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PART I



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NOTE: There were no items published after October 1, 1972, that are eligible for inclusion in the list of RULES GOING INTO EFFECT TODAY.

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

H.R. 5451 Pub. Law 93-119
Oil Pollution Act Amendments of 1973 (Oct. 4, 1973; 87 Stat. 424)

H.R. 8917 Pub. Law 93-120
Department of the Interior and Related Agencies Appropriation Act, 1974 (Oct. 4, 1973; 87 Stat. 429)

H.J. Res. 719 Pub. Law 93-117
Housing and Urban Development, extension of insurance on home loans for 1 year (Oct. 2, 1973; 87 Stat. 421)

H.J. Res. 753 Pub. Law 93-118
Continuing appropriations, 1974 (Oct. 4, 1973; 87 Stat. 424)

S. 776 Pub. Law 93-114
San Francisco cable cars. 100th anniversary medals (Oct. 1, 1973; 87 Stat. 417)

S. 902 Pub. Law 93-116
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International Economic Policy Act of 1972, amendments (Oct. 4, 1973; 87 Stat. 447)

Presidential Documents

Title 3—The President

PROCLAMATION 4248

National Day of Prayer, 1973

By the President of the United States of America

A Proclamation

America is a nation under God. This is not a consequence of legislative mandate, but of the spiritual commitment of a people. Throughout our history, we have turned to God for guidance, for sustenance, and in gratitude for the blessings of freedom.

When our forbears stood on the rocks at Plymouth, they turned to God in prayer.

When our Founding Fathers created a nation nearly two hundred years ago, they asked God's blessing upon their endeavor.

When those who shaped our form of government met in 1787, they sought God's assistance.

When our Nation threatened to tear itself apart a little over a hundred years ago, Abraham Lincoln turned to God for the understanding to keep us together.

We do not assume God's favor, but we seek it. We do not suppose that our way is God's way, but we pray for the wisdom to understand God's way, and the grace to let it be our own. For we know that neither wealth, nor wisdom, nor strength of arms can sustain a nation's greatness, except that God look with favor on the purposes of that nation and its people.


The challenges of our future are no less grave than those faced and met by the men and women to whose faith we are indebted for the constantly recurring miracle of America. As we act to meet the challenges of the American future, let us do so with the same profound faith in the God of our fathers, mindful of the words of the Psalms: "Blessed is the nation whose God is the Lord; and the people whom He hath chosen for His own inheritance."

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim Wednesday, October 17, as National Day of Prayer, 1973. I ask that on this day the people of the United States join in reaffirming our dependence on God's grace,

THE PRESIDENT

beseeking His blessings on our endeavors and His guidance in the search for peace, reconciliation, and goodwill among all people.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of October, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America, the one hundred and ninety-eighth.



[FR Doc.73-21578 Filed 10-5-73;2:43 pm]

PROCLAMATION 4249

Veterans Day, 1973

By the President of the United States of America

A Proclamation

As America enjoys the blessings of peace for the first time in more than a dozen years, it is appropriate that we should pay special honor to those whose service helped us to achieve it.

We salute our veterans on a day of their own each year, a day on which we express our pride in them and our awareness of a debt to them which can never fully be repaid.

At no period in our history has there been more reason to call the Nation's attention to the achievements of its veterans than today. Never before has peace been more welcome nor prospects for its permanence more substantial.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby call on all Americans to join in observing Monday, October 22, 1973, as Veterans Day. I urge both public ceremony and private contemplation in recognition of the precious gifts of freedom and security that are ours because those we honor have stood in our defense.

Let us give special consideration on that day to those who have died in our Nation's wars and those who have been disabled. Let this be a day of remembrance for those veterans who are in our hospitals, a day on which our appreciation is expressed tangibly by our visits and our attention.

Further, let this be a day on which all Americans take special cognizance of the needs of those young veterans who are currently readjusting to civilian life; let us give them personal help and encouragement.

I direct the appropriate officials of Government to arrange for the display of the flag of the United States on this day. I request officials of Federal, State and local governments to support its observance and I urge schools, churches, unions, civic and patriotic organizations to participate in appropriate public ceremonies throughout the Nation.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of October, in the year of our Lord nineteen hundred seventy-three, and of the Independence of the United States of America the one hundred ninety-eighth.



[FR Doc.73-21579 Filed 10-5-73;2:43 pm]

Rules and Regulations

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

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

Title 7—Agriculture
CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[Amdt. 3]

PART 1464—TOBACCO

Tobacco Loan Program

The Tobacco Loan Program regulations issued by Commodity Credit Corporation and published June 18, 1970 (35 FR 10000), amended June 17, 1971 (36 FR 11634, 12509) and August 5, 1972 (37 FR 15856), are hereby further amended to make price support available on 1973-crop flue-cured tobacco which has been delivered directly to the Flue-Cured Tobacco Cooperative Stabilization Corporation (the Association). Due to market congestion, and to the expected closing of the markets in the Type 13 area before all the tobacco in that area has been marketed, producers' opportunities to market their tobacco and receive price support advances at auction warehouses are unduly restricted. Direct deliveries to the Association will tend to relieve the market congestion and will provide a means by which producers may market their tobacco and obtain price support advances in the Type 13 area after the closing of the markets in that area. Since there is need to immediately relieve the marketing restrictions and to increase the availability of price support, it is essential that the amendment be made effective at the earliest possible date.

Accordingly, it is hereby found and determined that compliance with the notice, public procedures, and 30-day effective date provisions of 5 U.S.C. 553 is impracticable and contrary to the public interest. The amendment contained herein shall become effective on October 10, 1973.

Paragraph (e)(2) of § 1464.2 is amended to read as follows:

§ 1464.2 Availability of price support.

(e)

(2) Upon direct delivery to the Association:

(1) Eligible producers in nonauction market areas may deliver eligible tobacco to central receiving points designated by the appropriate association. Eligible producers in auction market areas who have eligible tobacco which is security for a farm storage loan obtained pursuant to Part 1421 of this chapter, may, after the close of all auction markets for such kind of tobacco, including cleanup sales, de-

liver the tobacco to central receiving points designated by the appropriate association. After the tobacco has been graded by USDA inspectors, the producer will receive the price support advance directly from the association for any tobacco to be pledged as security for loans.

(ii) Eligible producers of 1973-crop flue-cured tobacco who have made arrangements with the Flue-Cured Tobacco Cooperative Stabilization Corporation to deliver eligible 1973-crop flue-cured tobacco to receiving points designated by the Association may obtain price support advances on such tobacco when so delivered. The tobacco shall be packed and handled by the Association as a special pool and the loan, sale, and sale proceeds with respect to the tobacco in the special pool shall be separate from the loan, sale, and sale proceeds with respect to other 1973-crop flue-cured tobacco pledged as security for a price support loan.

Effective date.—October 10, 1973.

Signed at Washington, D.C., on October 2, 1973.

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

[FR Doc. 73-21468 Filed 10-9-73; 8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airworthiness Docket No. 73-SW-55, Amdt. 39-1732]

PART 39—AIRWORTHINESS DIRECTIVES

Bell Model 206A and 206B Helicopters

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring repetitive inspections of the vertical fin support forgings, P/N's 206-031-417 and -418, for cracks and thread marks and replacement as necessary on Bell Model 206A and 206B helicopters was published in 38 FR 22634.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Only one comment was received. The manufacturer objected to the repetitive inspections required by the proposed airworthiness directive. Bell stated that the intent of the service bulletin was to only require a one-time inspection. The repetitive inspections have been deleted from the adopted rule.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), section 39.13 of Part 39 of the Federal

Aviation Regulations is amended by adding the following new airworthiness directive:

BELL. Applies to Model 206A and 206B helicopters, serial numbers 4 through 1097, certificated in all categories, equipped with vertical fin support forgings, P/N's 206-031-417 and -418.

Compliance required within the next 50 hours' time in service after the effective date of this A.D., unless already accomplished.

To detect possible fatigue cracks in the vertical fin support forgings in the area of the fin attachment nut plates, accomplish the following:

(a) Remove the vertical fin in accordance with paragraph 8-47, Section VIII of the 206A/B Maintenance and Overhaul Instructions.

(b) Remove the paint in the area of the fin attachment nut plates (4 places).

(c) Inspect for cracks, using a dye penetrant or equivalent inspection method.

(d) If cracks are found in either support forging, the cracked forging must be removed and replaced prior to further flight.

(e) If no cracks are found, inspect the four holes for thread marks. Any marks must be removed in accordance with Bell Helicopter Company Service Bulletin No. 206-01-73-5, Part I, paragraph 5, dated June 27, 1973, or later FAA approved revision. Apply a coating of zinc chromate primer or other suitable corrosion protection.

(f) Reinstall the fin in accordance with paragraph 8-49, Section VIII of the 206 A, B Maintenance and Overhaul Instructions.

(g) This A.D. is not applicable if the vertical fin support forgings have been replaced in accordance with Bell Helicopter Company Service Bulletin No. 206-01-73-5, Part II, dated June 27, 1973, or later FAA approved revision.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to the Service Manager, Bell Helicopter Company, P.O. Box 482, Fort Worth, Texas 76101. These documents may also be examined at the Office of the Regional Counsel, Southwest Region, FAA, 4400 Blue Mound Road, Fort Worth, Texas, and at FAA Headquarters, 800 Independence Avenue SW., Washington, D.C. A historical file on this A.D. which includes the incorporated material in full is maintained by the FAA at its headquarters in Washington, D.C., and at the Southwest Regional Office in Fort Worth, Texas.

This amendment becomes effective November 15, 1973.

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

RULES AND REGULATIONS

Issued in Fort Worth, Texas, on September 27, 1973.

NOTE.—The incorporation by reference provisions in this document were approved by the Director of the Federal Register on June 19, 1967.

A. H. THURBURN,
Acting Director,
Southwest Region.

[FR Doc.73-21456 Filed 10-9-73;8:45 am]

[Airspace Docket No. 73-EA-64]

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

Alteration of Control Zone

On page 21796 of the FEDERAL REGISTER for August 13, 1973, the Federal Aviation Administration published a proposed regulation which would alter the New York, N.Y. (John F. Kennedy International Airport), Control Zone (38 FR 406).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulation have been received.

In view of the foregoing, the proposed regulation is hereby adopted, effective 0901 G.m.t. December 6, 1973.

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Jamaica, N.Y., on September 25, 1973.

ROBERT H. STANTON,
Director, Eastern Region.

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations by deleting the description of the New York, N.Y. (John F. Kennedy International Airport) control zone and by substituting the following in lieu thereof:

Within a 5-mile radius of the center 40°-38'25" N., 73°46'41" W., of John F. Kennedy International Airport; within the area bounded by a line beginning at 40°36'16" N., 73°52'32" W., to 40°37'10" N., 73°54'55" W., to 40°42'19" N., 73°51'07" W., to 40°41'23" N., 73°48'48" W., to the point of beginning; within 1.5 miles each side of the Kennedy VORTAC 106° radial, extending from the 5-mile-radius zone to 6.5 miles east of the VORTAC; within 1.5 miles each side of the Kennedy VORTAC 207° radial, extending from the 5-mile-radius zone to 5 miles southwest of the VORTAC; within 1.5 miles each side of the Kennedy VORTAC 134° radial, extending from the 5-mile-radius zone to 5 miles southeast of the VORTAC.

[FR Doc.73-21460 Filed 10-9-73;8:45 am]

[Airspace Docket No. 73-EA-67]

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

Alteration of Control Zone

On page 22243 of the FEDERAL REGISTER for August 17, 1973, the Federal Aviation Administration published a proposed

regulation which would alter the Newark, N.J., Control Zone (38 FR 405).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulation have been received.

In view of the foregoing, the proposed regulation is hereby adopted, effective 0901 G.m.t. December 6, 1973.

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Jamaica, N.Y., on September 25, 1973.

ROBERT H. STANTON,
Director, Eastern Region.

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations by deleting the description of the Newark, N.J., control zone and by substituting the following in lieu thereof:

Within a 5-mile radius of the center, 40°-41'40" N., 74°10'02" W., of Newark International Airport, Newark, N.J., extending clockwise from a 030° bearing to a 263° bearing from the airport; within a 6-mile radius of the center of the airport, extending clockwise from a 263° bearing to a 342° bearing from the airport; within a 5.5-mile radius of the center of the airport, extending clockwise from a 342° bearing to a 030° bearing from the airport; within 2 miles each side of the Newark International Airport Runway 4L ILS localizer course, extending from the 5-mile radius to 2.5 miles northeast of the Chelsea OM and within 3 miles each side of the Kennedy VORTAC 283° radial extending from 22 miles to 29 miles northwest of the VORTAC.

[FR Doc.73-21459 Filed 10-9-73;8:45 am]

[Airspace Docket No. 73-EA-90]

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

Alteration of Control Zone

The Federal Aviation Administration is amending section 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Ithaca, N.Y., Control Zone (38 FR 388).

Due to a change in the daily weather reporting and air carrier services of Allegheny Airlines which will reduce the time of such services by some 6½ hours, an alternation of the description of the control zone is required. However, the change being less restrictive, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In view of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective on October 10, 1973, as follows:

1. Amend § 71.171 of Part 71, Federal Aviation Regulations so as to amend the description of the Ithaca, N.Y., Control Zone by deleting the last sentence and substituting the following in lieu thereof:

This control zone shall be effective 0600-2130 hours, local time, Monday through Sat-

urday; 0700-2130 hours, local time Sunday. (Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Jamaica, N.Y., on September 26, 1973.

LOUIS J. CARDINALI,
Acting Director,
Eastern Region.

[FR Doc.73-21458 Filed 10-9-73;8:45 am]

[Airspace Docket No. 73-EA-60]

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

Alteration of Control Zone and Transition Area

On page 21434 of the FEDERAL REGISTER for August 8, 1973, the Federal Aviation Administration published proposed regulations which would alter the Phillipsburg, Pa., Control Zone (38 FR 411, 3506) and Transition Area (38 FR 555, 3506, 8643).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted, effective 0901 G.m.t. December 6, 1973.

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Jamaica, N.Y., on September 26, 1973.

LOUIS J. CARDINALI,
Acting Director,
Eastern Region.

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations by deleting the description of the Phillipsburg, Pa. control zone and by substituting the following in lieu thereof:

Within a 5-mile radius of the center 40°-53'00" N., 78°05'15" W., of Mid-State Airport, Phillipsburg, Pa., extending clockwise from a 248° bearing to a 031° bearing from the airport; within a 6-mile radius of the center of the airport, extending clockwise from a 031° bearing to a 098° bearing from the airport; within a 5-mile radius of the center of the airport, extending clockwise from a 098° bearing to a 187° bearing from the airport; within a 6-mile radius of the center of the airport, extending clockwise from a 187° bearing to a 248° bearing from the airport; and within 4 miles each side of a 327° bearing from a point 40°53'09" N., 78°05'06" W., extending from said point to a point 8.5 miles northwest.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations by deleting the description of the Phillipsburg, Pa. transition area and by substituting the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center 40°53'00" N., 78°05'15" W., of Mid-State Airport, Phillipsburg, Pa., extending clockwise from a 261° bearing to a 012°

bearing from the airport; within an 8.5-mile radius of the center of the airport, extending clockwise from a 012° bearing to a 098° bearing from the airport; within a 6-mile radius of the center of the airport, extending clockwise from a 098° bearing to a 183° bearing from the airport; within a 9.5-mile radius of the center of the airport, extending clockwise from a 183° bearing to a 261° bearing from the airport; within 3.5 miles each side of the Phillipsburg VORTAC 067° radial, extending from the VORTAC to 11.5 miles northeast of the VORTAC; within 4 miles each side of the 327° bearing from a point 40°53'09" N., 78°05'06" W., extending from said point to a point 8.5 miles northwest; within 2.5 miles each side of the Phillipsburg VORTAC 330° radial, extending from the VORTAC to 6 miles northwest of the VORTAC; and within 3.5 miles each side of the Phillipsburg VORTAC 301° radial, extending from the VORTAC to 11.5 miles northwest of the VORTAC.

[FR Doc.73-21457 Filed 10-9-73;8:45 am]

[Airspace Docket No. 73-EA-63]

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

Alteration of Transition Area

On page 21796 of the FEDERAL REGISTER for August 13, 1973, the Federal Aviation Administration published a proposed rule which would alter the Wilmington, Del., Transition Area (38 FR 601).

Interested parties were given 20 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulation is hereby adopted, effective 0901 G.m.t. December 6, 1973.

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Jamaica, N.Y., on September 24, 1973.

ROBERT H. STANTON,
Director, Eastern Region.

1. Amend § 71.181 of Part 71, Federal Aviation Regulations so as to alter the description of the Wilmington, Delaware 700-foot floor transition area by deleting all after, "Summit Airpark Airport," and substituting therefor, "Middletown, Del.; within 2.5 miles each side of a line bearing 345° from a point in latitude 39°23'31" N., longitude 75°40'38" W. extending from said point to the 5-mile radius area centered on Summit Airpark Airport and within 3 miles each side of a 234° bearing from the Greater Wilmington, Del., ILS OM extending from the Summit Airpark Airport 5-mile radius area to 13 miles southwest of the OM."

[FR Doc.73-21461 Filed 10-9-73;8:45 am]

Title 17—Commodity and Securities Exchanges

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release No. 33-5424]

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

Summaries of Registration Statements To Be Submitted With Such Statements by the Registrants

The Securities and Exchange Commission today announced that it has adopted Rule 458, to become effective November 15, 1973. The rule was published for comment on July 24, 1973, in Securities Act Release No. 5410, and in the FEDERAL REGISTER for August 3, 1973, at 38 FR 20903. The rule requires any company filing a registration statement with the Securities and Exchange Commission other than on Form S-8 or S-12 to provide in a letter but not as part of the registration statement a one-paragraph summary for the SEC News Digest as notice of the registration filing. The Commission has considered the comments received in response to that release and now adopts the rule as set forth below.

Commission action. Pursuant to authority in section 19(a) of the Securities Act of 1933, the Securities and Exchange Commission hereby adopts a new § 230.458 under Part 230 of Chapter II of Title 17 of the Code of Federal Regulations, reading as follows:

§ 230.458 Brief descriptive summary of registration statement.

(a) A letter, addressed to the Commission's Office of Public Information and containing the information described below, shall be submitted by registrant as part of the materials accompanying the initial filing with the Commission of any registration statement on any form other than Form S-8 (17 CFR 239.16b) or S-12 (17 CFR 239.19). No summary is required for pre- and post-effective amendments. Such letter shall contain only a summary of the offering to which the registration statement relates, which summary shall include only the following items of information, where applicable, in the following order.

- (1) The form on which the registration statement is filed;
- (2) The name and address of the issuer of the security;
- (3) The full title of the security or securities and the amount being offered;
- (4) The price of the security, if known at the time of the offering;
- (5) The name and address of the managing underwriter(s), if any; or, if the security is to be offered at competitive bidding, so state;
- (6) In the case of a rights offering, the class of securities the holders of which will be entitled to subscribe, the subscription ratio, the record date if known, and the price of the security if known at the time of the offering, or any of the foregoing;

(7) In the case of an exchange or tender offer, the name of the issuer and the title of the securities to be surrendered in exchange for the securities to be offered and the basis on which the exchange may be made;

(8) A statement of the amount of the offering, if any, to be made by selling security holders;

(9) A brief indication of the primary business of the issuer.

(b) A letter furnished in compliance with this Section shall be deemed not to be "filed" with the Commission and not to be a part of the registration statement. For purposes of section 5 of the Act only, information furnished pursuant to this section and published in the News Digest or any similar publication of the Commission shall be deemed not to constitute an offer when so published.

