has jurisdiction over the proposed issue of preferred stock by Delmarva and that no other State commission or Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than August 9, 1971, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as

to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] THEODORE L. HUMES,
Associate Secretary.

[FR Doc.71-10229 Filed 7-19-71; 8:46 am]

[File No. 1-5737]

EASTERN & PACIFIC INDUSTRIES CORP.

Order Suspending Trading

JULY 13, 1971.

The common stock, 10 cents par value, of Eastern & Pacific Industries Corp. being traded on the National Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Eastern & Pacific Industries, Corp. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such security on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to sections 15 (c) (5) and 19(a) (4) of the Securities Exchange Act of 1934, that trading in such security on the above-mentioned exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period July 13, 1971, 4 p.m., e.d.t., through July 22, 1971.

By the Commission.

[SEAL] THEODORE L. HUMES,
Associate Secretary.

[FR Doc.71-10228 Filed 7-19-71; 8:46 am]

[File No. 1-4847]

ECOLOGICAL SCIENCE CORP.

Order Suspending Trading

JULY 13, 1971.

The common stock, 2 cents par value, of Ecological Science Corp. being traded on the American Stock Exchange, the Philadelphia - Baltimore - Washington Stock Exchange and the Pacific Coast Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Ecological Science Corp. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such security on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to sections 15 (c) (5) and 19(a) (4) of the Securities Exchange Act of 1934, that trading in such securities on the above-mentioned exchanges and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period July 14, 1971, through July 23, 1971.

By the Commission.

[SEAL] THEODORE L. HUMES,
Associate Secretary.

[FR Doc. 71-10226 Filed 7-19-71; 8:46 am]

[File No. 500-1]

HOTEL, INC.

Order Suspending Trading

JULY 13, 1971.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Hotel, Inc. (a Delaware corporation), and all other securities of Hotel, 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 July 13, 1971, 2 p.m., e.d.t., through July 22, 1971.

By the Commission.

[SEAL] THEODORE L. HUMES,
Associate Secretary.

[FR Doc. 71-10225 Filed 7-19-71; 8:46 am]

[812-2571]

INVESTORS COUNSEL, INC., AND CAPITAL SPONSORS, INC.

Notice of Filing of Amendment to Application for Exemption and Proposal To Rescind Previous Order for Hearing

JULY 14, 1971.

Notice is hereby given that Investors Counsel, Inc. (Counsel), and Capital Sponsors, Inc. (Sponsors), 2727 Allen Parkway, Houston, TX, the investment adviser and underwriter respectively of Capital Shares, Inc., Capital Investors Growth Fund, Inc., and Capamerica Fund, Inc. (formerly Capital Income Fund, Inc.) (collectively the "Funds"), all open-end investment companies registered under the Investment Company Act of 1940 (the "Act") have filed an amendment to their application under section 9(c) of the Act to request an order of final exemption from the provisions of section 9(a) of the Act.

On July 28, 1969, the Commission issued a notice of filing of an application by Counsel and Sponsors pursuant to sections 6(c) and 9(b) (now section 9(c)) of the Act, for an order of exemption from section 9(a) of the Act insofar

as that section might be applicable to preclude Counsel from serving as investment adviser and Sponsors from serving as underwriter of the Funds. The application was filed because International Systems & Controls Corp. (International) which controls Counsel and Sponsors, had been convicted of a violation of the margin requirements set forth in Federal Reserve Board Regulation T, promulgated pursuant to section 7 of the Securities Exchange Act of 1934. The facts are described in Investment Company Act Release No. 5757, published July 28, 1969.

Under these circumstances, absent an exemption, section 9(a) prohibited Counsel and Sponsors from serving the Funds as investment adviser and underwriter, respectively. Applicants do not concede that the section is applicable to this situation.

Section 9(c) of the Act provides that the Commission shall by order grant an exemption from the provisions of section 9(a) either unconditionally or on an appropriate temporary or other conditional basis if it is established that the prohibitions of section 9(a) are unduly or disproportionately severe or that the conduct of such person has been such as not to make it against the public interest or protection of investors to grant the exemption.