(c) **Instruction.** The information should be presented in a form similar to the examples which follow, as appropriate:

(1) **General.** (i) ABC, INC., 3700 50th Avenue, Bladensburg, Md. 20710—\$1,500,000 of convertible subordinated debentures and 150,000 shares of common stock, to be offered for sale in units, each consisting of a \$250 debenture and 25 shares, and at \$500 per unit through underwriters headed by Blank & Co., Inc., 1720 F St. NW., Washington, D.C. 20006. The company is a commercial printer, engaged in web offset lithography and book binding.

(2) **Secondary offer.** (i) MNO Company, 50 Detroit Avenue, Lakewood, Ohio 44107—72,000 shares of common stock, which may be offered for sale (or pledged) from time to time by certain shareholders at prices current at the time of sale. MNO is an automotive parts manufacturer.

(3) **Exchange offer.** (i) PQR, Inc., 500 Second Avenue, Cedar Rapids, Iowa 52401—168,000 shares of common stock. It is proposed to offer these shares in exchange for the outstanding common shares of Blank National Bank, Waterloo, Iowa, at the rate of seven shares for each Bank share. Also included in this statement are 160,000 shares of common stock, which may be issued in connection with future acquisitions of other businesses of properties. PQR is a bank holding company, which controls four banks.

(4) **Rights offer.** (i) VWX, Inc., 1 Florida Avenue, Tampa, Fla. 33602—409,249 shares of common stock. It is proposed to offer these shares for subscription by common stockholders of record June 15, at the rate of one share for each five shares held, and at \$25 per share. Black & Co., Inc., 10 Chase Manhattan Plaza, New York, is principal underwriter. The company is a bank holding company with four banking subsidiaries.

(5) **Miscellaneous.** (i) YZ Enterprises, Inc., 660 Wilshire Blvd., Los Angeles, California 90057—732,812 shares of common stock. Of these shares, 276,719 were issued in connection with acquisitions made by the company; 15,000 are issuable upon exercise of options granted to Gray & Co.; 51,122 are reserved for is-

suance upon conversion of 5 percent convertible second mortgage bonds, due 1981; 119,700 were issued in private placements in 1969; and 270,271 are reserved for issuance upon conversion of outstanding 7 percent convertible subordinated guaranteed bonds, due 1990, of YZ International N.V., wholly owned subsidiary of the company. The company operates 14 general hospitals.

By the Commissioner.

(Sec. 19(a), 48 Stat. 85, sec. 209, 48 Stat. 908, 15 U.S.C. 77s(a).)

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

SEPTEMBER 20, 1973.

[FR Doc. 73-21441 Filed 10-9-73; 8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 18—MILK AND CREAM

In the matter of revising existing standards and establishing new identity standards for milk and cream (21 CFR Part 18):

A notice of proposed rulemaking in the above-identified matter published on the initiative of the Commissioner of Food and Drugs in the FEDERAL REGISTER of September 9, 1972 (37 FR 18392) provided for the filing of comments within 60 days following its publication date. This was subsequently extended to February 6, 1973, by notice published in the FEDERAL REGISTER on November 2, 1972 (37 FR 23363), and was again extended to July 1, 1973, by notice published in the FEDERAL REGISTER on February 13, 1973 (38 FR 4347).

During the extended comment period more than 650 comments were received from industry, consumer and professional groups, trade associations, and individuals.

1. The requirement that fluid milk products for consumer use be pasteurized was objected to by some, and supported by others. Those who objected to the requirement contended that raw certified milk is a safe product, and that raw milk is superior in flavor.

While raw milk produced under carefully controlled conditions is relatively safe, pasteurization assures the destruction of pathogenic bacteria that may be present. The Commissioner concludes that it is reasonable to require that fluid milk products for consumer use moving in interstate commerce be pasteurized. This decision does not conflict with the right of individual states to authorize the intrastate distribution of raw milk to consumers.

2. The requirement that all milk, lowfat milk, and skim milk bottled for beverage use contain 400 International Units per quart of vitamin D was objected to, and it was contended that consumers should have a choice between milk with and without added vitamin D.

The need for vitamin D in human nutrition and the importance of main-

taining a daily intake sufficient to protect infants and growing children from developing rickets is well established. Industry sources state that at present approximately 98 percent of all homogenized milk sold in this country contains added vitamin D, and that in some market areas, vitamin D milk is the only kind available. There is the possibility that some firms, in order to evade the nutritional labeling required by 21 CFR 1.17 for foods containing added vitamins, will discontinue the practice of adding vitamin D to milk. The Commissioner concludes that vitamin D addition to milk, lowfat milk, and skim milk for beverage use should remain optional, in order to provide for the small number of consumers who want to avoid added vitamin D. However, the Commissioner will observe the market, and in the event that the percentage of vitamin D milk in relation to all milk marketed declines, will give consideration to amendment of the standards to make vitamin D addition to fluid milk products mandatory. In addition, the use of vitamin D in milk without label declaration that vitamin D has been added will cause the product to be misbranded under section 403(a) of the Federal Food, Drug, and Cosmetic Act.

3. Those who opposed the mandatory addition of vitamin D to fluid milk products also objected to the proposed requirement for mandatory addition of vitamin A to lowfat milk and skim milk, and argued the right of consumers to choose between products with and without added vitamin A.

Dairy products are an important source of vitamin A, but the vitamin A activity is removed with the milkfat when milk is separated into cream and skim milk. Consequently, lowfat milk is reduced in vitamin A content, and skim milk contains only vestigial amounts of vitamin A. Those who make a practice of substituting lowfat or fat free dairy products for conventional dairy products may have diets deficient in vitamin A unless supplementation is undertaken. The Commissioner concludes that to require the restoration of lowfat milk and skim milk to the vitamin A level found in whole milk from cows on summer pasture is reasonable, and the order set forth below affirms this requirement.

4. The addition of nonfat milk solids to lowfat milk and skim milk increases the viscosity and opacity of these products, and results in improved palatability, appearance, and nutritive value. The proposed identity standards for fluid milk products, while permitting this practice, did not list for optional use other viscosity-increasing additives such as lactose, emulsifiers, and stabilizers. Comments from 289 consumers supported the ban on addition of lactose to fluid milk products. Comments from State regulatory officials favored optional use of emulsifiers and stabilizers, while most industry comments received asked that provision be made for use of lactose as well as emulsifiers and stabilizers. Industry comments stated that nonfat dry milk is now in short supply in this country and has

increased sharply in price, and that these increases in ingredient cost tend to drive up the prices consumers must pay for fluid milk products containing added nonfat milk solids.

The use of viscosity-increasing additives to make a fluid milk product having a lesser nonfat milk solids content resemble the more expensive and nutritious high nonfat milk solids product appears to conflict with the provision of section 402(b)(4) of the Federal Food, Drug, and Cosmetic Act prohibiting addition of substances to make a food "appear better or of greater value than it is". The use of lactose to increase the viscosity of lowfat milk and skim milk affects the nutritive value of these foods by increasing the carbohydrate content and the calorie to protein ratio, changes that are undesirable for those on calorie restricted diets. Fluid milk products with added lactose should also be avoided by those individuals whose bodies produce inadequate amounts of the enzyme lactase and therefore can tolerate only limited amounts of lactose.

The Commissioner concludes that viscosity-increasing ingredients derived from milk should be permitted in fluid milk products, but only on condition that they do not serve to adulterate the nutritive value of the food solids present in the foods. The order set forth below provides that viscosity-increasing ingredients used shall contain protein sufficient in quantity and quality that the ratio of protein to total nonfat solids in the food, and the protein efficiency ratio of all protein present, shall not be decreased as a result of adding such ingredients. The order also permits use of limited amounts of emulsifiers and stabilizers, but only in conjunction with addition of milk derived solids.

5. Several individuals and milk producer groups advocated higher minimum milkfat and milk solids not fat levels for whole milk than were proposed, on grounds that this would improve the flavor of the products. An increase in the minimum nonfat milk solids content of milk, lowfat milk, and skim milk was also suggested either as a mandatory requirement or as an option, with use of the term "fortified" to designate those products having a higher nonfat milk solids content.

The average milkfat content of milk produced by cows in the United States in 1972 was 3.68 percent, slightly higher than the 3.25 percent minimum specified by the proposed identity standard for milk. Similarly, the estimated average milk solids not fat level of 8.61 percent is higher than the 8.25 percent minimum proposed. However, to set the required minimums for milkfat and milk solids not fat at or near these average figures would mean that in approximately half of all cases the production from an individual cow would not meet the minimum compositional requirements, and therefore would not be "milk" as defined by the identity standard. While the Commissioner is aware of the merits of fluid milk products having increased milk solids content, he is of the opinion that

the minimums proposed bear a reasonable relationship to the composition of milk as it comes from the cow; and that an increase of the milkfat content of milk above 3.25 percent, and of the milk solids not fat level above 8.25 percent, is a matter of quality rather than identity. Nutrition labeling on most milk containers will set forth the content of milkfat, carbohydrates, and protein, giving consumers the information needed to make milk solids content comparisons between different brands of milk products. Therefore, the order set forth below includes the milkfat and milk solids not fat minimums specified in the proposal, but also provides for protein fortified lowfat milk and skim milk containing a minimum of 10 percent nonfat solids.

6. The proposed standards do not provide for fortification of fluid milk products with vitamins and minerals, except for addition of controlled amounts of vitamins A and D. Some comments suggested that provision should be made for the marketing of multivitamin and multimineral fortified fluid milk products.

The Commissioner is of the opinion that available information does not substantiate the need for multivitamin and multimineral fortified fluid milk products. Vitamin D milk is a good source of most vitamins and minerals without further fortification. While addition of iron would make milk a more complete food, further work is necessary to develop a method of iron addition that does not adversely affect the flavor of milk. Consideration will be given to optional addition of iron or other nutrients when it can be shown that fluid milk products are practical as vehicles for including such nutrients in the diet.

7. A new process has been used in this country to produce "sterilized" cream which, though not truly sterile, will keep in its intact package for at least 6 weeks in refrigerated storage. The process employs a heat treatment utilizing temperatures higher than are required for pasteurization, together with special protective packaging and aseptic filling methods. The notice published in the FEDERAL REGISTER on September 9, 1972 (37 FR 18392) proposed that the term "special process" be used to label such cream and other extended shelf life fluid milk products, but invited comments as to other names for the products that would be more appropriate. Several comments suggested other names, and 168 comments from consumers expressed concern about the safety of these longer keeping fluid dairy products, or criticized their flavor.

The Commissioner concludes that available information supports the safety and usefulness of the extended shelf life fluid dairy products, and the order set forth below makes provision for them, but specifies the label designation "ultra-pasteurized" rather than "special process" for naming such products.

8. Concern was shown in several comments that flavored fluid milk products, which were not provided for by the proposed standards, would therefore not be permitted in interstate commerce. Since

flavored milks, such as chocolate milk, do not purport to be and are not represented as milk, their distribution as nonstandardized foods could be continued after the establishment of an identity standard for milk. However, the Commissioner concludes that it would be reasonable to include provision for flavored fluid milk products while promulgating identity standards for milk, lowfat milk, and skim milk. The order set forth below provides for such addition of characterizing flavoring, with appropriate label declaration as specified in 21 CFR 1.12.

9. An association representing the evaporated milk manufacturers requested that the minimum fat level of this product be lowered from 7.9 percent to 7.5 percent by weight, and that a corresponding change from 25.9 to 25.5 percent be made in the minimum total milk solids requirement of the food. The evaporated milk identity standard established the composition of the food so that the reconstituted product (prepared by addition of an equal volume of water to evaporated milk) closely approximated the composition of cows' milk. Since the time the standard was promulgated, the average fat content of cows' milk in this country has decreased because the number of cattle from those breeds that produce milk having a high fat content has declined. The evaporated milk manufacturers are therefore seeking a downward adjustment in the fat content of their product to more closely approximate the current composition of cows' milk.

The Commissioner concludes that a reduction in the minimum fat content of evaporated milk is reasonable in view of the compositional changes in cows' milk that have occurred, and the requested changes are incorporated in the order set forth below.

10. One comment objected to the reference by the proposal to certain Association of Official Analytical Chemists (AOAC) methods to the exclusion of other methods that could be used for determining the same attributes. Two other comments expressed a preference for the Babcock method, rather than the Roese-Gottlieb method specified by the proposal, for determining the milkfat content of fluid milk products.

The Commissioner is of the opinion that it is necessary for all concerned to know what analytical methods will be used to determine compliance with the composition requirements of the standards, particularly when several methods are available. The designation of a reference method does not preclude the use of other available methods for regulatory purposes by State and local agencies, for quality control work, or as screening tests.

11. A number of comments opposed provisions of the proposal that would result in name changes or other changes in the labeling of fluid milk products. It was pointed out that the cost to industry for redesigning all labels will likely be passed on to consumers. In particular, the proposed name "milk—vitamin D added" to replace the established name "vitamin D milk" was objected to.

Changes in the labeling of most fluid milk products and many other foods are required by the nutrition labeling order and other orders published in three issues of the FEDERAL REGISTER on January 19, 1973 (38 FR 2124), March 14, 1973 (38 FR 6951), and August 2, 1973 (38 FR 20702). These orders, and the order set forth below, all have a common effective date, so that labels may be redesigned just once to comply with the new regulations. The Commissioner concludes that all desirable labeling changes for fluid milk products should be made at this time, and the order set forth below does retain most of the labeling requirements of the proposal. However, the Commissioner agrees that the name "vitamin D milk" is familiar to consumers, and the order permits the continuation of this name.

12. Some comments suggested the name "nonfat milk" as an option for "skim milk", and cited general use of the name "nonfat dry milk" as a precedent.

The Commissioner concurs with this suggestion, and the order set forth below provides for the two alternative names.

The Commissioner has carefully reviewed and considered all comments received and other relevant information, and to the extent that they are not encompassed within the above discussion or modifications made in the regulation they are rejected. Minor changes have been made in the labeling requirements proposed for fluid milks and creams to bring about greater consistency in the labeling of these two classes of dairy products. A proposed amendment of 21 CFR 10.1 to define the term "safe and suitable", which is used in the following order, was published in the FEDERAL REGISTER of April 26, 1973 (38 FR 10274).

Several milk industry groups have requested an extension of the December 31, 1973, requirement which provides that all labeling ordered after this date comply with the provisions of nutritional labeling (21 CFR 1.17). These industry groups have initiated comprehensive studies to develop nutritional data on milk, lowfat milk, skim milk and other dairy products for use in nutritional labeling. Available information indicates that these studies will not be completed in time to permit manufacturers to develop labels in order to meet the December 31, 1973, deadline. The Commissioner of Food and Drugs considers the request for extension reasonable and has extended this date to coincide with the December 31, 1974, date when labeling used on products must conform to the provisions of 21 CFR 1.17.

Accordingly, having considered the comments received and other relevant information, the Commissioner concludes that it will promote honesty and fair dealing in the interest of consumers to adopt the modified proposal, as set forth below.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055-1056; as amended 70 Stat. 919 and 72 Stat. 948; 21 U.S.C. 341, 371) and under authority

delegated to the Commissioner (21 CFR 2.120): *It is ordered*, that Part 18 be revised to read as follows:

Sec.	
18.1	Definitions.
18.2	Milk; identity.
18.10	Lowfat milk; identity.
18.20	Skim milk; identity.
18.30	Half-and-half; identity.
18.501	Light cream; identity.
18.511	Light whipping cream; identity.
18.515	Heavy cream; identity.
18.520	Evaporated milk; identity.
18.525	Concentrated milk; identity.
18.530	Sweetened condensed milk; identity.
18.540	Nonfat dry milk; identity.
18.545	Nonfat dry milk fortified with vitamins A and D; identity.

AUTHORITY.—Secs. 401, 701, 52 Stat. 1046, 1055-1056, as amended by 70 Stat. 919 and 72 Stat. 948 (21 U.S.C. 341, 371).

§ 18.1 Definitions.

(a) "Cream" means the liquid milk product high in fat separated from milk, which may have been adjusted by adding thereto: Milk, concentrated milk, dry whole milk, skim milk, concentrated skim milk, or nonfat dry milk. Cream contains not less than 18 percent milkfat.

(b) "Pasteurized" when used to describe a dairy product means that every particle of such product shall have been heated in properly operated equipment to one of the temperatures specified in the table of this paragraph and held continuously at or above that temperature for the specified time (or other time/temperature relationship which has been demonstrated to be equivalent thereto in microbial destruction):

Temperature:	Time
145°F ¹ -----	30 minutes
161°F ¹ -----	15 seconds
191°F -----	1 second
204°F -----	0.05 second
212°F -----	0.01 second

¹ If the dairy ingredient has a fat content of 10 percent or more, or if it contains added sweeteners, the specified temperature shall be increased by 5°F.

(c) "Ultra-pasteurized" when used to describe a dairy product means that such product shall have been thermally processed at or above 280°F for at least 2 seconds, either before or after packaging, so as to produce a product which has an extended shelf life under refrigerated conditions.

§ 18.2 Milk; identity.

(a) *Description.* Milk is the lacteal secretion, practically free from colostrum, obtained by the complete milking of one or more healthy cows. Milk that is in final package form for beverage use shall have been pasteurized or ultra-pasteurized, and shall contain not less than 8¼ percent milk solids not fat and not less than 3¼ percent milkfat. Milk may have been adjusted by separating part of the milkfat therefrom, or by adding thereto cream, concentrated milk, dry whole milk, skim milk, concentrated skim milk, or nonfat dry milk. Milk may be homogenized.

(b) *Vitamin addition (Optional).* (1) If added, vitamin A shall be present in such quantity that each quart of the

food contains not less than 2000 International Units thereof within limits of good manufacturing practice.

(2) If added, vitamin D shall be present in such quantity that each quart of the food contains 400 International Units thereof within limits of good manufacturing practice.

(c) *Optional ingredients.* The following safe and suitable ingredients may be used:

(1) Carriers for vitamins A and D.

(2) Characterizing flavoring ingredients (with or without coloring, nutritive sweetener, emulsifiers, and stabilizers) as follows:

(i) Fruit and fruit juice (including concentrated fruit and fruit juice).

(ii) Natural and artificial food flavorings.

(d) *Methods of analysis.* Referenced methods are from "Official Methods of Analysis of the Association of Official Analytical Chemists," 11th Ed., 1970.²

(1) Milk fat content—"Fat, Roesse-Gottlieb Method—Official Final Action," section 16.052.²

(2) Milk solids not fat content—Calculated by subtracting the milk fat content from the total solids content as determined by the method "Total Solids, Method I—Official Final Action," section 16.032.²

(3) Vitamin D content—"Vitamin D—Official Final Action," sections 39.149-39.162.²

(e) *Nonmenclature.* The name of the food is "milk". The name of the food shall be accompanied on the label by a declaration indicating the presence of any characterizing flavoring, as specified in § 1.12 of this chapter.

(1) The following terms shall accompany the name of the food wherever it appears on the principal display panel or panels of the label in letters not less than one-half the height of the letters used in such name:

(i) If vitamins are added, the phrase "vitamin A" or "vitamin A added", or "vitamin D" or "vitamin D added", or "vitamin A and D" or "vitamins A and D added", as is appropriate. The word "vitamin" may be abbreviated "vit".

(ii) The word "ultra-pasteurized" if the food has been ultra-pasteurized.

(2) The following terms may appear on the label:

(i) The word "pasteurized" if the food has been pasteurized.

(ii) The word "homogenized" if the food has been homogenized.

(f) *Label declaration.* When used in the food, each of the ingredients specified in paragraphs (b) and (c) (2) of this section shall be declared on the label as required by the applicable sections of Part 1 of this chapter.

§ 18.10 Lowfat milk; identity.

(a) *Description.* Lowfat milk is milk from which sufficient milkfat has been removed to produce a food having, within

See footnote at end of document.

limits of good manufacturing practice, one of the following milkfat contents: ½, 1, 1½, or 2 percent. Lowfat milk is pasteurized or ultra-pasteurized, contains added vitamin A as prescribed by paragraph (b) of this section, and contains not less than 8¼ percent milk solids not fat. Lowfat milk may be homogenized.

(b) *Vitamin addition.* (1) Vitamin A shall be present in such quantity that each quart of the food contains not less than 2000 International Units thereof within limits of good manufacturing practice.

(2) Addition of vitamin D is optional. If added, vitamin D shall be present in such quantity that each quart of the food contains 400 International Units thereof within limits of good manufacturing practice.

(c) *Optional ingredients.* The following safe and suitable ingredients may be used:

(1) Carriers for vitamins A and D.

(2) Concentrated skim milk, nonfat dry milk, or other milk derived ingredients to increase the nonfat solids content of the food: *Provided*, That the ratio of protein to total nonfat solids of the food, and the protein efficiency ratio of all protein present, shall not be decreased as a result of adding such ingredients.

(3) When one or more of the optional milk derived ingredients in paragraph (c) (2) of this section are used, emulsifiers, stabilizers, or both, in an amount not more than 2 percent by weight of the solids in such ingredients.

(4) Characterizing flavoring ingredients (with or without coloring, nutritive sweetener, emulsifiers, and stabilizers) as follows:

(i) Fruit and fruit juice (including concentrated fruit and fruit juice).

(ii) Natural and artificial food flavorings.

(d) *Methods of analysis.* Referenced methods are from "Official Methods of Analysis of the Association of Official Analytical Chemists," 11th Ed., 1970.²

(1) Milkfat content—"Fat, Roesse-Gottlieb Method—Official Final Action," section 16.052.²

(2) Milk solids not fat content (or total nonfat solids content)—Calculated by subtracting the milkfat content from the total solids content as determined by the method "Total Solids, Method I—Official Final Action," section 16.032.²

(3) Vitamin D content—"Vitamin D—Official Final Action," sections 39.149-39.162.²

(e) *Nomenclature.* The name of the food is "Lowfat milk". The name of the food shall appear on the label in type of uniform size, style, and color. The name of the food shall be accompanied on the label by a declaration indicating the presence of any characterizing flavoring, as specified in § 1.12 of this chapter.

(1) The following terms shall accompany the name of the food wherever it appears on the principal display panel or panels of the label in letters not less than one-half of the height of the letters used in such name:

(i) The phrase "----% milkfat", the blank to be filled in with the fraction $\frac{1}{2}$, or multiple thereof, to indicate the actual fat content of the food.

(ii) The phrase "vitamin A" or "vitamin A added", or, if vitamin D is added, the phrase "vitamin A and D added". The word "vitamin" may be abbreviated "vit."

(iii) The word "ultra-pasteurized" if the food has been ultra-pasteurized.

(iv) The phrase "protein fortified" or "fortified with protein" if the food contains not less than 10 percent milk derived nonfat solids.

(2) The following terms may appear on the label:

(i) The word "pasteurized" if the food has been pasteurized.

(ii) The word "homogenized" if the food has been homogenized.

(f) *Label declaration.* When ingredients are used in the food as specified in paragraphs (b) (2) and (c) (2), (3), and (4) of this section, such ingredients shall be declared on the label as required by the applicable sections of Part 1 of this chapter except that concentrated skim milk and nonfat dry milk may be declared as "nonfat milk solids".

§ 18.20 Skim milk; identity.

(a) *Description.* Skim milk is milk from which sufficient milkfat has been removed to reduce its milkfat content to less than 0.5 percent. Skim milk that is in final package form for beverage use shall have been pasteurized or ultra-pasteurized, shall contain added vitamin A as prescribed by paragraph (b) of this section, and shall contain not less than $8\frac{1}{4}$ percent milk solids not fat. Skim milk may be homogenized.

(b) *Vitamin addition.* (1) Vitamin A shall be present in such quantity that each quart of the food contains not less than 2000 International Units thereof within limits of good manufacturing practice.

(2) Addition of vitamin D is optional. If added, vitamin D shall be present in such quantity that each quart of the food contains 400 International Units thereof within limits of good manufacturing practice.

(c) *Optional ingredients.* The following safe and suitable ingredients may be used:

(1) Carriers for vitamins A and D.

(2) Concentrated skim milk, nonfat dry milk, or other milk derived ingredients to increase the nonfat solids content of the food: *Provided*, That the ratio of protein to total nonfat solids of the food, and the protein efficiency ratio of all protein present, shall not be decreased as a result of adding such ingredients.

(3) When one or more of the optional milk derived ingredients in paragraph (c) (2) of this section are used, emulsifiers, stabilizers, or a combination of both, in an amount not more than 2 percent by weight of the solids in such ingredients.

(4) Characterizing flavoring ingredients (with or without coloring, nutritive sweetener, emulsifiers, and stabilizers) as follows:

See footnote at end of document.

(i) Fruit and fruit juice (including concentrated fruit and fruit juice).

(ii) Natural and artificial food flavoring.

(d) *Methods of analysis.* Referenced methods are from "Official Methods of Analysis of the Association of Official Analytical Chemists," 11th Ed., 1970.²

(1) Milkfat content—"Fat, Roese-Gottlieb Method—Official Final Action," section 16.052.²

(2) Milk solids not fat content (or total nonfat solids content)—Calculated by subtracting the milkfat content from the total solids content as determined by the method "Total Solids, Method I—Official Final Action," section 16.032.²

(3) Vitamin D content—"Vitamin D—Official Final Action," sections 39.149-39.162.²

(e) *Nomenclature.* The name of the food is "Skim milk" or alternatively "Nonfat milk". The name of the food shall appear on the label in type of uniform size, style, and color. The name of the food shall be accompanied on the label by a declaration indicating the presence of any characterizing flavoring, as specified in § 1.12 of this chapter.

(1) The following terms shall accompany the name of the food wherever it appears on the principal display panel or panels of the label in letters not less than one-half the height of the letters used in such name:

(i) The phrase "vitamin A" or "vitamin A added", or, if vitamin D is added, the phrase "vitamin A and D" or "vitamins A and D added". The word "vitamin" may be abbreviated "vit."

(ii) The word "ultra-pasteurized" if the food has been ultra-pasteurized.

(iii) The phrase "protein fortified" or "fortified with protein" if the food contains not less than 10 percent milk derived nonfat solids.

(2) The following terms may appear on the label:

(i) The word "pasteurized" if the food has been pasteurized.

(ii) The word "homogenized" if the food has been homogenized.

(f) *Label declaration.* When used in the food, each of the ingredients specified in paragraphs (b) (2) and (c) (2), (3), and (4) of this section shall be declared on the label as required by the applicable sections of Part 1 of this chapter.

§ 18.30 Half-and-half; identity.

(a) *Description.* Half-and-half is the food consisting of a mixture of milk and cream which contains not less than 10.5 percent but less than 18 percent milkfat. It is pasteurized or ultrapasteurized, and may be homogenized.

(b) *Optional ingredients.* The following safe and suitable optional ingredients may be used:

(1) Emulsifiers.

(2) Stabilizers.

(3) Nutritive sweeteners.

(4) Characterizing flavoring ingredients (with or without coloring) as follows:

(i) Fruit and fruit juice (including concentrated fruit and fruit juice).

(ii) Natural and artificial food flavoring.

(c) *Methods of analysis.* The milkfat content is determined by the method prescribed in "Official Methods of Analysis of the Association of Official Analytical Chemists," 11th Ed., 1970, section 16.114 under "Fat, Roese-Gottlieb Method—Official Final Action."²

(d) *Nomenclature.* The name of the food is "Half-and-half". The name of the food shall be accompanied on the label by a declaration indicating the presence of any characterizing flavoring, as specified in § 1.12 of this chapter.

(1) The following terms shall accompany the name of the food wherever it appears on the principal display panel or panels of the label in letters not less than one-half the height of the letters used in such name:

(i) The word "ultra-pasteurized" if the food has been ultra-pasteurized.

(ii) The word "sweetened" if no characterizing flavor ingredients are used, but nutritive sweetener is added.

(2) The following terms may appear on the label:

(i) the word "pasteurized" if the food has been pasteurized.

(ii) The word "homogenized" if the food has been homogenized.

(e) *Label declaration.* When used in the food, each of the ingredients specified in paragraph (b) of this section shall be declared on the label as required by the applicable sections of Part 1 of this chapter.

§ 18.501 Light cream; identity.

(a) *Description.* Light cream is cream which contains not less than 18 percent but less than 30 percent milkfat. It is pasteurized or ultra-pasteurized, and may be homogenized.

(b) *Optional ingredients.* The following safe and suitable ingredients may be used:

(1) Stabilizers.

(2) Emulsifiers.

(3) Nutritive sweeteners.

(4) Characterizing flavoring ingredients (with or without coloring) as follows:

(i) Fruit and fruit juice (including concentrated fruit and fruit juice).

(ii) Natural and artificial food flavoring.

(c) *Methods of analysis.* The milkfat content is determined by the method prescribed in "Official Methods of Analysis of the Association of Official Analytical Chemists," 11th Ed., 1970, section 16.114 under "Fat, Roese-Gottlieb Method—Official Final Action."²

(d) *Nomenclature.* The name of the food is "Light cream", or alternatively "Coffee cream" or "Table cream". The name of the food shall be accompanied on the label by a declaration indicating the presence of any characterizing flavoring, as specified in § 1.12 of this chapter.

(1) The following terms shall accompany the name of the food wherever it appears on the principal display panel or panels of the label in letters not less

than one-half the height of the letters used in such name:

(i) The word "ultra-pasteurized" if the food has been ultra-pasteurized.

(ii) The word "sweetened" if no characterizing flavoring ingredients are used, but nutritive sweetener is added.

(2) The following terms may appear on the label:

(i) The word "pasteurized" if the food has been pasteurized.

(ii) The word "homogenized" if the food has been homogenized.

(e) *Label declaration.* When used in the food, each of the ingredients specified in paragraph (b) of this section shall be declared on the label as required by the applicable sections of Part 1 of this chapter.

§ 18.511 Light whipping cream; identity.

(a) *Description.* Light whipping cream is cream which contains not less than 30 percent but less than 36 percent milkfat. It is pasteurized or ultra-pasteurized, and may be homogenized.

(b) *Optional ingredients.* The following safe and suitable optional ingredients may be used:

(1) Emulsifiers.

(2) Stabilizers.

(3) Nutritive sweeteners.

(4) Characterizing flavoring ingredients (with or without coloring) as follows:

(i) Fruit and fruit juice (including concentrated fruit and fruit juice).

(ii) Natural and artificial food flavoring.

(c) *Methods of analysis.* The milkfat content is determined by the method prescribed in "Official Methods of Analysis of the Association of Official Analytical Chemists," 11th Ed., 1970, section 16.114 under "Fat, Roesse-Gottlieb Method—Official Final Action."²

(d) *Nomenclature.* The name of the food is "Light whipping cream" or alternatively "Whipping cream". The name of the food shall be accompanied on the label by a declaration indicating the presence of any characterizing flavoring, as specified in § 1.12 of this chapter.

(1) The following terms shall accompany the name of the food wherever it appears on the principal display panel or panels of the label in letters not less than one-half the height of the letters used in such name:

(i) The word "ultra-pasteurized" if the food has been ultra-pasteurized.

(ii) The word "sweetened" if no characterizing flavoring ingredients are used, but nutritive sweetener is added.

(2) The following terms may appear on the label:

(i) The word "pasteurized" if the food has been pasteurized.

(ii) The word "homogenized" if the food has been homogenized.

(e) *Label declaration.* When used in the food, each of the ingredients specified in paragraph (b) of this section shall be declared on the label as required by

See footnote at end of document.

the applicable sections of Part 1 of this chapter.

§ 18.515 Heavy cream; identity.

(a) *Description.* Heavy cream is cream which contains not less than 36 percent milkfat. It is pasteurized or ultra-pasteurized, and may be homogenized.

(b) *Optional ingredients.* The following safe and suitable optional ingredients may be used:

(1) Emulsifiers.

(2) Stabilizers.

(3) Nutritive sweeteners.

(4) Characterizing flavoring ingredients (with or without coloring) as follows:

(i) Fruit and fruit juice (including concentrated fruit and fruit juice).

(ii) Natural and artificial food flavoring.

(c) *Methods of analysis.* The milkfat content is determined by the method prescribed in "Official Methods of Analysis of the Association of Official Analytical Chemists," 11th Ed., 1970, section 16.114 under "Fat, Roesse-Gottlieb Method—Official Final Action."²

(d) *Nomenclature.* The name of the food is "Heavy cream" or alternatively "Heavy whipping cream". The name of the food shall be accompanied on the label by a declaration indicating the presence of any characterizing flavoring, as specified in § 1.12 of this chapter. The following terms shall accompany the name of the food wherever it appears on the principal display panel or panels of the label in letters not less than one-half the height of the letters used in such name:

(i) The word "ultra-pasteurized" if the food has been ultra-pasteurized.

(ii) The word "sweetened" if no characterizing flavoring ingredients are used, but nutritive sweetener is added.

(2) The following terms may appear on the label:

(i) The word "pasteurized" if the food has been pasteurized.

(ii) The word "homogenized" if the food has been homogenized.

(e) *Label declaration.* When used in the food, each of the ingredients specified in paragraph (b) of this section shall be declared on the label as required by the applicable sections of Part 1 of this chapter.

§ 18.520 Evaporated milk; identity.

(a) *Description.* Evaporated milk is the liquid food obtained by the partial removal of water from milk. The milkfat and total milk solids contents of the food are not less than 7.5 and 25.5 percent, respectively. Evaporated milk contains added vitamin D as prescribed by paragraph (b) of this section. It is homogenized. It is sealed in a container and so processed by heat, either before or after sealing, as to prevent spoilage.

(b) *Vitamin addition.* (1) Vitamin D shall be present in such quantity that each fluid ounce of the food contains 25 International Units thereof within limits of good manufacturing practice.

(2) Addition of vitamin A is optional. If added, vitamin A shall be present in such quantity that each fluid ounce of the food contains not less than 125 Inter-

national Units thereof within limits of good manufacturing practice.

(c) *Optional ingredients.* The following safe and suitable ingredients may be used:

(1) Carriers for vitamins A and D.

(2) Emulsifiers.

(3) Stabilizers, with or without dioctyl sodium sulfosuccinate (when permitted by, and complying with the provisions of § 121.1137 of this chapter) as a solubilizing agent.

(d) *Methods of analysis.* Referenced methods are from "Official Methods of Analysis of the Association of Official Analytical Chemists," 11th Ed., 1970.²

(1) Milkfat content — "Fat—Official Final Action," section 16.129.²

(2) Total milk solids—"Total Solids—Official Final Action," section 16.127.²

(3) Vitamin D content—"Vitamin D in Milk—Official Final Action," sections 39.149-39.162.²

(e) *Nomenclature.* The name of the food is "Evaporated milk". The phrase "vitamin D" or "vitamin D added", or "vitamin A and D" or "vitamins A and D added", as is appropriate, shall immediately precede or follow the name of the food wherever it appears on the principal display panel or panels of the label in letters not less than one-half the height of the letters used in such name:

(f) *Label declaration.* When used in the food, each of the ingredients specified in paragraphs (b) (2) and (c) (2) and (3) of this section shall be declared on the label as required by the applicable sections of Part 1 of this chapter.

§ 18.525 Concentrated milk; identity.

(a) *Description.* Concentrated milk is the liquid food obtained by partial removal of water from milk. The milkfat and total milk solids contents of the food are not less than 7.5 and 25.5 percent, respectively. It is pasteurized, but is not processed by heat so as to prevent spoilage. It may be homogenized.

(b) *Vitamin addition (Optional).* If added, vitamin D shall be present in such quantity that each fluid ounce of the food contains 25 International Units thereof, within limits of good manufacturing practice.

(c) *Optional ingredients.* Safe and suitable carriers may be used for vitamin D.

(d) *Methods of analysis.* Referenced methods are from "Official Methods of Analysis of the Association of Official Analytical Chemists," 11th Ed., 1970.²

(1) Milkfat content — "Fat—Official Final Action," section 16.129.²

(2) Total milk solids—"Total Solids—Official Final Action," section 16.127.²

(3) Vitamin D content—"Vitamin D in Milk—Official Final Action," sections 39.149-39.162.²

(e) *Nomenclature.* The name of the food is "Concentrated milk" or alternatively "Condensed milk". If the food contains added vitamin D, the phrase "vitamin D" or "vitamin D added" shall accompany the name of the food wherever it appears on the principal display panel or panels of the label in letters not less than one-half the height of the letters

used in such name. The word "homogenized" may appear on the label if the food has been homogenized.

(f) *Label declaration.* When used in the food, the optional ingredients specified in paragraph (b) of this section shall be declared on the label as required by the applicable sections of Part 1 of this chapter.

§ 18.530 Sweetened condensed milk; identity.

(a) *Description.* Sweetened condensed milk is the food obtained by the partial removal of water only from a mixture of milk and safe and suitable nutritive sweetener. The finished food contains not less than 8.5 percent by weight of milkfat, and not less than 28 percent by weight of total milk solids. The quantity of nutritive sweetener used is sufficient to prevent spoilage. The food is pasteurized, and may be homogenized.

(b) *Method of analysis.* The milkfat content is determined by the method prescribed in "Official Methods of Analysis of the Association of Official Analytical Chemists," 11th Ed., 1970, section 16.142, under "Fat—Official Final Action."³

(c) *Nomenclature.* The name of the food is "Sweetened condensed milk". The word "homogenized" may appear on the label if the food has been homogenized.

(d) *Label declaration.* The optional sweetener used shall be declared on the label as required by the applicable sections of Part 1 of this chapter.

§ 18.540 Nonfat dry milk; identity.

(a) *Description.* Nonfat dry milk is the product obtained by removal of water only from pasteurized skim milk. It contains not more than 5 percent by weight of moisture, and not more than 1½ percent by weight of milkfat unless otherwise indicated.

(b) *Methods of analysis.* Referenced methods are from "Official Methods of Analysis of the Association of Official Analytical Chemists," 11th Ed., 1970.³

(1) *Moisture content.*—"Moisture—Official Final Action," section 16.149.³

(2) *Milkfat content.*—"Fat in Dried Milk—Official Final Action," sections 16.156–16.157.³

(c) *Nomenclature.* The name of the food is "Nonfat dry milk". If the fat content is over 1½ percent by weight, the name of the food on the principal display panel or panels shall be accompanied by the statement "Contains ----% milkfat", the blank to be filled in with the percentage to the nearest one-tenth of 1 percent of fat contained, within limits of good manufacturing practice.

§ 18.545 Nonfat dry milk fortified with vitamins A and D; identity.

(a) *Description.* Nonfat dry milk fortified with vitamins A and D conforms to the standard of identity for nonfat

³ Copies may be obtained from: Association of Official Analytical Chemists, P.O. Box 540, Benjamin Franklin Station, Washington, DC 20044.

dry milk, except that vitamins A and D are added as prescribed by paragraph (b) of this section.

(b) *Vitamin addition.* (1) Vitamin A is added in such quantity that, when prepared according to label directions, each quart of the reconstituted product contains 2000 International Units thereof.

(2) Vitamin D is added in such quantity that, when prepared according to label directions, each quart of the reconstituted product contains 400 International Units thereof.

(3) The requirements of this paragraph will be deemed to have been met if reasonable overages, within limits of good manufacturing practice, are present to insure that the required levels of vitamins are maintained throughout the expected shelf life of the food under customary conditions of distribution.

(c) *Optional ingredients.* Safe and suitable carriers for vitamins A and D.

(d) *Methods of analysis.* Referenced methods are from "Official Methods of Analysis of the Association of Official Analytical Chemists," 11th Ed., 1970.³

(1) *Moisture content.*—"Moisture—Official Final Action," section 16.149.³

(2) *Milkfat content.*—"Fat in Dried Milk—Official Final Action," sections 16.156–16.157.³

(c) *Nomenclature.* The name of the food is "Nonfat dry milk fortified with vitamins A and D". If the fat content is over 1½ percent by weight, the name of the food on the principal display panel or panels shall be accompanied by the statement "Contains ----% milkfat", the blank to be filled in to the nearest one-tenth of 1 percent with the percentage of fat contained, within limits of good manufacturing practice.