In their application for a temporary exemption applicants requested (1) a determination that section 9(a) does not apply to the circumstances of this case; (2) if (1) was not granted that a temporary order be entered exempting applicants from the provisions of section 9(a) pending determination of whether a final order should be granted; and (3) the issuance of a final order of exemption.

On July 28, 1969, the Commission determined that section 9(a) applied and issued an order granting a temporary exemption pursuant to section 9(b), now section 9(c). (Investment Company Act Release No. 5757, July 28, 1969.)

Applicants state that the transactions forming the basis of the indictment occurred in 1966, prior to the acquisition of control by International of Counsel and of Sponsors; that no individual holding any office in or serving as a director of or employed by Counsel or by Sponsors or by International was indicted and that the two directors of International who were named as co-conspirators hold no office in and are not involved in the operations of Counsel or Sponsors or the Funds; that International acted on advice of counsel in the transaction and that the case marked the first time that an alleged customer had been charged with a violation of Regulation T. International was convicted on July 24, 1969, and fined \$10,000.

Applicants have filed with the Commission a supplement to their application for exemption in which they state that certain conditions and limitations set forth in the temporary order have been observed. A further amendment to the application sets forth steps taken by International to preclude the recurrence of a situation like that described

in Investment Company Act Release 5757. The latter amendment also sets forth investment policies and various undertakings of the Funds designed to prevent such a situation from arising in the Funds. All interested persons are referred to the application on file with this Commission for a statement of the representations therein, which are summarized below.

The various steps and undertakings described in the amendment require a formal review by the boards of directors of International and of Capital Investors Growth Fund of all future borrowings or credit arrangements respecting the purchase or carrying of any security (other than an exempted security) which at the time is subject to the provisions of section 7 of the Securities Exchange Act of 1934, as amended, and the applicable regulations of the Board of Governors of the Federal Reserve System. In the case of International a written opinion with respect to the proposed borrowing or credit arrangement must be obtained from independent counsel as well. In addition, the application states that Capital Shares, Inc., and Capamerica Fund, Inc., may not, as a matter of fundamental policy, purchase securities on margin or borrow money except for temporary or emergency purposes.

The Commission has considered the matter and deems it appropriate in the public interest and in the interests of investors that public notice be given of the amendment to the aforesaid application. The Commission also deems it appropriate in the public interest and in the interest of investors that public notice be given stating if no request for hearing is received by the date set forth below, the Commission intends to rescind its previous order for hearing in this matter. Accordingly:

Notice is further given that any interested person may, not later than August 5, 1971, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service by affidavit (or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued

upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in the matter including the date of the hearing (if ordered) and any postponements thereof.

Notice is further given that if no request for hearing on the matter is received not later than August 5, 1971, at 5:30 p.m., in accordance with the procedure set forth above, the Commission at any time after said date may issue an order rescinding its prior order for hearing on this matter set forth in Investment Company Act Release No. 5757 (July 28, 1969).

By the Commission.

[SEAL] THEODORE L. HUMES,
Associate Secretary.

[FR Doc.71-10230 Filed 7-19-71;8:46 am]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATION FOR RELIEF

JULY 15, 1971.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 42248—*Polypropylene glycol to Memphis, Tenn.* Filed by M. B. Hart, Jr., agent (No. A6268), for interested rail carriers. Rates on polypropylene glycol, in tank carloads, as described in the application, from South Charleston, W. Va., to Memphis, Tenn.

Grounds for relief—Market competition.

Tariff—Supplement 142 to Traffic Executive Association—Eastern Railroads, agent, tariff ICC C-438. Rates are published to become effective on August 28, 1971.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.71-10252 Filed 7-19-71;8:48 am]

[Notice 330]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JULY 14, 1971.