Any person who will be adversely affected by the foregoing order may at any time on or before November 9, 1973, file with the Hearing Clerk, Food and Drug Administration, Rm. 6-86, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date.—Unless stayed by the filing of proper objections, compliance with this order, which shall include any labeling changes required, may begin on December 10, 1973, and all labeling used for products shipped in interstate commerce after December 31, 1974, shall comply with these regulations.

(Sec. 401, 701, 52 Stat. 1046, 1055–1056, as amended by 70 Stat. 919 and 72 Stat. 948 (21 U.S.C. 341, 371).)

Dated September 28, 1973.

SAM D. FINE,
Associate Commissioner for
Compliance.

NOTE.—Incorporation by reference provisions approved by the Director of the Federal Register March 26, 1973.

[FR Doc.73-21485 Filed 10-9-73;8:45 am]

**SUBCHAPTER B—FOOD AND FOOD PRODUCTS
PART 26—NUTRITIVE SWEETENERS**

Correction

In FR Doc. 73-19632 appearing at page 25985 in the issue of Monday, September 17, 1973, make the following changes in the preamble:

1. In the paragraph following paragraph 4, the standard number in the 14th line reading "CAC/RS 10-2969" should read "CAC/RS 10-1969".

2. The 18th line of that paragraph reading "standard CAC/RS 10-1969 be similarly", should read "standards in whole or in part do not pro".

3. In paragraph 6 the word "and" in the 5th line from the bottom should read "for".

SUBCHAPTER C—DRUGS

PART 151b—BACITRACIN

Zinc Bacitracin-Neomycin Sulfate-Polymyxin B Sulfate Ophthalmic Ointment

The Commissioner of Food and Drugs has evaluated data submitted in accordance with regulations promulgated under section 507 of the Federal Food, Drug, and Cosmetic Act, as amended, with respect to providing for the certification of an ophthalmic ointment containing 500 units zinc bacitracin, 3.5 milligrams neomycin sulfate, and 10,000 units polymyxin B sulfate.

The Commissioner has concluded that the data supplied by the manufacturer concerning the subject antibiotic drug is adequate to establish its safety and efficacy when used as directed in the labeling and that the regulations published in the FEDERAL REGISTER of July 24, 1973 (38 FR 19817) should be amended to provide for the certification of this drug.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner (21 CFR 2.120), Part 151b is amended in § 151b.22 by revising paragraph (a) (1) to read as follows:

§ 151b.22 Zinc bacitracin—neomycin sulfate—polymyxin B sulfate ophthalmic ointment.

(a) *Requirements for certification.*—(1) *Standards of identity, strength, quality, and purity.* Zinc bacitracin—neomycin sulfate—polymyxin B sulfate ophthalmic ointment is zinc bacitracin, neomycin sulfate, and polymyxin B sulfate

in a suitable and harmless ointment base. Each gram contains:

- (i) 400 units of zinc bacitracin; 3.5 milligrams of neomycin, and 5,000 units of polymyxin B; or
- (ii) 500 units of zinc bacitracin, 3.5 milligrams of neomycin, and 10,000 units of polymyxin B.

Its zinc bacitracin content is satisfactory if it is not less than 90 percent and not more than 140 percent of the number of units of bacitracin that it is represented to contain. Its neomycin sulfate content is satisfactory if it is not less than 90 percent and not more than 140 percent of the number of milligrams of neomycin that it is represented to contain. Its polymyxin B sulfate content is satisfactory if it is not less than 90 percent and not more than 140 percent of the number of units of polymyxin B that it is represented to contain. It is sterile. Its moisture content is not more than 0.5 percent. The zinc bacitracin used conforms to the standards prescribed by § 146e.418 (a) of this chapter. The neomycin sulfate used conforms to the standards prescribed by § 148i.1(a)(1) of this chapter. The polymyxin B sulfate used conforms to the standards prescribed by § 148p.1(a)(1) of this chapter.

As the conditions prerequisite to providing for certification of subject drug, have been compiled with and as the matter is noncontroversial in nature, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

Effective date.—This order shall be effective on October 10, 1973.

(Sec. 507, 59 Stat. 463, as amended (21 U.S.C. 357).)

Dated October 2, 1973.

MARY A. MCENIRY,
Assistant to the Director for
Regulatory Affairs, Bureau of
Drugs.

[FR Doc.73-21486 Filed 10-9-73;8:45 am]

Title 49—Transportation

CHAPTER III—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER B—MOTOR CARRIER SAFETY REGULATIONS

[Notice No. 73-26]

PART 395—HOURS OF SERVICE OF DRIVERS

Notification for Preparation of Drivers' Logs on a Noon-to-Noon Basis

The purpose of this amendment to § 395.8(j) of the Motor Carrier Safety Regulations is to correct an erroneous reference to the official within the Federal Highway Administration who must be notified by a carrier whose drivers will prepare logs on the basis of a 24-hour period beginning at noon rather than the standard day which begins at midnight.

The proviso in the first sentence of § 395.8(j) now states that before a carrier may have his drivers prepare daily

logs on a noon-to-noon basis, he must give written notification to "the Regional Federal Highway Administrator of the Bureau of Motor Carrier Safety" for the region in which his principal office is located. In light of the current organization of the Federal Highway Administration, the quoted reference to the Regional Federal Highway Administrator of the Bureau of Motor Carrier Safety is erroneous. The officer to be notified in each case is the Director of the Regional Motor Carrier Safety Office of the Federal Highway Administration region in which the carrier's principal place of business is located. Accordingly the Director is amending the language of § 395.8(j) in order to correct this misnomer.

Since this amendment relates to the internal organization of the Federal Highway Administration and imposes no additional substantive burden on any person, notice and public procedure thereon are unnecessary, and it is effective on the date of issuance set forth below.

In consideration of the foregoing, paragraph (j) of § 395.8 of the Motor Carrier Safety Regulations (Subchapter B in Chapter III of Title 49, CFR) is revised to read as follows:

§ 395.8 Driver's daily log.

(j) *Time base to be used.* The log shall be prepared, maintained, and submitted, using the time standard in effect at the driver's home terminal, for a 24-hour calendar day beginning at midnight: *Provided, however,* That if written notification is given by a carrier to the Director, Regional Motor Carrier Safety Office of the Federal Highway Administration for the region in which the carrier's principal place of business is located, drivers of any named terminal or terminals of the carrier may prepare logs for a 24-hour period beginning at noon of 1 day and ending at noon of the next succeeding day. For drivers preparing logs on a noon-to-noon basis, the term 7 or 8 consecutive days means the period of 7 or 8 consecutive days beginning at 12:01 p.m., on any day.

(Sec. 204, Interstate Commerce Act, as amended, 49 U.S.C. 304, sec. 6, Dept. of Transportation Act, 49 U.S.C. 1655; delegations of authority by Secretary of Transportation and Federal Highway Administrator at 49 CFR §§ 1.48 and 389.4.)

Issued on October 2, 1973.

KENNETH L. PIERSON,
Acting Director, Bureau of
Motor Carrier Safety.

[FR Doc.73-21491 Filed 10-9-73;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—BUREAU OF SPORT FISHERIES AND WILDLIFE, FISH AND WILDLIFE SERVICE

PART 32.—HUNTING

National Wildlife Refuges in Certain States

The following special regulations are issued and are effective on November 10, 1973.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

FLORIDA

CHASSAHOWITZKA NATIONAL WILDLIFE REFUGE

Public hunting of ducks and coots on the Chassahowitzka National Wildlife Refuge, Florida, is permitted only on the area designated by signs as open to hunting. The open area, comprising 2,500 acres, is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 17 Executive Park Drive NE., Atlanta, Georgia 30329. Hunting shall be in accordance with all applicable State and Federal regulations governing the hunting of ducks and coots subject to the following special conditions:

(1) Open season: Hunting will be permitted only on Wednesdays through Sundays during the regular waterfowl season.

(2) Daily bag limits: Same as prescribed by State and Federal regulations.

(3) Entry: Hunters must follow the routes of travel within the refuge that are designated by posting by the officer-in-charge. The routes of travel for airboats to and from the public hunting area are shown on the map referred to above. While traveling to and from the hunting area, hunters must have guns unloaded and cased.

(4) Blinds: Only temporary blinds constructed of native vegetation are permitted.

(5) Dogs: The use of dogs is encouraged to retrieve dead and wounded birds. Dogs must be under control at all times.

(6) Airboats: A Federal permit is required for the use of airboats on the area. Airboats must be equipped with an exhaust muffler. Airboat permits may be obtained by applying in person at refuge headquarters 4½ miles south of Homosassa Springs, Florida, between the hours of 7:30 a.m. and 4 p.m., Monday through Friday.

(7) Decoys will be retrieved by owners at the end of each day's hunt.

(8) Boats and hunting equipment and all game bagged will be presented for inspection to refuge agents or other wildlife enforcement officers upon request.

LOXAHATCHEE NATIONAL WILDLIFE REFUGE

Public hunting of ducks and coots on Loxahatchee National Wildlife Refuge, Florida, is permitted only on the area designated by signs as open to hunting. This open area, comprising 29,000 acres, is delineated on a map available at the refuge headquarters, Delray Beach, Florida, and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 17 Executive Park Drive NE., Atlanta, Georgia 30329. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks and coots and subject to the following special conditions:

(1) Hunters may enter and leave the refuge through the S-39 landing (Loxahatchee Recreation Area) on SR 827 or

the headquarters landing on U.S. 441, three miles north of SR 806.

(2) Weapons may be carried on the refuge only during the open waterfowl season. Weapons are restricted to shotguns with only shot size 4 through 7½ allowed. Possession of weapons is restricted to the hunting area and adjacent canals. Shotguns being transported in an outboard boat, airboat, or any other vehicle must be cased, broken down, or in a scabbard.

(3) Only portable or temporary blinds constructed of native vegetation are permitted. Blinds must be removed at the close of the hunt, or within ten days after the waterfowl season ends.

(4) Air-thrust boats can be authorized only by special permit issued by the refuge manager. The airboat permit will be revoked for any violation of refuge regulations.

(5) All public use within the refuge is limited by exact times as posted at all points of entry to the refuge.

(6) Users of special refuge hunting privileges give consent for search of their person and vehicle (outboard boat, airboat, car, etc.) by Federal agents.

MERRITT ISLAND NATIONAL WILDLIFE REFUGE

Public hunting of ducks and coots on the Merritt Island National Wildlife Refuge, Florida, is permitted only on the areas designated by signs as open to hunting. These open areas are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 17 Executive Park Drive NE., Atlanta, Georgia 30329. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks and coots subject to the following special conditions:

(1) Security requirements deemed necessary by the Director, Kennedy Space Center, may preclude hunting in Area 2 for all or portions of the 1973-74 waterfowl season.

(2) Hunting will be allowed:

(a) One-half hour before sunrise until sunset in Areas 2, 3, and 4 and until noon in Area 1, on Tuesdays, Thursdays, Saturdays and Sundays, except Christmas Day.

(b) A refuge permit is required of all hunters in Area 1. A refuge permit is required of all hunters in Area 2 for the opening day and the first weekend.

(c) Hunting from permanent blinds is prohibited in Areas 2, 3, and 4.

(d) Air-thrust boats are not permitted on the refuge.

(e) Hunters under 18 years of age must be accompanied by an adult 21 years of age or older.

(f) No overnight camping is allowed.

PUBLIC HUNTING AREA No. 1

1. Hunting is from established blinds only and a permit is required. See hunting and permit regulations available at refuge headquarters.

2. Only iron shot shells will be permitted on Tuesdays, Thursdays and Saturdays. On Sundays, lead shot will be used.

PUBLIC HUNTING AREA No. 2

1. A maximum of 250 permits will be issued for the opening day and the first weekend of the hunting season.

2. No shooting is permitted from or across the railroad right-of-way or any paved road.

PUBLIC HUNTING AREA No. 3

1. No vehicles will be allowed on the outer beach above the mean high tide line.

2. Access is permitted by boats other than air-thrust boats.

PUBLIC HUNTING AREA No. 4

1. Vehicles will park in designated parking areas only. No vehicles will be allowed on dikes.

2. Access is permitted by boats other than air-thrust boats.

3. Shooting from dikes is prohibited.

GEORGIA

EUFULA NATIONAL WILDLIFE REFUGE

Public hunting of ducks and coots on the Eufaula National Wildlife Refuge, Georgia, is permitted only on the area designated by signs as open to hunting. This open area, comprising 770 acres, is delineated on a map available at the refuge headquarters, Eufaula, Alabama, and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 17 Executive Park Drive NE., Atlanta, Georgia 30329. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks and coots subject to the following special conditions.

(1) Hunting will be permitted only on Saturdays. Hunting hours will be from one-half hour before sunrise to 11:30 a.m. during the waterfowl season.

(2) Hunters must hunt only from designated blinds provided and located by the Bureau. Shooting is not permitted outside of designated blind zone.

(3) Guns must be unloaded while being transported on the refuge and while being carried to and from the blinds.

(4) Each hunter is limited to no more than 15 shells in his possession. Shells with shot larger than No. 4 are prohibited.

(5) Hunters are required to check in and out of the hunt area and must present all bagged game for inspection.

(6) A refuge permit is required. A blind fee of \$6 per blind will be charged at the time permits are issued prior to each day's hunt.

(7) Applications for reservations for refuge permits must be received by the Refuge Manager, Eufaula Refuge, Eufaula, Alabama 36027, prior to 12 noon, October 29, 1973. Successful applicants will be determined by an impartial drawing on October 31, 1973.

(8) Hunters under 18 years of age must be accompanied by an adult 21 years of age or older.

(9) Blind reservations are nontransferable.

SAVANNAH NATIONAL WILDLIFE REFUGE

Public hunting of ducks, coots, and snipe on the Savannah National Wildlife Refuge, Georgia, is permitted only on the areas designated by signs as open to hunting. This open area, comprising 3,600 acres, is delineated on the map which is available at the refuge headquarters, Hardeeville, S.C., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 17 Executive Park Drive NE., Atlanta, Georgia 30329. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, coots, and snipe, subject to the following conditions:

(1) Hunting will be permitted only on Thursday, Fridays, and Saturdays, from one-half hour before sunrise to 2 p.m. during the season set by State regulations. Note that State snipe season opens at different dates than ducks and coots but will close on the refuge on the same date.

(2) Hunting will not be permitted in or on Front, Middle, and Back Rivers, nor closer than 50 yards to the shoreline of these rivers.

(3) Hunters will not be permitted to enter the hunting area sooner than 1½ hours before sunrise.

(4) Guns must be unloaded while being carried to and from the hunting area, and shot size larger than No. 4 will not be permitted on the refuge.

(5) Only temporary blinds constructed of native materials are permitted. Hunters must build their own blinds and furnish their own boats and decoys.

(6) Dogs used to retrieve waterfowl must be under complete control at all times.

(7) Before entering the hunting area, hunters are required to obtain a permit at the refuge check station located on U.S. Highway 17 at the Middle River Bridge. All hunters must check out at the check station as soon as possible after completing their hunt and must present all bagged game for inspection.

LOUISIANA

LACASSINE NATIONAL WILDLIFE REFUGE

Public hunting of waterfowl is permitted Wednesday through Sunday on Lacassine National Wildlife Refuge, Louisiana, only on the area designated by signs as open to hunting. The open area comprises 6,400 acres and is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 17 Executive Park Drive NE., Atlanta, Georgia 30329. Hunting shall be in accordance with all applicable Federal and State regulations and runs concurrently with the State duck season. Hunting geese on the refuge is allowed only during the State duck season and then only at the designated time for each individual species. The following special conditions will also prevail:

(1) Shooting Hours: Sunrise until 11 a.m. Hunters may enter the refuge two

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hours prior to legal shooting time, but must be out of the refuge by 12 noon.

(2) Only portable blinds or temporary blinds made of vegetation may be used and all hunting must be done from such blinds. Blind locations, on a first come, first served basis, must be a minimum of one hundred (100) yards apart.

(3) Airboats or other ATV vehicles are prohibited.

(4) No hunting is permitted in refuge waterways and hunters must station themselves a minimum of 50 yards inland from all streams and canals.

(5) All guns must be encased or dismantled while carried in transit through the refuge.

(6) Hunters will not interfere with any refuge trapper making his daily rounds nor will they disturb any trap or set. Hunting is restricted to ducks, geese and coots only. No other species of bird, mammal or reptile may be shot or taken on the refuge.

(7) Hunters under the age of 18 must be accompanied by a responsible adult.

(8) During the hunting season only, small boats and pirogues may be left on the area at the owner's risk. These boats must be moored in such manner as to not block traffic at any access point and they must be removed on the last day of the hunt.

SABINE NATIONAL WILDLIFE REFUGE

Public hunting of ducks, geese, and coots on the Sabine National Wildlife Refuge is permitted only in areas designated by signs as open to hunting. These areas, comprising approximately 10,000 acres, are delineated on a map available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 17 Executive Park Drive NE., Atlanta, Georgia 30329. Waterfowl hunting shall be in accordance with all applicable State and Federal regulations including the following special conditions:

(1) The western portion of the public hunting area (entire hunting area west of State Highway 27) will be restricted to hunters participating in an IRON SHOT HUNTING PROGRAM. The following special conditions will apply:

(a) Hunting will be with 12 gauge shotgun only.

(b) No lead shot shells may be carried into or used in this area. Hunters will be provided IRON SHOT shells at \$4/box—no limit on quantity.

(c) Hunting licenses will be surrendered at both entrances to the special hunt area when hunters purchase their IRON SHOT shells. Hunting licenses will be returned to owners leaving the area upon completion of an evaluation questionnaire. Succeeding hunts with IRON SHOT shells may be made without any purchase.

(d) Refuge observers will be obtaining additional data during the hunt.

(2) The hunt area east of State Highway 27 will be open during the entire refuge hunting season for all gauges of shotguns and the use of lead or iron shot shells.

(3) Hunting season: November 10-24, 1973 and December 22, 1973-January 20, 1974. Five half-days per week, Wednesday through Sunday. No hunting on Mondays or Tuesdays.

(4) Shooting hours: Sunrise until 11 a.m. Hunters may enter the hunting area two hours before legal shooting time and must depart the refuge by 12 noon.

(5) Hunting is restricted to ducks, geese, and coots. No other species of birds, mammals, or reptiles may be shot or taken on the refuge.

(6) Hunters under 18 years of age must be accompanied by a responsible adult.

(7) Hunting parties may not blind-up and hunt closer than 100 yards apart. The first hunter(s) at a pond or blind site are the holders of that site until they complete their hunt; other parties must move away from them at least 100 yards.

(8) Firearms must be encased or dismantled when carried in transit through refuge canals.

(9) Temporary blinds made of native vegetation may be constructed, or portable blinds may be carried in for each hunt.

(10) Use of retriever dogs is permitted and encouraged, but they must be under control of hunter at all times.

(11) Livestock, furbearers, and trapping equipment present in the hunting areas shall not be molested or disturbed by hunters.

(12) Hunters must station themselves a minimum of 50 yards inland from refuge canals.

MISSISSIPPI

NOXUBEE NATIONAL WILDLIFE REFUGE

Public hunting of ducks and coots on the Noxubee National Wildlife Refuge, Mississippi, is permitted only on the area designated by signs as open to hunting. The open area of 520 acres is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 17 Executive Park Drive NE., Atlanta, Georgia 30329. Hunting shall be in accordance with all applicable State and Federal regulations governing the hunting of ducks and coots subject to the following special conditions:

(1) Hunting will be permitted only on Mondays, Wednesdays, and Saturdays from one-half hour before sunrise to 12 noon during the periods December 8-10, 1973, inclusive, and December 15, 1973-January 20, 1974, inclusive.