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 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, ef-

fective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field office named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

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

MOTOR CARRIERS OF PROPERTY

No. MC 21455 (Sub-No. 23 TA), filed July 6, 1971. Applicant: GENE MITCHELL CO., 1106 Division Street, West Liberty, IA 52776. Applicant's representative: Kenneth F. Dudley, Post Office Box 279, Ottumwa, IA 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pre-cut homes, materials, and hardware*, from Schererville, Ind., to points in Illinois, Iowa, Kentucky, Michigan, Missouri, Ohio, Tennessee, and Wisconsin, for 180 days. Supporting shipper: Lindal Cedar Homes (M. W.), Inc., 999 Route 41, Schererville, IN 46375. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 34227 (Sub-No. 7 TA), filed July 6, 1971. Applicant: PACIFIC INLAND TRANSPORTATION COMPANY, 15 South Broadway, Cortez, CO 81321. Applicant's representative: David R. Parker, Post Office Box 82028, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, equipment, materials, and supplies, used in the conduct of such business, and exempt commodities as defined in section 203(b)(6) of the Interstate Commerce Act, when moving in mixed loads with the aforementioned nonexempt commodities, from Alameda, Butte, Monterey, Orange, Sacramento, San Joaquin, Santa Clara, and Stanislaus Counties, Calif., to points in New Mexico, under a continuing contract with Associated Grocers of Colorado, Inc., for 180 days. Supporting shipper: Associated Grocers of Colorado, Inc., 5600 Second Street NW., Albuquerque, NM. Send protests to: District Supervisor Herbert C. Ruoff, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.*

No. MC 52465 (Sub-No. 40 TA), filed July 6, 1971. Applicant: RICE TRUCK

LINES, Post Office Box 2644, 1627 Third Street NW., Great Falls, MT 59401. Applicant's representative: John S. Rice (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ores and concentrates*, from points in Shoshone County, Idaho, to Lewis and Clark County, Mont., for 180 days. Supporting shipper: American Smelting and Refining Co., 120 Broadway, New York, N.Y. 10005. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 251, U.S. Post Office Building, Billings, Mont. 59101.

No. MC 110525 (Sub-No. 1011 TA), filed July 6, 1971. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, PA 19335. Applicant's representative: Thomas J. O'Brien (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from the plantsite of Merck & Co. at Riverside (Northumberland County), Pa., to the plantsite of Merck & Co. at Elkton (Rockingham County), Va., for 180 days. Supporting shipper: Merck & Co., Inc., Rahway, N.J. 07065. Send protests to: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1518 Walnut Street, Room 1600, Philadelphia, PA 19102.

No. MC 111545 (Sub-No. 161 TA), filed July 6, 1971. Applicant: HOME TRANSPORTATION COMPANY, INC., 1425 Franklin Road SE., Post Office Box 6426, Station A, Marietta, GA 30060. Applicant's representative: Robert E. Born (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, from Pearson, Ga., to points in Florida, South Carolina, North Carolina, Kentucky, Tennessee, and Mississippi, for 180 days. Supporting shipper: Deep South Mobile Homes, Inc., Pearson, Ga. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, GA 30309.

No. MC 112801 (Sub-No. 126 TA), filed July 2, 1971. Applicant: TRANSPORT SERVICE CO., Post Office Box 50272, 5100 West 41 Street, Chicago, IL 60650. Applicant's representative: Robert Levy, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn products*, in bulk, from the plantsites and warehouse facilities of C.P.C. International, Inc., at Argo and Pekin, Ill., to points in Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, Pennsylvania, West Virginia, and Wisconsin, for 180 days. Supporting shipper:

C.P.C. International, Inc., International Plaza, Englewood Cliffs, N.J., 07632. Send protests to: Robert G. Anderson, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1086, Chicago, IL 60604.

No. MC 112822 (Sub-No. 204 TA) (Correction), filed June 18, 1971, published in the FEDERAL REGISTER, issue of July 1, 1971, corrected and republished as corrected, this issue. Applicant: BRAY LINES INCORPORATED, Post Office Box 1191, 1401 North Little Street, Cushing, OK 74023. Applicant's representative: Joe W. Ballard, Post Office Box 1191, Cushing, OK 74023. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood, composition board, moulding, doors, wood cabinets, wood cabinet parts, and accessories* used in the installation thereof, from points in Los Angeles and Riverside Counties, Calif., to points in Arizona, Arkansas, Colorado, Idaho, Illinois, Iowa, Kansas, Louisiana, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Washington, and Wyoming, for 180 days. Supporting shipper: Evans Products Co., Gordon T. Adams, GTM, Post Office Box 880, Corona, CA 91720. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, OK 73102. NOTE: The purpose of this republication is to clarify the authority sought by adding a comma after the word "doors" prior to the description of wood cabinets.

No. MC 114552 (Sub-No. 54 TA), filed July 2, 1971. Applicant: SENN TRUCKING COMPANY, Post Office Box 333, Newberry, SC 29108. Applicant's representative: Frank A. Graham, Jr., 707 Security Federal Building, Columbia, SC 29201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Conduit and pipe* (other than iron and steel), *attachments, parts, and fittings* thereof, from the plantsite and storage facilities of the Flintkote Co., Portage County, Ohio, to points in North Carolina and South Carolina, for 150 days. Supporting shipper: Flintkote Pipe Products Group, Ravenna, Ohio 44266. Send protests to: E. E. Strotheid, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 300 Columbia Building, 1200 Main Street, Columbia, SC 29201.

No. MC 116877 (Sub-No. 3 TA), filed June 30, 1971. Applicant: GARMENT CARRIERS, INC., 2645 Nevin Avenue, Los Angeles, CA 90011. Applicant's representative: Marvin Handler, 405 Montgomery Street, San Francisco, CA 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Hanging or cartoned clothing and wearing apparel and component parts used in the manufac-*

ture thereof, as defined in 61 M.C.C. 288 and 289 (except natural furs and natural fur or fur trimmed garments), *handbags and costume jewelry*, between points along Interstate Highway 10 between Los Angeles and Redlands, Calif., on the one hand, and, Las Vegas, Nev., on the other, serving as off-route points all points in Los Angeles County, Calif., and all points in Clark County, Nev., from Los Angeles, Calif., along Interstate Highway 10 to junction with Interstate Highway 15 near Colton, Calif., thence over Interstate Highway 15 to Las Vegas, Nev., and return over the same routes, for 180 days. NOTE: Authority is sought to tack with applicant's existing Sub-No. 1 right to serve additional points in central and northern California and to interline shipments at Los Angeles, Calif., with E. T. Molitor, doing business as Standard Truck Lines (MC-98874). Supported by: There are approximately 37 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Walter W. Strakosch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

No. MC 117765 (Sub-No. 127 TA), filed July 6, 1971. Applicant: HAHN TRUCK LINE, INC., 5315 Northwest Fifth, Post Office Box 75267, Oklahoma City, OK 73107. Applicant's representative: R. E. Hagan (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beverages, carbonated and noncarbonated (nonalcoholic)*, in containers, from the plantsite of Dad's Clicquot Bottling Co., Ottumwa, Iowa, to points in Wisconsin, for 180 days. Supporting shipper: Dad's Clicquot Bottling Co., Gerald Brody, president, 4 Industrial Park, Ottumwa, Iowa 52501. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, OK 73102.

No. MC 124621 (Sub-No. 5 TA), filed July 6, 1971. Applicant: CLEMENT RISBERG, doing business as RISBERG TRUCK SERVICE, 2339 Southeast Grand Avenue, Portland, OR 97214. Applicant's representative: John G. McLaughlin, 100 Southwest Market, Portland, OR 97201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, in tank vehicles, household goods, and commodities requiring special equipment), between Portland, Ore., on the one hand, and, on the other, Chehalis, Wash., and points within 3 miles thereof, for 180 days. Supporting shipper: Fred Meyer, 3800 Southeast 22d Avenue, Portland, OR 97242. Send protests to: A. E. Odoms, District Supervisor, Interstate Commerce Commission,

Bureau of Operations, 450 Multnomah Building, Portland, OR 97204.