(2) The use of boats with electric motors is permitted within the hunting area.

(3) The construction of blinds is not permitted.

(4) Hunters will not be permitted to enter the hunting area sooner than 45 minutes before legal shooting hours.

(5) No hunter may take more than 16 shotgun shells into the hunting area.

(6) No shooting will be permitted from the levee or the open water area immediately adjacent to the levee.

(7) All hunters are required to check in and out at the designated check station.

SOUTH CAROLINA

SANTEE NATIONAL WILDLIFE REFUGE

Public hunting of geese, ducks, and coots on the Santee National Wildlife Refuge, Lake Moultrie Unit, S.C., is permitted only on the area designated by signs as open to hunting. This open area, comprising approximately 29,500 acres, is delineated on a map available at refuge headquarters, Summerton, S.C., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 17 Executive Park Drive NE., Atlanta, Georgia 30329. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of ducks, geese, and coots subject to the following special conditions:

(1) Hunting will be permitted only on Tuesdays, Thursdays, and Saturdays, during the established season.

(2) Shooting hours are from one-half hour before sunrise until 12 noon. Hunters may not enter the refuge hunting area prior to 1½ hours before sunrise and must be off the hunting area no later than 1 p.m.

(3) Only temporary blinds constructed of native vegetation are permitted. Any blind constructed by a hunter on the hunting area, once vacated, may be occupied by any other hunter on a first come, first served basis.

The provisions of these special regulations supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 31, 1974.

C. EDWARD CARLSON,
Regional Director, Bureau of
Sport Fisheries and Wildlife.

OCTOBER 2, 1973.

[FR Doc. 73-21436 Filed 10-9-73; 8:45 am]

PART 32—HUNTING

National Wildlife Refuges, North Dakota

The following special regulation is issued and is effective October 10, 1973.

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

NORTH DAKOTA

ARROWWOOD NATIONAL WILDLIFE REFUGE

Public hunting of sharp-tailed grouse and Hungarian partridge on the Arrowwood National Wildlife Refuge, North Dakota is permitted only on the area designated by signs as open to hunting. This open area, comprising 15,900 acres, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 10597 West 6th Avenue, Denver, Colorado 80215. Hunting shall be in accordance with all applicable State regulations covering the hunting of sharp-tailed grouse and Hun-

garian partridge subject to the following conditions:

(1) Hunting is permitted from sunrise to sunset on November 19, 1973, through December 31, 1973.

(2) All hunters must exhibit their hunting license, game and vehicle contents to Federal and State Officers upon request.

The provisions of this special regulation supplement the regulations which govern hunting and wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1973.

JIM MATTHEWS,
Refuge Manager, Arrowwood
National Wildlife Refuge, Ed-
munds, North Dakota 58434.

OCTOBER 1, 1973.

[FR Doc.73-21434 Filed 10-9-73;8:45 am]

PART 33—SPORT FISHING

**Arrowwood National Wildlife Refuge—
North Dakota**

The following special regulation is issued and is effective October 10, 1973.

§ 33.5 Special regulations; sport fishing; Arrowwood National Wildlife Refuge.

ARROWWOOD NATIONAL WILDLIFE REFUGE

Sport fishing on the Arrowwood National Wildlife Refuge, North Dakota, is permitted only on the areas designated by signs as open to fishing. These areas comprising 1,550 acres are delineated on maps available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 10597 West 6th Avenue, Denver, Colorado 80215. Sport Fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge shall extend from December 15, 1973 thru March 24, 1974.

(2) The use of boats, without motors, is permitted.

The provisions of these special regulations supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through March 24, 1973.

October 1, 1973.

JIM MATTHEWS,
Refuge Manager, Arrowwood
National Wildlife Refuge, Ed-
munds, North Dakota 58434.

[FR Doc.73-21435 Filed 10-9-73;8:45 am]

**Title 6—Economic Stabilization
CHAPTER I—COST OF LIVING COUNCIL
PART 150—PHASE IV PRICE
REGULATIONS
PART 155—PHASE IV PRICE
PROCEDURES
Computation of Time**

Section 150.153 is amended to conform its computation of the 30 day prenotifi-

cation period to that required by § 155.5 (a). Section 150.153 provided that the 30-day prenotification period begins on the date of filing of the notice of the proposed price increase with the Council. Section 155.5(a), however, provides that in computing a period of time under this title, "the day of the act . . . on which the designated period of time begins to run will not be counted." This amendment makes it clear that the 30-day period commences on the work day which follows the filing of the notice of proposed price increase with the Council.

Section 150.154(b) is amended to clarify the method of computation of the 30 day prenotification period in the event of the Council's suspension of the period. The amendment adds language which is similar to that of §§ 150.153 and 155.5 and provides that the prenotification period will resume running at the time stated in writing by the Council in its notification to the firm. If no time is specified, the prenotification period will resume running on the first working day which follows the day of the Council's notice to the firm.

Section 155.5(a) is amended to provide that in computing any period of time provided by this title for the performance of any act, the period of time begins to run on the first working day following the event for which the time begins to run. The section, as originally published, did not provide that the first day of a period would be the first day following a specified act, event or default, which was not a Saturday, Sunday, or Federal legal holiday.

Because the purpose of these amendments is to make technical corrections and to provide immediate guidance and information with respect to the decisions of the Council, the Council finds that publication in accordance with normal rule making procedure is impracticable and that good cause exists for making these amendments effective in less than 30 days. Interested persons may submit written comments regarding these regulations. Communications should be addressed to the Office of General Counsel, Cost of Living Council, 2000 M Street, N.W., Washington, D.C. 20508.

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

In consideration of the foregoing, Parts 150 and 155 of Title 6 of the Code of Federal Regulations are amended as set forth herein, effective October 5, 1973.

Issued in Washington, D.C. on October 5, 1973.

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

1. Section 150.153 is amended to read as follows:

§ 150.153 Measure of the prenotification period.

The 30-day prenotification period will begin on the first day which follows the

date of filing of the notice of the proposed price increase, and which is not a Saturday, Sunday, or Federal legal holiday.

2. Section 150.154 is amended in paragraph (b) to read as follows:

§ 150.154 Council action.

(b) The Council may issue an order temporarily suspending the running of the 30-day prenotification period of a proposed price increase if it finds additional information is necessary or that the form was improperly filed. The order will remain in effect until the Council notifies the firm in writing that the additional information has been received and accepted. Unless otherwise provided in writing by the Council, the prenotification period will resume running on the first day which is not a Saturday, Sunday, or Federal legal holiday and which follows the day on which the Council notifies the firm in writing that the additional information has been received and accepted.

3. Section 155.5 is amended in paragraph (a) to read as follows:

§ 155.5 Computation of time.

(a) In computing any period of time prescribed or allowed by this title for performance of any act, the designated period of time begins to run on the first day which is not a Saturday, Sunday, or Federal legal holiday, and which follows the day of the act, event, or default for which the designated period of time begins to run.

[FR Doc.73-21635 Filed 10-5-73;5:07 pm]

**PART 150—COST OF LIVING COUNCIL
PHASE IV REGULATIONS**

Broadcasting Regulations

The purpose of this amendment is to add a new § 150.206 to the Phase IV regulations applicable to television and radio broadcasting stations and networks using the audience size or cost-per-thousand method of determining prices for advertising. The new provision sets forth in regulatory form a rule similar to that applied in Phase II in the form of notices and questions and answers.

The need for a special rule for broadcasting results from the fact that prices in this industry are largely based on audience response rather than cost plus profit margin. Subpart E, which applies to service activities, prescribes rules for pricing based on cost-justification and is difficult to apply to broadcasting activities in which the fluctuations of audience size bring changes in price levels unrelated to cost considerations.

As a general industry practice, advertising prices are determined according to size of audience indicated by independent audience surveys. A base rate expressed in terms of dollars per thousand listeners or viewers or households (referred to as "cost per thousand" or "CPM") is multiplied by the present or

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anticipated audience size to determine the price for the particular advertising unit concerned (e.g., 30-second commercial during a particular program or time of day). Audience size is influenced by the popularity of the program concerned, by the popularity of other programs broadcast at the same time, by the time of day involved and other factors.

Under the new § 150.206, which is found in Subpart J, Special Rules, the base rate is determined in a manner similar to that used in determining base price and adjusted freeze price under Subpart E. The base rate is either the average price lawfully charged during the base price period (as defined in Subpart F) divided by the size of the audience survey used to establish that price, or the highest price at or above which at least 10 percent of the advertising units concerned were lawfully priced in transactions during the freeze base period (as defined in Phase III) divided by the size of the audience survey used to set that price. Base rates for advertising used in new programs are not determined by the new products rule but are determined as outlined above for an advertising unit of the same duration in the most nearly similar program broadcast during the base price period or freeze base period.

The "current price" under the new regulation is the base rate times the present audience size. The general pricing rule is that a firm may not charge a price with respect to an advertising unit which exceeds the current price. There are two exceptions. First, prices specified in contracts entered into before June 14, 1973, with respect to performance after August 12, 1973, and before January 1, 1974, are allowable. This provision is the same as the contracts provision found in Subpart E (§ 150.76). Second, a firm may request the Council to approve a special pricing arrangement whereby prices in excess of current prices may be charged provided that in any fiscal quarter the revenues derived from the sale of advertising units within each day part do not exceed the revenues which would have been realized if the sales concerned had been made at current prices.

This last provision, which affords a procedure similar to the "Zero TLP" arrangement available in Phase II, recognizes the fact that the prices initially charged for new programs, and pre-existing programs moved to new times, are based on estimates of anticipated audience size and may often be significantly greater or less than the "current price" eventually determined when the actual audience surveys are taken. Without a compliance rule based on average price levels, revenues from "overestimated" programs—which are needed to balance the "underestimated" programs—would be unlawful.

Broadcasting firms may also take cost increases into account in setting prices. The dollar-for-dollar cost pass-through rules of Subpart E are applied under the new regulation to permit an increase in the base rate when net allowable cost increases are incurred.

The profit margin limitation applies under the new § 150.206 only when an increase in the base rate is charged. However, the charging of a price in excess of the current price pursuant to the "averaging" provision previously discussed is deemed to be the charging of an increase in the base rate.

The prenotification and quarterly reporting requirements of Subpart H apply. In addition, price category I and II firms must file a special report before November 15 which details the base rates and how they were calculated. Price category III firms place among their own records by November 15 a notarized statement containing the same information. Firms which do not use the audience size method may elect to do so and to price in accordance with the new regulation but they must make the election by November 15, 1973.

Because the purpose of this amendment is to provide immediate guidance and information with respect to the decisions of the Council, the Council finds that publication in accordance with normal rule making procedure is impracticable and that good cause exists for making these amendments effective in less than 30 days.

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

In consideration of the foregoing Part 150 of Title 6 of the Code of Federal Regulations is amended as follows, effective 11:59 p.m., e.s.t. August 12, 1973.

Issued in Washington, D.C., on October 5, 1973.

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

1. A new section 150.206 is added as follows:

§ 150.206 Broadcasting.

(a) *Applicability.* Notwithstanding Subpart E of this part, this section applies to the broadcasting activities of television and radio stations and networks in which the audience size ("cost per thousand") method for determining the price of advertising units is used. A firm engaged in television or radio broadcasting, or both, which does not use the audience size method may elect to use the audience size method and price in accordance with this section, but once that firm elects to price in accordance with this section it may not rescind that election without the prior written approval of the Council.

(b) *Definitions.* For the purpose of this section—

"Advertising unit" means a time segment of specific duration, occurring within or adjacent to a specific program or during a day part, in which the commercial or other message of the purchaser is broadcast.

"Base rate" with respect to a sale of an advertising unit is (1) the average price at which that unit was lawfully

priced in transactions with the class of purchaser concerned during the base price period divided by the size of the audience survey or surveys used to establish that price, or (2) the highest price at or above which at least 10 percent of those units were lawfully priced in transactions with the class of purchaser concerned during the freeze base period divided by the size of the audience survey or surveys used to establish that price, whichever is greater. The base rate with respect to an advertising unit in a new program or a program moved to a different day part shall be the base rate determined in accordance with the preceding sentence for an advertising unit of the same duration in the most nearly similar program broadcast during the same day part during base price period or the freeze base period. The base rate is expressed in dollars per 1,000 listeners or viewers or households.

"Base cost period" is the base cost period as defined in Subpart G of this part.

"Base price period" is the base price period as defined in Subpart F of this part.

"Current price" with respect to an advertising unit is the base rate times the present audience size, consistently and appropriately applied.

"Day part" means any portion of the broadcasting schedule, such as "prime time", in which base rates differ from those in other day parts pursuant to customary price differentials as between day parts.

"Freeze base period" is the freeze base period as defined in Part 140 of this chapter.

"Present audience size" for a program or time segment means the audience size as determined by the most current independent audience survey or surveys or, if the audience size for the program or time segment normally fluctuates in distinct seasonal patterns and adjustment in advertising fees for seasonal fluctuations has been an established practice of the firm concerned, the audience size as determined by the independent audience survey or surveys for the last comparable season until the audience size for the current season can be determined by the independent audience survey or surveys.

(c) *General rules.* Notwithstanding any other provision of this part—

(1) A firm may not charge a price with respect to an advertising unit which exceeds the current price, except that:

(i) Except as provided in paragraph (c)(1)(ii) of this section, the price or prices specified in a contract for the sale of a unit of advertising entered into before 9 p.m., e.s.t., June 13, 1973, with respect to any performance occurring after August 12, 1973, and before January 1, 1974, shall be allowable; and

(ii) The Cost of Living Council may, upon request, authorize in writing the charging of a price in excess of the current price, subject to the requirement that, for each fiscal quarter, the revenues derived from the sale of advertising units

within each day part (including the sale of advertising units under contracts pursuant to paragraph (c) (1) (i) of this section) may not exceed the revenues which would have been realized if the sales concerned had been made at current prices as defined in this section. The Council may, in any order issued pursuant to this paragraph, impose such limitations and order such compliance procedures and reports as it deems appropriate. For the purpose of paragraph (c) (4) of this section, the charging of a price in excess of the current price shall be deemed the charging of an increased base rate.

(2) The base rate with respect to an advertising unit may be increased only to recover on a dollar-for-dollar basis those net increases in allowable costs which have been incurred with respect to the service line concerned since the base cost period and which the firm concerned continues to incur, subject to paragraphs (c) (3), (4), and (5) of this section and § 150.77(b) of this chapter.

(3) A firm which is authorized to charge a prenotified percentage increase in the base rate pursuant to Subpart H of this part, and any other firm which qualifies to charge a percentage increase in the base rate with respect to the service line concerned by virtue of cost justification determined in accordance with this part, shall apply that percentage rate increase on a weighted average basis (in accordance with instructions which accompany forms issued pursuant to Subpart H of this part) so that, for any fiscal quarter, the weighted average of all rate increases and rate decreases in that line does not exceed that percentage rate increase. However, the maximum rate which may be charged for any one advertising unit in that line may not exceed 110% of the base rate of that advertising unit plus the amount which results from multiplying the base rate of that unit by the percentage of cost justification determined in accordance with this part with respect to the service line concerned.

(4) An increase in a base rate may continue to be charged only as long as the net increases in allowable costs which support the increase in that base rate continue to be incurred. Reductions in the increased base rate shall be made whenever and to the extent necessary to assure that, for any fiscal quarter, the weighted average of all rate increases and rate decreases in the service line concerned does not exceed the percentage of cost justification for that line.

(5) A firm which charges an increase in the base rate pursuant to this section may not, for the fiscal year in which that increased rate is charged, exceed its base period profit margin. The charging of an allowable price or prices pursuant to paragraph (c) (1) (i) of this section does not subject the firm which charges that price or those prices to a profit margin limitation.

(d) *Prenotification and reporting.* The prenotification and quarterly reporting requirements of Subpart H of this part apply to activities subject to this section. In addition, each price category I and II firm which is required to price in accordance with this section or which elects to do so shall submit to the Council before November 15, 1973, a report which lists the firm's base rates and demonstrates how they were calculated. Each price category III firm which is required to price in accordance with this section or which elects to do so shall, before November 15, 1973, place among its records a notarized statement which sets forth the firm's base rates and explains how they were calculated. In the case of a firm to which the option to price in accordance with this section applies, failure to act before November 15, 1973, as required by this paragraph, constitutes an election of price in accordance with Subpart E of this part.

[FR Doc.73-21634 Filed 10-5-73;5:07 pm]

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 177—FEDERAL, STATE AND PRIVATE PROGRAMS OF LOW-INTEREST LOANS TO STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION

Special Allowance

Subparagraph (3) of 45 CFR 177.4(c), which deal with the payment to lenders of the allowances authorized by section 2 of the "Emergency Insured Student Loan Act of 1969" (Public Law 91-95) is amended to provide for the payment of such an allowance for the period July 1, 1973, through September 30, 1973, inclusive.

As so amended § 177.4 reads as follows:

§ 177.4 **Payment of interest benefits, administrative cost allowances and special allowance.**

(c) *Special allowances.* * * *

(3) Special allowances are authorized to be paid as follows: * * *

(xvii) For the period July 1, 1973, through September 30, 1973, inclusive, a special allowance is authorized to be paid in an amount equal to the rate of two and one-half percent per annum of the average unpaid balance of disbursed principal of eligible loans.

(Sec. 2, 83 Stat. 141) (Catalog of Federal Education Assistance Programs Guaranteed Student Loan Program 13.460)

Dated October 2, 1973.

JOHN OTTINA
U.S. Commissioner of Education.

Approved OCTOBER 9, 1973.

CASPAR W. WEINBERGER,
Secretary of Health,
Education, and Welfare.

[FR Doc.73-21638 Filed 10-9-73;10:21 am]

Proposed Rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rulemaking prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 929]

HANDLING OF CRANBERRIES GROWN IN CERTAIN STATES

Expenses, Rate of Assessment, and Carryover of Unexpended Funds

This notice invites written comments relative to the proposed expenses of \$60,092 and the assessment rate of \$0.03 per barrel of cranberries to support the activities of the Cranberry Marketing Committee during the 1973-74 fiscal period under Marketing Order No. 929. It is also proposed that unexpended assessment income from 1972-73 be carried over as a committee reserve.

Consideration is being given to the following proposals submitted by the Cranberry Marketing Committee, established under the marketing agreement, as amended, and Order No. 929, as amended (7 CFR Part 929), regulating the handling of cranberries grown in Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof:

(a) That the expenses that are reasonable and likely to be incurred by said committee, during the fiscal period September 1, 1973, through August 31, 1974, will amount to \$60,092.

(b) That the rate of assessment for such period, payable by each handler in accordance with § 929.41, be fixed at \$0.03 per barrel or equivalent quantity of cranberries.

(c) Unexpended assessment funds in excess of expenses incurred during the fiscal year ended August 31, 1973, be carried over as a reserve in accordance with § 929.42 of said amended marketing agreement and order.

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

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals shall file the same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112A, Washington, D.C. 20250, not later than October 15, 1973. All written submissions made pursuant to this notice will be

made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated October 4, 1973.

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

[FR Doc.73-21472 Filed 10-9-73;8:45 am]

[7 CFR Part 965]

TOMATOES GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

Proposed Handling Regulation

This proposal, designed to promote orderly marketing of Saladette tomatoes grown in the Lower Rio Grande Valley in Texas, would require they be inspected and meet specified requirements in order to maintain high standards of quality of Saladette tomatoes shipped to consumers.

Consideration is being given to the issuance of the following handling regulation, which was recommended by the Texas Valley Tomato Committee, established under Marketing Order No. 965 (7 CFR Part 965). This program regulates the handling of tomatoes grown in the production area and is issued under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The recommendations of the committee reflect its appraisal of the 1973-74 crop of Saladette tomatoes and the marketing prospects for this season. The proposed grade, color, container and inspection requirements are intended to prevent low quality Saladette tomatoes from being shipped in inadequate, dirty or deceptive containers to fresh market channels.