No. MC 124813 (Sub-No. 82 TA), filed July 6, 1971. Applicant: UMTHUN TRUCKING CO., 910 South Jackson Street, Eagle Grove, IA 50533. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dried molasses*, from Rudd, Iowa, to points in Illinois, for 150 days. Supporting shipper: Industrial Molasses Corp., 1601 19th Street, West Des Moines, IA 50265. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, IA 50309.

No. MC 124987 (Sub-No. 17 TA), filed July 7, 1971. Applicant: EARL L. BONSACK AND ELAINE M. BONSACK, a partnership, doing business as EARL L. BONSACK, 521 West Plainview Road, La Crosse, WI 54601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, incidental advertising material* when shipped with malt beverages, from the plantsite of Jacob Leinenkugel Brewing Co., Chippewa Falls, Wis., to O. M. Droney Beverage Co., Inc., Minneapolis, Minn., return of *empty malt beverage containers* (used) in the transportation of malt beverages, for 180 days. Supporting shipper: O. M. Droney Beverage Co., Inc., 3415 East 27th Street, Minneapolis, MN 55406. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 139 West Wilson Street, Room 206, Madison, WI 53703. NOTE: Applicant states it does intend to tack the authority sought.

No. MC 126838 (Sub-No. 6 TA), filed July 6, 1971. Applicant: EARNEST J. RUSH, JR., doing business as CLARENCE F. GUTHRIE HAULING SERVICE, Rural Delivery No. 2, Box 341, Canonsburg, PA 15317. Applicant's representative: John A. Pillar, Wick, Vuono and Lavelle, 2310 Grant Building, Pittsburgh, PA 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pulverized limestone*, from Benwood, W. Va., to points in Greene and Washington Counties, Pa., and Belmont and Harrison Counties, Ohio, for 150 days. Supporting shipper: Consolidation Coal Co., 1 Oliver Plaza, Pittsburgh, PA 15222. Send protests to: Frank L. Calvary, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 2111 Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222.

No. MC 135562 (Sub-No. 1 TA), filed July 6, 1971. Applicant: O.C.C., INC., 2201 Sixth Avenue South, Seattle, WA 98134. Applicant's representative: Joseph O. Earp, 411 Lyon Building, Seattle, Wash. 98104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wheels, wheel parts, wheel attaching parts, axles, axle parts, seals, and*

bearings (axles), suspensions and parts thereof, gas tanks, and landing legs (for trallers); (2) axles and parts, from Montgomery, Ala., gas tanks, from Dallas, Tex., seals and bearings, from Longview, Tex., suspensions and landing legs, from Muskegon, Mich., and wheels and parts thereof, from Detroit, Mich., and Akron, Ohio, to Tempe, Ariz., Los Angeles and San Leandro, Calif., for 180 days. Supporting shipper: Wheel Industries, 3050 East 11th Street, Los Angeles, CA 90023. Sent protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 135715 (Sub-No. 1 TA), filed July 2, 1971. Applicant: DAN TRUCKING, INC., Post Office Box 2590, San Diego, CA 92112. Applicant's representative: Kenneth F. Dudley, Post Office Box 279, Ottumwa, IA 52501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) Corrugated plastic drainage tubing, related articles, supplies, and accessories, from Pomona, Calif., to points in Arizona, Idaho, Montana, Nevada, Oregon, Utah, and Washington, (2) materials, equipment, and supplies used in the manufacture, processing, sale, and distribution and installation of corrugated plastic drainage tubing, from points in Arizona, Idaho, Montana, Nevada, Oregon, Utah, and Washington to Pomona, Calif., for 180 days. Supporting shipper: Advanced Drainage Systems, Inc., Iowa City, Iowa 52240. Send protests to: District Supervisor P. Yallowitz, Interstate Commerce Commission, Bureau of Operations, 300 North Los Angeles Street, Los Angeles, CA 90012.

No. MC 135736 TA, filed July 6, 1971. Applicant: FLEET SERVICES, INC., Time and Life Building, Rockefeller Center, New York, N.Y. 10020. Applicant's representative: William Q. Keenan, 233 Broadway, New York, NY 10007. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities, in express service in 3-ton panel trucks measuring no more than 16 feet in length, from points in New York City, N.Y., to points in Massachusetts, Connecticut, New Jersey, and Pennsylvania, 150 miles or less from New York City and to the District of Columbia, for 180 days. Supported by: There are approximately 17 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Stephen P. Tomany, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

MOTOR CARRIER OF PASSENGERS

No. MC 135738 TA, filed July 2, 1971. Applicant: DONALD DEGRAFF, doing business as ACE LIMOUSINE SERVICE, Brick Plaza Shipping Center, Brick Township, N.J. 08723. Applicant's rep-

resentative: Charles J. Williams, 47 Lincoln Park, Newark, NJ 07102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Passengers and their baggage, limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver thereof, in special operations, between points in Ocean County, N.J., on the one hand, and, on the other, LaGuardia Airport and John F. Kennedy International Airport, New York, N.Y., for 180 days. Supported by: There are approximately 16 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 428 East State Street, Room 204, Trenton, NJ 08608.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.
[FR Doc.71-10249 Filed 7-19-71;8:48 am]

[Notice 717]

MOTOR CARRIER TRANSFER PROCEEDINGS

JULY 15, 1971.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-72830. By order of July 14, 1971, the Motor Carrier Board approved the transfer to National Cold Transport, Inc., Miami, Fla., of the certificate of registration No. 121651 issued August 28, 1969, to Fro-Sun Food Transportation, Inc., Miami, Fla., evidencing a right to engage in transportation in interstate commerce as described in certificate No. 1003 dated March 19, 1969, issued by the Public Service Commission of Florida. George Baker Thomson, 420 South Dixie Highway, Coral Gables, FL 33146, attorney for applicants.

No. MC-FC-72956. By order of July 12, 1971, the Motor Carrier Board approved the transfer to State Motor Freight, Inc., Walla Walla, Wash., of the operating rights in certificate No. MC-128102 issued November 18, 1966, to C. Leonard Cobb, Toppenish, Wash., authorizing the trans-

portation of wood shavings and straw when moving in mixed loads with wood shavings, from points in Yakima and Kittitas Counties, Wash., to points in Umatilla, Wallowa, and Union Counties, Oreg. Herbert H. Freise, 200 Jones Building, Walla Walla, Wash. 99362, attorney for applicants.

No. MC-FC-72976. By order of July 14, 1971, the Motor Carrier Board approved the transfer to Carlson Transport, Inc., Byron, Ill., of the operating rights in certificate No. MC-13439 issued November 2, 1970, to Elmer Carlson, Byron, Ill., authorizing the transportation of sand, in bulk, from Oregon, Ill., to Davenport, Clinton, Fairfield, and Stockton, Iowa, and points in Rock County, Wis.; sand, in bags, from Oregon, Ill., to points in Rock and Racine Counties, Wis.; and sand, from Oregon, Ill., to points in Green and Walworth Counties, Wis. John E. Sype, 321 State Street, Rockford, IL 61101, attorney for applicants.