All persons who desire to submit written data, views or arguments in connection with this proposal shall file the same in four copies with the Hearing Clerk, Room 112-A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than October 19, 1973. Any such written submission will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)). The proposal is as follows:

§ 965.309 Handling regulation.

Except as otherwise provided in this section, during the period October 29, 1973, to July 31, 1974, Saladette tomatoes shall not be handled unless they meet the requirements of paragraphs (a), (b), (c), (d), and (e) of this section.

(a) *Stem scars.* Stem scars shall not exceed ¼ inch in diameter.

(b) *Minimum grade and color.* Sal-

adette tomatoes shall grade 80 percent of U.S. No. 1 or better and at time of inspection shall have attained the color classification of "breaker" as defined in Section 51.1864 of the current U.S. Standards for Grades of Fresh Tomatoes.

(c) *Containers.* Saladette tomatoes shall be packed in one of three containers described below. These containers and their components shall be clean and bright in appearance without marks, stains or other evidence of previous use.

(1) Containers having a capacity of one pint;

(2) Containers having a capacity of one quart; or

(3) Containers having a capacity of ½ bushel and that are closed two piece full telescope type, with inside dimensions of 19x11x5½ inches. The container-board used for the cover shall have a minimum Cady or Mullen test of 200 pounds per square inch, and the container-board used for the bottom shall have a minimum Cady or Mullen test of 275 pounds per square inch (untreated combined board basis) and at least the corrugated medium and inside liner shall be impregnated or coated with moisture proofing material to increase resistance to moisture absorption. An "H" shaped box liner constructed of containerboard with a corrugated medium impregnated or coated with a moisture proofing material and a bursting strength of 200 pounds per square inch Cady or Mullen test (untreated combined board basis) shall be inserted into the bottom of the box before it is filled for shipment.

(d) *Pack.* Containers shall be fairly well filled and the net weight of the ½ bushel container shall not exceed 23 pounds.

(e) *Inspection.* (1) Regulated tomatoes shall be inspected and certified as required by § 965.60; and (2) no handler shall transport or cause the transportation of any shipment of such tomatoes by motor vehicle unless each such shipment is accompanied by a copy of a valid inspection certificate applicable thereto.

(f) *Tolerances.* To allow for variations incident to proper grading, for any lot there shall be a tolerance of 5 percent by count, for tomatoes which fail to meet the stem scar or color requirements specified in paragraphs (a) and (b) respectively. Also any individual container may have double the prescribed tolerance: *Provided*, That the averages for the entire lot are within the tolerances specified.

(g) *Minimum quantity.* For purposes of regulation under this part, each person subject thereto may handle, pursuant to § 965.53, up to, but not to exceed 69 pounds of Saladette tomatoes per day

without regard to the requirements of this part, but this exception shall not apply to any portion of a shipment of over 69 pounds of tomatoes.

(h) *Special purpose shipments.* The requirements set forth in this section shall not be applicable to shipments of Saladette tomatoes for the following purposes: (1) Relief or charity; (2) processing; (3) for experimental projects; (4) livestock feed; and (5) export to Mexico.

(i) *Safeguards.* Each handler making shipments of Saladette tomatoes pursuant to paragraph (h) of this section for relief or charity, for processing, for experimental projects, for livestock feed or for export to Mexico shall apply for and obtain an approved Certificate of Privilege from the committee applicable to shipments for such purposes and on exports to Mexico handlers shall within 7 days after export file with the committee a copy of Shippers Export Declaration, U.S. Department of Commerce Form 7525-V, to verify export of each shipment. The Shippers Export Declaration shall not be required on exports through the ports of Brownsville, Progreso, Hidalgo, Los Ebanos, and Rio Grande City.

(j) *Definitions.* When used herein, the terms "pint," "quart" and "½ bushel" mean containers which respectively have a capacity of 33.6, 67.2 and 1,075.21 cubic inches; the term "closed" means closed in accordance with good commercial practices; and other terms used in this section shall have the same meaning as when used in this part and the U.S. Standards for Grades of Fresh Tomatoes (§§ 51.1855-51.1877 of this title) and the new standards published in the September 5, 1973, FEDERAL REGISTER (38 FR 23931) which will supersede the former on December 1, 1973.

Dated October 4, 1973.

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

[FR Doc.73-21513 Filed 10-9-73;8:45 am]

[7 CFR Part 966]

TOMATOES GROWN IN FLORIDA
Proposed Handling Regulation

This regulation, designed to promote orderly marketing of Florida tomatoes, would impose minimum grade, size, quality and maturity standards and require inspection of fresh shipments to keep undesirable tomatoes from being shipped to consumers.

Consideration is being given to the issuance of the handling regulation, hereinafter set forth, which was recommended by the Florida Tomato Committee, established pursuant to Marketing Agreement No. 125 and Marketing Order No. 966, both as amended (7 CFR Part 966), regulating the handling of tomatoes grown in the production area. This program is issued under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The recommendations of the committee reflect its appraisal of the composition of the 1973-74 crop of Florida tomatoes and the marketing prospects for this season. The proposed requirements for containers, container net weights, and size classifications are intended to standardize shipments in the interest of orderly marketing and thereby improve net returns to producers. The proposals with respect to special pack and special purpose shipments are designed to meet the different requirements for such shipments. The minimum grade and size requirements would preclude shipments to fresh market of tomatoes which usually are of negligible economic value to producers.

Consideration will be given to any written data, views, or arguments pertaining to this proposal which are filed in quadruplicate with the Hearing Clerk, Room 112-A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than October 19, 1973. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposed regulation is as follows:
§ 966.311 Handling regulation.

During the period October 29, 1973, through June 16, 1974, no person shall handle any lot of tomatoes for shipment outside the regulated area unless they meet the requirements of paragraph (a) or are exempted by paragraph (b) or (d).

(a) *Grade, size, container and inspection requirements.*

(1) *Grade.* Tomatoes shall be graded and meet the requirements specified in § 51.1855 U.S. No. 1, § 51.1856 U.S. Combination, § 51.1857 U.S. No. 2 or § 51.1858 U.S. No. 3, of the U.S. Standards for Grades of Fresh Tomatoes except that when not more than 15 percent of tomatoes in any lot fail to meet the requirements of U.S. No. 1 grade and not more than one-third of this 15 percent (or 5 percent) are comprised of defects causing very serious damage including not more than one percent of tomatoes which are soft or affected by decay, such tomatoes may be shipped and designated as 85 percent U.S. No. 1 grade or better.

(2) *Size.* (i) Tomatoes shall be over 1³/₃₂ inches in diameter and be sized in accordance with § 51.1859 of the U.S. tomato standards.

(ii) Tomatoes of designated sizes may not be commingled unless they are over 2¹/₃₂ inches in diameter and each container shall be marked to indicate the designated size.

(3) *Containers.* (i) Tomatoes shall be packed in containers of 10, 20, 30 or 40 pounds designated net weights and comply with the requirements of § 51.183 of the U. S. tomato standards. In addition the net weight of the contents of the 10 pound container may not be less than this designated net weight and shall not exceed the designated weight by more than 2 pounds.

(ii) Each container shall be marked to indicate the designated net weight.

(4) *Inspection.* Tomatoes shall be inspected and certified pursuant to the provisions of § 966.60. Each handler who applies for inspection shall register with the committee pursuant to § 966.113. Registered handlers shall pay assessments as provided in § 966.42. Inspection certificates must accompany truck shipments.

(b) *Special purpose shipments.* The requirements of paragraph (a) of this section shall not be applicable to shipments of tomatoes for canning, relief, charity or export if the handler thereof complies with the safeguard requirements of paragraph (c) of this section. Shipments for canning are also exempt from the assessment requirements of this part.

(c) *Safeguards.* Each handler making shipments of tomatoes for canning, relief, charity or export in accordance with paragraph (b) of this section shall:

(1) Apply to the committee and obtain a Certificate of Privilege to make such shipments.

(2) Prepare on forms furnished by the committee a report in quadruplicate on such shipments authorized in paragraph (b) of this section.

(3) Bill or consign each shipment directly to the designated applicable receiver.

(4) Forward one copy of such report to the committee office and two copies to the receiver for signing and returning one copy to the committee office. Failure of the handler or receiver to report such shipments by signing and returning the applicable report to the committee office within ten days after shipment shall be cause for cancellation of such handler's certificate and/or receiver's eligibility to receive further shipments pursuant to such certificate. Upon cancellation of any such certificate, the handler may appeal to the committee for reconsideration.

(d) *Exemption.* (1) *For types.* The following types of tomatoes are exempt from these regulations: Elongated types commonly referred to as pear shaped or paste tomatoes and including but not limited to San Marzano, Red Top and Roma varieties; cerasiform type tomatoes commonly referred to as cherry tomatoes, hydroponic tomatoes, and greenhouse tomatoes.

(2) *For minimum quantity.* For purposes of these regulations each person subject thereto may handle up to but not to exceed 60 pounds of tomatoes per day without regard to the requirements of these regulations but this exemption shall not apply to any shipment or any portion thereof of over 60 pounds of tomatoes.

(3) *For special packed tomatoes.* Tomatoes packed by a handler who has been designated as a "Certified Tomato Repacker" by the committee are exempt from the tomato grade classifications of paragraph (a) (1) and the size classifications of paragraph (a) (2) and the container weight requirements of paragraph (a) (3) if such tomatoes comply with the

inspection requirements of paragraph (a)(4).

(e) *Definitions.* "Hydroponic tomatoes" means tomatoes grown in solution without soil; "greenhouse tomatoes" means tomatoes grown indoors. A "Certified Tomato Repacker" is a repacker of tomatoes in the regulated area who has the facilities for handling, regrading, resorting, and repacking tomatoes into consumer sized packages and has been certified as such by the committee. "U.S. tomato standards" means the revised United States Standards for Grades of Fresh Tomatoes (§§ 51.1855-51.1877) published in the FEDERAL REGISTER (38 FR 23931) of September 5, 1973, or variations thereof specified in this section. Other terms in this section shall have the same meaning as when used in Marketing Agreement No. 125, as amended, and this part, and the U.S. tomato standards.

Dated October 4, 1973.

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

[FR Doc.73-21515 Filed 10-9-73;8:45 am]

[7 CFR Part 980]

TOMATO IMPORTS

Proposed Import Regulation

Notice is hereby given that the Secretary is considering a proposed tomato import regulation in which it would be determined that the importation of tomatoes into the United States will be in most direct competition with those regulated under the Federal marketing order for tomatoes grown in Florida.

Under Section 8e (7 U.S.C. 608e-1) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), whenever two or more marketing orders are concurrently in effect regulating the same agricultural commodity produced in different areas of the United States, the importation of such commodity shall be prohibited unless it complies with the grade, size, quality, and maturity provisions of the order which, as determined by the Secretary of Agriculture, regulates the commodity produced in the area with which the imported commodity is in most direct competition.

Two proposed tomato handling regulations are being considered for issuance about October 29, 1973—one for tomatoes to be handled pursuant to Marketing Order No. 966, as amended (7 CFR Part 966) regulating the shipments of tomatoes grown in Florida and the other for Saladette tomatoes to be handled pursuant to Marketing Order No. 965 (7 CFR Part 965) regulating the handling of tomatoes grown in the Lower Rio Grande Valley of Texas. The proposed determination is that the importation of tomatoes during the period beginning about October 29, 1973, through June 16, 1974, will be in most direct competition with tomatoes produced in Florida, which accounted for approximately 96 percent of the combined fresh tomato crops

grown in Florida and Texas during the late fall, winter and spring of 1972-73.

Consideration will be given to any written data, views, or arguments pertaining to the proposed determination which shall be filed in quadruplicate with the Hearing Clerk, Room 112-A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than October 19, 1973. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposed regulation is as follows:

§ 980.207 Tomato import regulation.

Except as otherwise provided, during the period October 29, 1973, through June 16, 1974, no person may import fresh tomatoes, except pear shaped, cherry, hydroponic and greenhouse tomatoes as defined herein, unless they are inspected and meet the requirements of this section.

(a) Minimum grade and size requirements.

(1) At least U.S. No. 3 grade and over 1 $\frac{1}{2}$ inches in diameter;

(2) Not more than 10 percent, by count, in any lot may be smaller than the specified minimum diameter.

(b) *Minimum quantity exemption.* Any importation which in the aggregate does not exceed 60 pounds may be imported without regard to the provisions of this section.

(c) *Plant quarantine.* Provisions of this section shall not supersede the restrictions or prohibitions on tomatoes under the Plant Quarantine Act of 1912.

(d) *Designation of Governmental inspection service.* The Federal or the Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, and the Fruit and Vegetable Division, Production and Marketing Branch, Canada Department of Agriculture, are designated as governmental inspection services for certifying the grade, size, quality, and maturity of tomatoes that are imported into the United States under the provisions of Section 8e of the act.

(e) Inspection and official inspection certificates.

(1) An official inspection certificate certifying the tomatoes meet the United States import requirements for tomatoes under Section 8e (7 U.S.C. 608e-1), issued by a designated governmental inspection service and applicable to a specified lot is required on all imports of fresh tomatoes.

(2) Inspection and certification by the Federal or Federal-State Inspection Service will be available and performed in accordance with the rules and regulations governing certification of fresh fruits, vegetables and other products (Part 51 of this title). Each lot shall be made available and accessible for inspection as provided therein. Cost of inspection and certification shall be borne by the applicant.

(3) Since inspectors may not be stationed in the immediate vicinity of some

smaller ports of entry, importers should make advance arrangements for inspection by ascertaining whether or not there is an inspector located at their particular port of entry. For all ports of entry where an inspection office is not located, each importer must give the specified advance notice to the applicable office listed below prior to the time the tomatoes will be imported.

Ports	Office	Advance Notice
All Texas points.	L. M. Denbo, P.O. Box 107, San Juan, Tex. 78589 (Phone 512-787-4091 or 6881).	1 day.
All Arizona points.	B. O. Morgan, P.O. Box 1614, Nogales, Ariz. 85621 (Phone 602-287-2902).	Do.
All California points.	D. P. Thompson, 784 S. Central Ave., Room 266, Los Angeles, Calif. 90021 (Phone 213-622-8756).	3 days.
All Hawaii points.	Stevenson Ching, P.O. Box 5425, Pawa Substation, 1428 S. King St., Honolulu, Hawaii 96814 (Phone 808-941-3071).	1 day.
All Puerto Rico points.	Darrell McNeal, P.O. Box 10163, Santurce, P.R. 00908 (Phone 809-783-2280 or 4116).	2 days.
New York City.	Frank J. McNeal, Room 28A Hunts Point Market, Bronx, N.Y. 10474 (Phone 212-991-7669 or 7668).	1 day.
New Orleans...	Pascal J. Lamarea, 6027 Federal Office Bldg., 701 Loyola Ave., New Orleans, La. 70113 (Phone 504-527-6741 or 6742).	Do.
All other points.	D. S. Matheson, Fruit and Vegetable Division, AMS, Washington, D.C. 20250 (Phone 202-447-5870).	3 days.

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

(5) Each inspection certification issued with respect to any tomatoes to be imported into the United States shall set forth, among other things:

- (i) The date and place of inspection;
- (ii) The name of the shipper, or applicant;
- (iii) The commodity inspected;
- (iv) The quantity of the commodity covered by the certificate;
- (v) The principal identifying marks on the containers;
- (vi) The railroad car initials and number, the truck and trailer license number, the name of the vessel, or other identification of the shipment; and
- (vii) The following statement, if the facts warrant: Meets import requirements of 7 U.S.C. 608e-1.

(f) *Reconditioning prior to importation.* Nothing contained in this part shall be deemed to preclude any importer from reconditioning prior to importation any shipment of tomatoes for the purpose of making it eligible for importation.

(g) *Definitions.* For the purpose of this section, "importation" means release from custody of the United States Bureau of Customs. "Cherry tomatoes" means cerasiform types commonly referred to as "cherry tomatoes." "Pear shaped tomatoes" means elongated types, commonly referred to as pear shaped or paste tomatoes and include San Marzano, Red Top and Roma varieties. "Hydroponic tomatoes" means tomatoes grown in so-

lution without soil. "Greenhouse tomatoes" means tomatoes grown indoors. The terms relating to grade and size, as used herein, shall have the same meaning as when used in the U.S. Standards for Grades of Fresh Tomatoes.

(§§ 51.1855-51.1877 of this title, 38 FR 23931.)

Dated October 4, 1973.

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

[FR Doc.73-21514 Filed 10-9-73;8:45 am]

Commodity Credit Corporation

[7 CFR Parts 1421, 1446]

PEANUTS

Loan and Purchase Program for 1974 Crop

Notice is hereby given that the Secretary of Agriculture proposes to make determinations and issue regulations concerning a loan and purchase program for 1974-crop peanuts. This notice also provides that interested persons may submit to the office designated below written data, views, and recommendations concerning the proposals not later than ten days after publication in the FEDERAL REGISTER. This is a departure from our general policy of allowing 30 days for comments because of the need to have this announcement coincide with the acreage allotment proclamation and the need of producers to have this information in making their 1974-crop farming plans.

The program will include (1) loan and purchase rates, (2) the method by which loans and purchases will be made, (3) eligibility requirements, (4) storage requirements, (5) sales provisions, (6) area and period of the program, and (7) other operating provisions necessary to carry out the program.

Authority for the program is found in sections 101, 401, and 403 of the Agricultural Act of 1949, as amended (63 Stat. 1051, as amended; 7 U.S.C. 1441, 1421, and 1423), and section 4 and 5 of the Commodity Credit Corporation Charter Act, as amended (62 Stat. 1070, as amended; 15 U.S.C. 714b, 714c).

Section 101 of the Agricultural Act of 1949 directs the Secretary to make support available on peanuts to cooperators, if producers have not disapproved marketing quotas, at a level between 75 and 90 percent of the parity price, with the minimum permissible level of support within such range to be determined by the supply percentage.

Section 401 of that act requires that in determining the level of support in excess of the minimum level provided by law, consideration be given to the supply of the commodity in relation to the demand therefor, the levels of which other commodities are being supported, the availability of funds, the perishability of the commodity, the importance of the commodity to agriculture and the national economy, the ability to dispose of stocks acquired through a support op-

eration, the need for offsetting temporary losses of export markets, and the ability and willingness of producers to keep supplies in line with demand.

Section 403 of the act provides that appropriate adjustments may be made in the support level for differences in grade, type, quality, location and other factors. The average of any such adjustments shall, so far as practicable, be equal to the level of support for peanuts for the applicable crop year determined in accordance with the Agricultural Act of 1949, as amended.

Current program provisions regarding peanut warehouse storage loans may be found in regulations in Title 7, Part 1446 of the Code of Federal Regulations. Current program provisions regarding peanut farm storage loans may be found in regulations governing loans, purchases, and other operations for grain and similarly handled commodities which appear in Title 7, Part 1421 of the Code of Federal Regulations.

In connection with the 1974-crop loan and purchase program the Department is giving consideration to making peanuts which are determined, by a method approved by CCC, to contain more than 25 PPB aflatoxin ineligible for price support.

Prior to making any of the foregoing determinations, consideration will be given to data, views, and recommendations which are submitted in writing to the Director, Tobacco and Peanut Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. In order to be sure of consideration, all submissions must be postmarked on or before October 20, 1973.

All written submissions made pursuant to this notice will be made available for public inspection from 8:15 a.m. to 4:45 p.m., Monday through Friday, in Room 3741-South Building, 14th and Independence Avenue SW., Washington, D.C. 20250.

Signed at Washington, D.C., on October 3, 1973.

GLENN A. WEIR,
Executive Vice President,
Commodity Credit Corporation.

[FR Doc.73-21426 Filed 10-9-73;8:45 am]

[7 CFR Part 1464]

BURLEY TOBACCO

Notice of Advance Grade Rates for Price Support on 1973-Crop Tobacco

Notice is hereby given that CCC is considering the advance grade rates to be applied in making price support available on 1973-crop burley tobacco.

Consideration will be given to data, views, and recommendations pertaining to the advance rates set out in this notice which are submitted in writing to the Director, Tobacco and Peanut Division, Agricultural Stabilization and Conservation Service, United States Department of Agriculture, Washington, D.C. 20250. In order to be sure of consideration, all submissions must be received by the Director not later than November 9, 1973.

All written submissions made pursuant to this notice will be made available for public inspection at the office of the Director during the regular business hours (8:15 a.m. to 4:45 p.m.) (7 CFR 1.27(b)).

Under the Tobacco Loan Program published June 18, 1970 (35 FR 10000), amended June 17, 1971 (36 FR 11634, 12509) and August 5, 1972 (37 FR 15856), CCC proposes to establish advance rates by grades for the 1973-crop burley tobacco, type 31, as set forth herein. These proposed rates, calculated to provide the level of support of 78.9 cents per pound as determined under section 106 of the Agricultural Act of 1949 (7 U.S.C. 1445) are as follows:

§ 1464.21 1973 Crop Burley Tobacco, Type 31, Advance Schedule.¹

[Dollars per hundred pounds, farm sales weight]

Grade	Advance rate	Grade	Advance rate
B1F	84.25	T5GF	65.25
B2F	83.25	T4GR	62.25
B3F	82.25	T5GR	59.25
B4F	81.25	C1L	85.25
B5F	80.25	C2L	84.25
B1FR	82.25	C3L	83.25
B2FR	81.25	C4L	82.25
B3FR	80.25	C5L	81.25
B4FR	79.25	C1F	85.25
B5FR	77.25	C2F	84.25
B1R	80.25	C3F	83.25
B2R	79.25	C4F	82.25
B3R	78.25	C5F	81.25
B4R	77.25	C3K	80.25
B5R	75.25	C4K	78.25
B4D	68.25	C5K	73.25
B5D	64.25	C3M	81.25
B3K	78.25	C4M	79.25
B4K	76.25	C5M	75.25
B5K	71.25	C3V	82.25
B3M	79.25	C4V	80.25
B4M	77.25	C5V	76.25
B5M	71.25	C4G	70.25
B3VF	80.25	C5G	66.25
B4VF	77.25	X1L	85.25
B5VF	74.25	X2L	84.25
B3VR	73.25	X3L	83.25
B4VR	72.25	X4L	82.25
B5VR	69.25	X5L	81.25
B3GF	74.25	X1F	85.25
B4GF	72.25	X2F	84.25
B5GF	69.25	X3F	83.25
B3GR	68.25	X4F	82.25
B4GR	66.25	X5F	81.25
B5GR	63.25	X4M	79.25
T3F	80.25	X5M	73.25
T4F	77.25	X4G	74.25
T5F	74.25	X5G	68.25
T3FR	78.25	M1F	82.25
T4FR	76.25	M2F	81.25
T5FR	73.25	M3F	80.25
T3R	73.25	M4F	78.25
T4R	70.25	M5F	75.25
T5R	66.25	M3FR	74.25
T4D	68.25	M4FR	70.25
T5D	63.25	M5FR	66.25
T4K	65.25	N1L	77.25
T5K	62.25	N2L	70.25
T4VF	75.25	N1F	72.25
T5VF	71.25	N1R	61.25
T4VR	67.25	N2R	55.25
T5VR	64.25	N1G	59.25
T4GF	69.25	N2G	55.25

¹ Only the original producer is eligible to receive advances, Tobacco graded "U" (unsound), "W" (wet), "No-G" (no grade), or scrap will not be accepted. Cooperatives are authorized to deduct 25 cents per hundred pounds to apply against overhead costs.

Effective date October 9, 1973.

Signed at Washington, D.C., on October 3, 1973.

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

[FR Doc. 73-21470 Filed 10-9-73; 8:45 am]

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

Food and Drug Administration

[21 CFR Part 130]

**MEDROXYPROGESTERONE ACETATE
INJECTABLE CONTRACEPTIVE**

Proposed Patient Labeling

The Food and Drug Administration has pending for approval medroxyprogesterone acetate injectable for contraceptive use (NDA 12-541). Certain other uses for medroxyprogesterone acetate injectable are the subject of another statement elsewhere in this issue of the FEDERAL REGISTER.

In July 1963 a Notice of Claimed Investigational Exemption for a New Drug (IND) was submitted to the Food and Drug Administration providing for clinical studies to investigate the drug's safety and efficacy in contraception. These studies were started in February 1965 using a dosage regimen of 150 milligrams administered intramuscularly every three months. The results proved the effectiveness of this regimen in contraception but they also clearly demonstrated that the regimen can cause prolonged and possibly even permanent infertility. Many of the less significant adverse reactions associated with the use of the oral steroidal hormonal contraceptives (e.g., irregular spotting, tenderness of breasts, weight changes) have also been reported with the use of medroxyprogesterone acetate injectable. It is not known at this time whether medroxyprogesterone acetate injectable will or will not affect the incidence of abnormal blood clotting. A potential for benign and malignant tumors of the breast has been demonstrated by studies in beagle dogs administered medroxyprogesterone acetate at dosage levels comparable to and 25 times that of the human dosage. Many of the dogs developed mammary nodules, which were benign at the low dose but benign and malignant at the high dose. Some of the malignant tumors metastasized. These nodules have not occurred during studies in rats, rabbits and mice nor have they been found during approximately five years of an ongoing long term study in monkeys. The significance of the findings in beagles to humans has not been established and thus is not known. Oral contraceptives with similar results in beagles have been withdrawn from the market in light of the availability of other oral contraceptives which did not cause tumors in animals. An oral contraceptive for daily use which contains medroxyprogesterone acetate was withdrawn from the market after tumors in beagles were associated with the injectable form of the drug.

Medroxyprogesterone acetate injectable has a unique advantage for contraception over the oral dosage forms since it requires administration at the infrequent interval of every three months as opposed to the daily intake of the oral products. There is a limited patient population where the need for such a product exists. The Food and Drug Administration has discussed extensively with its Obstetrics and Gynecology Advisory Committee and with other experts the use of medroxyprogesterone acetate injectable for contraception. The advisory committee has recommended that the drug be approved for a limited and well-defined patient population with precautions to assure that a patient (or her parent or guardian), prior to her consent to use the drug, is supplied with an informational leaflet explaining the patient population for which the drug is intended and the risks associated with its use.

The Food and Drug Administration concurs with the opinion of the Advisory Committee that the benefits of medroxyprogesterone acetate injectable for contraception outweigh its risks and the risk of pregnancy for a very limited and carefully defined patient population and that the new drug application should be approved. In order to help assure that this drug is properly used the Food and Drug Administration, in approving the application, will require the following as cautionary measures:

1. An informational leaflet, included in the drug package, to explain to the patient, her parents or her guardian, the risks involved in the use of the drug and the type of patient for whom it is intended. In the event the patient is not competent to understand the information and to assent to use of the drug, the patient's parent or guardian must be given the patient package insert and must consent for the patient before it may be administered to her.
2. A more detailed brochure as a part of the drug package to be given to patients (or their parents or guardians) to be read for additional information.
3. A restriction in the new drug application of the distribution of the drug product by the Manufacturer to private practitioners, family planning clinics, hospitals and retail pharmacies under the following conditions:
 - a. *Private Practitioners.* An order to be sent directly from the physician to the manufacturer on an order blank signed by the physician.
 - b. *Family Planning Clinics.* An order to be sent directly from the clinic to the manufacturer on an order blank signed by the physician who heads the clinic.
 - c. *Hospitals.* An order to be sent directly from the hospital to the manufacturer on an order blank to be signed by the head of the Family Planning or Obstetrics-Gynecology Clinic.
 - d. *Retail Pharmacies.* On orders shipped directly to retail pharmacies, a postage-paid post card to be included in each whole carton, the card to be returned to the manufacturer stating the

names of the practitioners who ordered the drug.

4. The availability for contraception of only one potency, 50 milligrams per milliliter, in a single dose container of 3 milliliters and in a multiple dose container of 30 milliliters.

This method of distribution has been devised in order to maintain a registry of physicians who have utilized the drug for contraception. In the event evidence appears in the future that the tumorigenic effect of medroxyprogesterone acetate injectable (as noted at present only in the beagle) poses an increased risk of breast tumors in the human, direct notification of these physicians can be made and appropriate patient follow-up instituted.

The patient labeling will explain that the drug product is intended for the patient who accepts the possibility that she may not be able to become pregnant after discontinuing the drug, and who refuses or is unable to accept the responsibility demanded by other contraceptive methods, or is incapable or unwilling to tolerate the side effects of conventional oral contraceptives, or is one in whom other methods of contraception are contraindicated or have repeatedly failed.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502(a), (f), 505, 701(a), 52 Stat. 1050-1053, as amended, 1055, as amended; 21 U.S.C. 352 (a), (f), 355, 371(a)) and under authority delegated to him (21 CFR 2.120), the Commissioner of Food and Drugs proposes to further amend his proposal regarding the amendments of Part 130 in § 130.45 published in the FEDERAL REGISTER of September 26, 1973 (38 FR 26809), by adding a new paragraph (c) to read as follows:

§ 130.45 Preparations for contraception; labeling directed to the patient.

(c) *Injectable contraceptives*—(1) *Medroxyprogesterone acetate injectable for contraception.* Studies conducted with this injectable drug have proved its efficacy in contraception. Adverse reactions associated with the use of the drug include those mentioned for oral contraceptives and also the serious adverse reaction of infertility after drug withdrawal. Data from studies in beagle dogs administered the drug revealed the development in some dogs of mammary nodules, some of which were malignant, but their significance with respect to humans has not been established. The Commissioner, in consideration of recommendations made by the Food and Drug Administration's Obstetrics and Gynecology Advisory Committee, has concluded that this drug product represents a unique means of contraception and that its benefits outweigh its risks in a limited patient population for which other means of contraception are not suitable. Because of the risks involved, however, use of the drug is limited to those patients who have been provided with patient literature fully explaining the hazards associated with its use and the patients for whom it is intended, and who have consented to its use after familiarizing them-

selves with the information in the patient leaflet. If a patient is not competent to give informed consent, her guardian shall be provided with the printed information and shall consent on behalf of the patient.

(2) Medroxyprogesterone acetate injectable is limited to prescription sale. The drug package shall include, in addition to information under which the practitioner licensed to administer the drug can use it safely and for the purpose for which it is intended:

(1) A brief patient leaflet explaining the risks associated with the use of the drug and the patients for whom the drug is intended, to read as follows:

PATIENT LEAFLET—WHAT YOU SHOULD KNOW ABOUT (INSERT TRADE NAME OF DRUG) MEDROXYPROGESTERONE ACETATE INJECTABLE AN INJECTABLE CONTRACEPTIVE

(Insert trade name of drug) is a contraceptive given by injection every ninety days to prevent pregnancy. It is to be used only in special cases when the risks are fully understood and accepted.

It is effective—but, there are drawbacks and risks.

What are the drawbacks and risks?

Infertility, the inability to become pregnant, may be prolonged indefinitely—up to 31 months or longer—or may even be permanent after the drug is discontinued.

Tumors of the breast were observed in tests on dogs given low and high doses. At high doses some of these tumors were cancerous and spread to other organs. The significance of this finding in humans is not known at this time.

Monthly periods may become irregular or stop completely while the drug is being administered. Also, there may be unexpected bleeding at times.

When is (insert trade name of drug) indicated?

If other methods of pregnancy prevention are contraindicated or have repeatedly failed; or

If the individual refuses or is unable to accept the responsibility demanded by other contraceptive methods; or

If the individual is unable or unwilling to tolerate the side effects of conventional oral contraceptives ("The Pill") or other effective methods of contraception; and

If the person (or parent or guardian) understands and accepts the drawbacks and risks.

What persons should not take (insert trade name of drug)?

Persons who have had blood clots in the legs, lungs, or brain, serious liver disease, cancer of the breast, are allergic to (insert trade name of drug) or have unexplained vaginal bleeding.

What precautions are necessary?

See your doctor for examination of the breasts from time to time as advised, and report to him at once any change in your breasts, e.g. lumps.

2. Report to your doctor at once if you have severe pains in the legs or chest, coughing up of blood, severe headaches or blurred vision, or any symptoms that worry you.

Your doctor will answer any questions you have and can give you a booklet with more information about this drug.

(ii) A full patient brochure explaining the drug in more detail to read as follows:

PATIENT LEAFLET—WHAT YOU SHOULD KNOW ABOUT (INSERT TRADE NAME OF DRUG) MEDROXYPROGESTERONE ACETATE INJECTABLE AN INJECTABLE CONTRACEPTIVE

(Insert trade name of drug) is an effective contraceptive when injected every 90 days as directed by your physician. The method is an alternative to the more commonly used methods of pregnancy prevention such as the "pill," intrauterine device, diaphragm, condom, vaginal creams, jellies, and foams. It is approximately as effective in preventing pregnancy as the "pill." If you do not understand all the information in this brochure or have any questions, you should ask your physician for an explanation.

For whom is (insert trade name of drug) indicated?

Patients who have been made aware of and accept the possibility that they may not be able to become pregnant after discontinuing (insert trade name of drug); and

1. Refuse or are unable to accept the responsibility demanded by other contraceptive methods; or

2. Are incapable or unwilling to tolerate the side effects of conventional oral contraceptives; or

3. In whom other methods of contraception are contraindicated or have repeatedly failed.

In the event that a patient is unable to fully comprehend the contents of this leaflet, her parent or guardian should read it thoroughly.

How (insert trade name of drug) prevents pregnancy.

Each of your ovaries contains thousands of unripe eggs. About half way between the start of one period and the start of the next period, an egg ripens and is released into the uterine tube. This is called ovulation. (Insert trade name of drug) prevents this from happening.

Important Risks

(Insert trade name of drug) prevents ovulation (release of an egg from your ovary) for prolonged periods of time. Even after (insert trade name of drug) is stopped, temporary infertility is common for some months and prolonged infertility (up to 2 or 3 years) occurs in some cases. It is possible that infertility may be permanent. Women who desire additional children should bear this in mind in reaching a decision regarding use of this method of contraception.

Tests in dogs injected with this drug showed that some of them developed tumors in their breasts. Some of these tumors were cancerous and spread to other organs. Similar tests in mice, rats, rabbits and monkeys did not produce breast tumors or cancer. There is no evidence at this time that women receiving (insert trade name of drug) have any more breast tumors than other women but clinical studies have not progressed long enough to definitely rule out this possibility.

Blood clots occasionally form in the veins of the legs and pelvis of apparently healthy people and may threaten life if the clots break loose and then lodge in the lung or if they form in other vital organs, such as the brain. Blood clots occur somewhat more frequently in women taking the "pill." There have also been a few reports of blood clots in women using (insert trade name of drug). It has been estimated that about one woman in 2,000 on the "pill" each year suffers a blood clotting disorder severe enough to require hospitalization. The estimated death rate from abnormal blood clotting in healthy women under 35 not taking the pill is one in 500,000; whereas, for the same age group taking the pill it is one in 66,000. For healthy

women over 35 not taking the pill, the rate is one in 200,000 compared to one in 25,000 pill users. Blood clots are about three times more likely to develop in women over the age of 34. It is not known at this time whether these estimates for the estrogen-progestogen oral contraceptives are applicable to (insert trade name of drug), which contains a progestogen only. For these reasons, it is important that women who have had blood clots in the legs, lungs, or brain not use oral contraceptives or (insert trade name of drug). Anyone using (insert trade name of drug) who has severe leg or chest pains, coughs up blood, has difficulty in breathing, sudden severe headaches or vomiting, dizziness or fainting, disturbances of vision or speech, weakness or numbness of an arm or leg should call her doctor immediately.

If you now have or have had a special health problem such as migraine headaches, mental depression, fibroids of the uterus, heart or kidney disease, asthma, high blood pressure, diabetes, or epilepsy, report these facts to your physician so that he may determine if it is safe for you to take (insert trade name of drug). All of these conditions could sometimes be made worse by the use of this medication. There are other women besides those women with a tendency toward blood clotting disorders and those who may wish to have additional children who should not receive (insert trade name of drug). These include women being treated for cancer of the breast, serious liver conditions or undiagnosed vaginal bleeding when cancer has not been ruled out.

Common Reactions

(Insert trade name of drug), like all drug contraceptives, has some common side effects. Fortunately, these common side effects are usually not serious. Periodic examinations, as recommended by your doctor, are essential to provide the early detection which may help to prevent serious side effects. (Insert trade name of drug) usually causes irregular spotting and sometimes heavier bleeding in most women for the first few months. A woman will not have normal regular menstrual periods while receiving (insert trade name of drug) and, as she continues on the drug, she will probably have less and less frequent periods or none at all. The earlier irregular bleeding and spotting are usually not heavy, but may last longer than the normal period. If you cannot accept the bleeding irregularities which will occur with the use of (insert trade name of drug), you should not use this method of contraception.

A few women experience unpleasant side effects from (insert trade name of drug) which are not dangerous and are not likely to damage their health. Some of these side effects are similar to symptoms women experience in early pregnancy and are usually temporary. The breasts may feel tender, nausea and vomiting may occur, and there may be either weight gain or loss. A spotty darkening of the skin, particularly of the face, similar to that occurring during pregnancy is possible and may persist.

A few women have experienced mental depression while taking (insert trade name of drug). This side effect may be worse in women with a previous history of psychic depression. The cause is not clear.

Your doctor may find that after taking (insert trade name of drug) the amount of sugar and fatty substances in your blood is increased or that the amounts of estrogenic and adrenal hormones produced in your body are changed. The importance of these changes is still under study, but within our present knowledge they do not seem to be harmful.

Other reactions, although not necessarily caused by (insert trade name of drug), that are occasionally reported by women receiving the drug are: dimness, some loss of scalp hair, some increase in body hair, either an increase or decrease in sex drive, nervousness, headache and fatigue.

Report any special problems of any nature to your doctor promptly.

Other Considerations

The prolonged periods of time without a menstrual period, which occur in many women receiving (insert trade name of drug) regularly, cause some of them to fear they are pregnant. Should you be concerned, consult your physician for his advice.

This drug is known to appear in the milk of nursing mothers and, thus, it will be swallowed by the infant. It is especially important for women to know this if they are planning to receive an injection shortly after delivery and expecting to nurse their infant. The long range effect of the drug on the infant is not known at this time. The quality and quantity of milk is not affected.

(3) The patient package information shall be used to obtain the informed consent of any person who uses the drug, as follows:

(i) The leaflet and brochure shall be included with each single dose container or, if the drug product is packaged in multiple dose vials, a sufficient number shall be included for one to be available for each patient, and

(ii) Instructions shall be included for the practitioner responsible for administering the drug, or his representative.

(a) To provide the patient, or her representative, in the event the patient is incompetent to grant informed consent, with the patient leaflet and

(b) To require her to read it and to give her consent to use the drug prior to administering the drug, and

(c) To give her the brochure for additional information on the drug, which may be read at her leisure as she desires.

Interested persons may, on or before November 9, 1973, file with the Hearing Clerk, Food and Drug Administration, Rm. 6-86, 5600 Fishers Lane, Rockville, MD 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated October 4, 1973.

A. M. SCHMIDT,

Commissioner of Food and Drugs.

[FR Doc.73-21562 Filed 10-9-73;8:45 am]

DEPARTMENT OF LABOR

Employment Standards Administration

[41 CFR Part 50-201]

PUBLIC CONTRACTS, WALSH-HEALEY ACT

Proposed Exemption of Certain Service Contracts

Pursuant to the authority provided in section 6 of the Walsh-Healey Public Contracts Act, as amended (41 U.S.C. 40), it is proposed to amend 41 CFR 50-201.603 to establish an administrative

exemption from the application of such Act to certain contracts for the furnishing of services to the Government. The purpose of the proposed exemption is to eliminate overlapping coverage of such contracts under which, at present, some employees engaged in their performance are subject to labor standards provisions of legislation applicable specifically to services furnished under such contracts while other employees, because the Walsh-Healey Act presently applies to their work, are excluded from the labor standards otherwise applicable to them and covered instead by the standards provided under that Act for supply contracts.