No. MC-FC-72979. By order of July 13, 1971, the Motor Carrier Board approved the transfer to Carrell Trucking Co., Inc., Monroe, Ga., of Permits, Nos. MC-129475 (Sub-No. 2), MC-129475 (Sub-No. 3), and MC-129475 (Sub-No. 5), issued to E. D. Carrell, doing business as Carrell Trucking Co., Monroe, Ga., authorizing the transportation of: Such merchandise as is dealt in by retail stores, and molded plastic products, between specified points and places in Georgia, Alabama, Arkansas, Indiana, Kentucky, North Carolina, South Carolina, Tennessee, Virginia, and Pennsylvania, limited to certain specified shippers. William Addams, attorney, 1776 Peachtree Street NW., Atlanta, GA 30309.

No. MC-FC-72983. By order of July 14, 1971, the Motor Carrier Board approved the transfer to Specialty Transport, Inc., Wales, Mass., of Permits Nos. MC-1351, MC 1351 (Sub No. 9), MC 1351 (Sub No. 11), and MC 1351 (Sub No. 12) issued to M. Haskell, Inc., Palmer, Mass., authorizing the transportation of: Paper products, pallets, and parts, skids, and paper cores, paper boxes, waste paper, egg cartons, between specified points and areas in New Jersey, New York, Rhode Island, New Hampshire, Connecticut, and Massachusetts. Arthur M. Marshall, attorney, 135 State Street, Springfield, MA 01103.

[SEAL] ROBERT L. OSWALD,
Secretary.
[FR Doc.71-10250 Filed 7-19-71;8:48 am]

[Notice 717-A]

MOTOR CARRIER TRANSFER PROCEEDINGS

JULY 15, 1971.

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132.

No. MC-FC-73005. By application filed July 9, 1971, ROY W. NICHOLS, doing

business as QUALITY MOVERS, 601 North Fourth Street, Jeannette, PA 15644, seeks temporary authority to lease the operating rights of ANDY JONES, 146 Alameda Road, Butler, PA 16001, under section 210a(b). The transfer to ROY W. NICHOLS, doing business as QUALITY MOVERS, of the operating rights of ANDY JONES, is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.71-10251 Filed 7-19-71;8:48 am]

[No. 35431]

**ABILENE AND SOUTHERN RAILWAY
CO. ET AL.**

**Petition for Reconsideration of
Minimum Carloads Rule**

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 4th day of May 1971.

In the matter of canceling Rule 66 of
Tariff Circular No. 20.

Upon consideration of a petition of Abilene & Southern Railway Co. and other railroads for leave to file a petition for reconsideration of an order of the Commission, Division 2, entered October 26, 1962, denying the petition of the Railroads' Tariff Research Group for cancellation of Rule 66 of Tariff Circular No. 20, approved June 11, 1928, and

Petitioners, in support of their petition for reconsideration, averring that the need for Rule 66 has ceased to exist; that the severe car shortages indicate an urgent need for elimination of the rule; that the rule results in wasteful use of equipment and is difficult to police because it is impossible to determine with any degree of accuracy whether a given carload shipment of freight could have been loaded into a car of the capacity ordered by the shipper; that the rule retards the development of incentive rates based upon use of high capacity equipment; and that the repeal of the rule is an essential step in alleviating national rail service problems and reducing rail operating costs; and good cause appearing therefor:

It is ordered, That the petition of Abilene & Southern Railway Co. and other

railroads for leave to file a petition for reconsideration be, and it is hereby, granted, and

It is further ordered, That notice thereof shall be published in the FEDERAL REGISTER and interested persons shall be afforded the opportunity to inspect the petition for reconsideration at the Office of the Secretary of the Commission in Washington, D.C., and

It is further ordered, That any persons interested in the matters involved in the petition for reconsideration may, on or before 30 days from date of publication of this notice in the FEDERAL REGISTER, file replies to the petition supporting or opposing the determination sought. An original and 15 copies of such replies must be filed with the Commission and must show service of two copies upon Mr. C. C. Rettberg, Jr., 527 American Railroads Building, 1920 L Street NW., Washington, DC 20036. Thereafter, a determination will be made as to the disposition of the petition.

By the Commission, Division 2.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.71-10253 Filed 7-19-71;8:48 am]

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