The present overlapping coverage has been found by procurement agencies and the Department of Labor, as well as by service contractors and subcontractors, to be a source of confusion as to the proper labor standards to apply to the employees working on such contracts. It has increased the difficulty, as well as the cost, of contract administration and of labor standards enforcement. It has also proved harmful to labor relations on Government contract work by reason of the differences in labor standards applicable to portions of the labor force employed in performing a single Government service contract.

If the proposed exemption is adopted, labor standards protection of employees performing work on contracts to which it would apply would be generally assured by provisions of other legislation (Public Law 89-286, 79 Stat. 1034, as amended by Public Law 92-473, 86 Stat. 789; Public Law 87-581, 76 Stat. 367, as amended by Public Law 91-54, 83 Stat. 96). These provisions are now applicable in accordance with their terms to employees engaged in work on such contracts, except for the employees whose work comes within the coverage of the Walsh-Healey Act. If the exemption is adopted, the Walsh-Healey Act will no longer provide an impediment to uniform coverage under the labor standards provided by the above-cited legislation. The Fair Labor Standards Act (52 Stat. 1060, as amended (29 U.S.C. 201, et seq.)) will continue to provide adequate child labor standards for employment on the exempted contracts.

Interested persons are invited to submit data, views, or argument in writing regarding this proposal to the Assistant Secretary for Employment Standards, United States Department of Labor, Washington, D.C. 20210, before November 8, 1973.

It is proposed to amend 41 CFR 50-201.603 by adding thereto a new paragraph (e) to read as follows:

§ 50-201.603 Full administrative exemptions.

The following classes of contracts have been exempted from the application of § 50-201.1 pursuant to the procedure required under section 6 of the Act:

(e) Contracts entered into by the United States or the District of Columbia

(and any bid specifications therefor), the principal purpose of which is the furnishing of services in the United States through the use of service employees within the meaning of the Service Contract Act of 1965 as amended, and to which such Act applies.

(Sec. 6, 49 Stat. 2038 (41 U.S.C. 40); 5 U.S.C. 301; Reorg. Plan No. 6 of 1950, 15 FR 3174, 64 Stat. 1263; Secretary of Labor's Order No. 13-71, 36 FR 8755.)

Signed at Washington, D.C., this 3d day of October 1973.

BERNARD E. DELURY,

Assistant Secretary

for Employment Standards.

[FR Doc.73-21492 Filed 10-9-73;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 73-BA-93]

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 Ithaca, N.Y., Control Zone (38 FR 388) and Transition Area (38 FR 507).

A new ILS instrument approach procedure is being developed for Tompkins County Airport, Ithaca, N.Y. A review of the controlled airspace requirements for the terminal area indicates that alteration of the control zone and transition area is required to provide controlled airspace in consonance with Terminal Instrument Procedures (TERP's).

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, New York 11430. All communications received on or before October 30, 1973, 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, New York.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area

of Ithaca, New York, proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations by deleting the description of the Ithaca, N.Y. control zone and by substituting the following in lieu thereof:

Within a 5-mile radius of the center, 42°29'29" N., 76°27'30" W. of Tompkins County Airport, Ithaca, N.Y., extending clockwise from a 196° bearing to a 329° bearing from the airport; within a 6.5-mile radius of the center of the airport, extending clockwise from a 329° bearing to a 081° bearing from the airport; within a 10-mile radius of the center of the airport, extending clockwise from a 081° bearing to a 137° bearing from the airport; within a 7.5-mile radius of the center of the airport, extending clockwise from a 137° bearing to a 170° bearing from the airport; within a 6.5-mile radius of the center of the airport, extending clockwise from a 170° bearing to a 196° bearing from the airport; within 3 miles each side of the Ithaca, N.Y. VORTAC 305° radial, extending from the VORTAC to 8.5 miles northwest of the VORTAC. This control zone shall be effective 0600-2130 hours, local time, Monday through Saturday; 0700-2130 hours, local time Sunday.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations by deleting the description of the Ithaca, N.Y., transition area and by substituting the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of the center, 42°29'29" N., 76°27'30" W. of Tompkins County Airport, Ithaca, N.Y.; within a 10-mile radius of the center of the airport, extending clockwise from a 350° bearing to a 012° bearing from the airport; within a 12.5-mile radius of the center of the airport, extending clockwise from the 012° bearing to a 036° bearing from the airport; within a 12-mile radius of the center of the airport, extending clockwise from a 036° bearing to a 065° bearing from the airport; within a 13.5-mile radius of the center of the airport, extending clockwise from a 065° bearing to a 096° bearing from the airport; within a 14-mile radius of the center of the airport, extending clockwise from a 096° bearing to a 111° bearing from the airport; within a 14.5-mile radius of the center of the airport, extending clockwise from a 111° bearing to a 131° bearing from the airport; within a 14-mile radius of the center of the airport, extend-

ing clockwise from a 131° bearing to a 152° bearing from the airport; within a 12.5-mile radius of the center of the airport, extending clockwise from a 152° bearing to a 216° bearing from the airport; within a 9.5-mile radius of the center of the airport, extending clockwise from a 216° bearing to a 243° bearing from the airport; within a 10.5-mile radius of the center of the airport, extending clockwise from a 243° bearing to a 288° bearing from the airport; within 4.5 miles southwest and 9.5 miles northeast of the Ithaca, N.Y. VORTAC 305° radial, extending from the VORTAC to 18.5 miles northwest of the VORTAC; within 3.5 miles each side of the Tompkins County Airport ILS localizer southeast course, extending from the OM to 11.5 miles southeast of the OM.

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

Issued in Jamaica, N.Y., on September 26, 1973.

LOUIS J. CARDINALI,
Acting Director,
Eastern Region.

[FR Doc. 73-21463 Filed 10-9-73; 8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 73-EA-92]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Saranac Lake, N.Y., Transition Area (38 FR 575).

A new ILS approach procedure is being developed for Adirondack Airport, Saranac Lake, New York, and will require alteration of the transition area to provide additional airspace protection for aircraft executing the approaches.

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, New York

11430. All communications received on or before October 30, 1973, 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, New York.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Saranac Lake, New York, proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations by deleting the description of the Saranac Lake, N.Y. transition area and by substituting the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center 44°23'03" N., 74°12'21" W., of Adirondack Airport, Saranac Lake, N.Y.; within 4.5 miles southeast and 9.5 miles northwest of the Saranac Lake, N.Y. VOR 237° radial, extending from the VOR to 18.5 miles southwest of the VOR and within 3.5 miles each side of the Adirondack Airport ILS localizer northeast course, extending from the localizer to 11.5 miles northeast of the OM.

(This amendment is proposed under sec. 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 September 26, 1973.

LOUIS J. CARDINALI,
Acting Director,
Eastern Region.

[FR Doc. 73-21462 Filed 10-9-73; 8:45 am]

Notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF STATE

Agency for International Development A.I.D. REPRESENTATIVE IN HAITI ET AL. Redelegation of Authority

SECTION I. Pursuant to the authority delegated to me by (i) Delegation of Authority No. 38 from the Administrator of A.I.D. dated April 10, 1964, as amended, and (ii) Delegation of Authority No. 99 from the Administrator of A.I.D. dated April 27, 1973, I hereby delegate to:

(a) The A.I.D. Representative in Haiti and in Uruguay.

(b) The A.I.D. Affairs Officer in Costa Rica, in Jamaica, in Mexico and in Venezuela,

(c) The Regional Development Officer in Argentina, and

(d) The Director of the United States A.I.D. Mission in all other countries in the Latin American Region of A.I.D.,

the following authorities with respect to the implementation of approved programs of A.I.D. for the country to which such official is assigned:

1. To sign project agreements, trust fund agreements, and grant agreements with foreign governments, foreign government agencies, and international organizations having a membership consisting primarily of such foreign governments,

2. to approve country contracts for capital projects financed in whole or in part by an A.I.D. grant, and

3. to sign Project Implementation Orders—Technical Services (PIO/T)

Sec. II. The authorities delegated in Section I are subject to all applicable provisions of law, and shall be exercised in conformity with all restrictions, regulations, manual orders, and directives which are now in effect or which may be issued hereafter governing the operations of A.I.D. programs.

Sec. III. The authorities delegated in section I may be exercised by persons who are serving in an acting capacity, and may be redelegated by the specified officials to their principal deputy.

Sec. IV. This delegation shall be deemed effective as of October 1, 1973, and shall continue in effect until rescinded by me.

Dated October 1, 1973.

HERMAN KLEINE,
Assistant Administrator for
Latin America.

[FR Doc.73-21431 Filed 10-9-73;8:45 am]

DEPARTMENT OF THE TREASURY Fiscal Service

[Dept. Circ. 570, 1973 Rev., Supp. No. 2]

INVESTORS INSURANCE COMPANY OF AMERICA

Acceptable Surety on Federal Bonds

A Certificate of Authority as an acceptable surety on Federal bonds has been issued by the Secretary of the Treasury to the following company under sections 6 to 13 of Title 6 of the United States Code. An underwriting limitation of \$71,000.00 has been established for the company.

Name of Company, Location of Principal Executive Office, and State in Which Incorporated

INVESTORS INSURANCE COMPANY OF AMERICA

Teaneck, New Jersey
New Jersey

Certificates of Authority expire on June 30 each year, unless sooner revoked, and new Certificates are issued on July 1 so long as the companies remain qualified (31 CFR Part 223). A list of qualified companies is published annually as of July 1 in Department Circular 570, with details as to underwriting limitations, areas in which licensed to transact fidelity and surety business and other information. Copies of the Circular, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Audit Staff, Washington, D.C. 20226.

Dated October 3, 1973.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[FR Doc.73-21495 Filed 10-9-73;8:45 am]

DEPARTMENT OF DEFENSE

Office of the Secretary of Defense DEFENSE ADVISORY COMMITTEE ON WOMEN IN THE SERVICES

Notification of Meeting

Pursuant to Public Law 92-463, notice is hereby given that a meeting of the Defense Advisory Committee on Women in the Services (DACOWITS) will be held October 14-18, 1973 at the Howard Johnson's Downtown Motor Inn, Orlando, Florida.

The agenda for this semiannual meeting will include briefings by Department of Defense officials on matters affecting

servicewomen, and working sessions for the preparation of written recommendations to the Secretary of Defense on the subjects of recruitment, living conditions, legislative matters and community relations.

The Department of Defense briefings scheduled for 10:00 a.m. to 12:00 noon on Monday, October 15, 1973, will be open to the public. The remainder of the Committee's meeting time will be devoted to working sessions which will be closed to the public.

MAURICE W. ROCHE,
Director, Correspondence and
Directives OASD (Comptroller).

OCTOBER 2, 1973.

[FR Doc.73-21465 Filed 10-9-73;8:45 am]

DEPARTMENT OF THE INTERIOR

Bonneville Power Administration HUNGRY HORSE CLOUD SEEDING PROGRAM

Draft Environmental Statement; Extension of Comment Period

Notice is hereby given of a correction of the public comment period for the Bonneville Power Administration's Draft Environmental Statement for the Hungry Horse Cloud Seeding Program, filed with the Council on Environmental Quality, September 24, 1973. Notice of Availability was issued by the Department of the Interior in the FEDERAL REGISTER on Friday, September 28, 1973 (38 FR 27099). The 30-day period for public comment will be closed Monday, October 29, 1973, not on October 15, 1973, as indicated in the earlier publication.

Dated October 5, 1973.

DONALD PAUL HODEL,
Administrator.

[FR Doc.73-21593 Filed 10-9-73;8:45 am]

Bureau of Land Management BOISE DISTRICT ADVISORY BOARD Notice of Tour

Notice is hereby given that the Bureau of Land Management, Boise District Advisory Board, will tour the Hardtrigger and Black Mountain Sub-units of the Wilson Unit on October 24, 1973. The tour will commence October 24 at 9 a.m. at the Boise District Office of the Bureau of Land Management, 230 Collins Road.

The agenda for the tour includes inspection and discussion of grazing prob-

lems in the Hardtrigger and Black Mountain Sub-units.

The tour is open to the public, but interested persons must provide their own transportation and food. Those wishing to attend the tour should contact the District Manager at 230 Collins Road in Boise, prior to October 24 for information regarding the tour route and schedule.

Those wishing to make an oral statement concerning agenda items must so inform the Advisory Board Chairman in writing prior to October 24. Statements should be mailed to: Chairman, Boise District Advisory Board, c/o District Manager, Bureau of Land Management, 230 Collins Road, Boise, Idaho 83702.

WILLIAM L. MATHEWS,
State Director.

[FR Doc.73-21433 Filed 10-9-73;8:45 am]

Office of Hearings and Appeals

[Docket No. M 74-20]

OLGA COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Olga Coal Company, located at Youngstown, Ohio, has filed a petition to modify the application of 30 CFR 75.305 to its Olga Mine.

30 CFR 75.305 reads as follows:

§ 75.305 *Weekly examinations for hazardous conditions.* In addition to the preshift and daily examinations required by this Subpart D, examinations for hazardous conditions, including tests for methane, and for compliance with the mandatory health or safety standards, shall be made at least once each week by a certified person designated by the operator in the return of each split of air where it enters the main return, on pillar falls, at seals, in the main return at least one entry of each intake and return aircourse in its entirety, idle workings, and, insofar as safety considerations permit, abandoned areas. Such weekly examinations need not be made during any week in which the mine is idle for the entire week, except that such examination shall be made before any other miner returns to the mine. The person making such examinations and tests shall place his initials and the date and time at the places examined, and if any hazardous condition is found, such condition shall be reported to the operator promptly. Any hazardous condition shall be corrected immediately. If such condition creates an imminent danger, the operator shall withdraw all persons from the area affected by such condition to a safe area, except those persons referred to in section 104(d) of the Act until such danger is abated. A record of these examinations, tests, and actions taken shall be recorded in ink or indelible pencil in a book approved by the Secretary kept for such purpose in an area on the surface of the mine chosen by the mine operator to minimize the danger of destruction by fire or other hazard, and the record shall be open for inspection by interested persons.

As an alternative method, Petitioner proposes that it be allowed to establish air measuring stations at certain points along the return air courses as shown by

exhibits submitted with the petition. Petitioner states that methane and air readings will be made by a certified person and that methane will not be allowed to accumulate beyond legal limits in the return airways. Each measuring station will be maintained in good condition and examined at least once each week. A date board and book will be located at each measuring station and air and methane readings will be taken and recorded.

In support of its request petitioner states that the Olga Mine is old and has many worked out areas. Numerous roof falls have occurred in these areas which are extremely high and very tight in some areas. The areas were not traveled prior to the Act because of these conditions, but air and methane readings can be taken in certain areas along the return airways to assure that the return air is traveling in its proper course and usual volume and that methane does not accumulate beyond legal limits. Petitioner states that return air courses in question are located in non-coal producing areas with only a coal track haulage entry and supply track haulage entry located there. The mine contains forced system ventilation which will guarantee positive ventilation in all areas of the mine. Petitioner states that the return air courses are not capable of being traveled today and restoration of these areas would include years of hazardous work.

Petitioner contends that the alternate method assures that the requirements of the mandatory standard will be satisfied and will at all times guarantee no less than the same measure of protection afforded miners in the affected area as provided by the application of the mandatory standard.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before November 9, 1973. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, VA 22203. Copies of the petition are available for inspection at that address.

GILBERT O. LOCKWOOD,
Acting Director,
Office of Hearings and Appeals.

SEPTEMBER 24, 1973.

[FR Doc.73-21490 Filed 10-9-73;8:45 am]

**Office of the Secretary
COMMISSIONER, BUREAU OF
RECLAMATION
Delegation of Authority**

The authority relating to protection of persons and property at Hoover Dam which was delegated to the Secretary of the Interior by the Administrator, General Services Administration (38 FR 23838) is redelegated to the Commissioner of Reclamation.

The following material is a portion of the Departmental Manual, and the numbering system is that of the Manual.

**PART 255—BUREAU OF RECLAMATION
CHAPTER 6—LAW ENFORCEMENT AT HOOVER
DAM**

.1 *Delegation.* The Commissioner of Reclamation is authorized to perform the functions and exercise the authority of the Secretary of the Interior to:

A. Appoint uniformed guards of the Bureau of Reclamation as special policemen to serve at Hoover Dam on the Colorado River near Boulder City, Nevada, to assist in visitor control and protection of Government property; and

B. Make all needful rules and regulations for the protection of persons and property at Hoover Dam, over which the United States has concurrent jurisdiction, and annex such reasonable penalties (not to exceed those prescribed in 40 U.S.C. 318c) as will ensure their enforcement. For this limited purpose, the Commissioner may issue amendments of or additions to Chapter I, Subtitle B, Title 43, of the Code of Federal Regulations.

.2 *Limitations.* This authority shall be exercised in accordance with the limitations and requirements of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, and the Act of June 1, 1948 (62 Stat. 231), as amended, and the policies, procedures, and controls prescribed by the General Services Administration.

.3 *Redelegation.* The Commissioner of Reclamation may, in writing, redelegate the authority granted in 255 DM 6.1A, and he may authorize written redelegation of such authority.

Dated October 1, 1973.

JOHN C. WHITAKER,
Under Secretary of the Interior.

[FR Doc.73-21432 Filed 10-9-73;8:45 am.]

ROBERT W. THOMAS

**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 six months:

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

This statement is made as of September 28, 1973.

Dated September 30, 1973.

R. W. THOMAS,
Signature.

[FR Doc.73-21437 Filed 10-9-73;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

GRADE AA BUTTER

**Determination of Equivalent Prices in
September 1973 for New York**

Pursuant to the provisions of the Agricultural Marketing Agreement Act of

1937, as amended (7 U.S.C. 601 et seq.), and the applicable provisions of the orders, as amended, regulating the handling of milk in the aforesaid milk marketing areas, hereinafter referred to as the "orders", it is hereby found and determined as follows:

(1) The daily wholesale bulk selling price for Grade AA (93-score) butter at New York as reported by the Dairy and Poultry Market News Service, U.S. Department of Agriculture, Agricultural Marketing Service was not available on any regular reporting day during September 1973.

Dairy and Poultry Market News Service regularly reports wholesale bulk butter prices for New York Grade AA (93-score) butter on Tuesday, Thursday, and Friday of each week. The average of such prices during the month is used to determine the Class II butterfat differentials pursuant to the two specified milk orders. In the absence of any such reported price in September 1973, it is necessary to provide equivalent prices for those reporting days on which the wholesale prices at New York for Grade AA (93-score) butter were lacking.

Such equivalent prices have been determined based on spot market prices for New York Grade AA (93-score) butter on the New York Mercantile Exchange plus a normal differential between such spot prices and wholesale bulk selling prices. Using these equivalent prices it is hereby determined that the average New York Grade AA (93-score) butter price for September 1973 for purposes specified in the aforesaid orders, is 86.90 cents.

(2) Notice of proposed rulemaking, public procedure thereon, and 30 days prior notice of the effective date hereof are impracticable, unnecessary and contrary to the public interest, in that (a) the daily wholesale bulk selling price for New York Grade AA (93-score) butter has not been reported by the Dairy and Poultry Market News Service, U.S. Department of Agriculture, Agricultural Marketing Service, during September 1973; (b) the need for determination of equivalent prices could not be known until the end of September 1973 and such determination could not be made until all available data for the month had been obtained; and (c) the determination of such equivalent prices is necessary to make possible the announcement of butterfat differentials pursuant to the orders on October 5, 1973.

Signed at Washington, D.C., on October 4, 1973.

JAMES H. LAKE,
Deputy Assistant Secretary.

[FR Doc.73-21471 Filed 10-9-73; 8:45 am]

INSPECTION AND GRADING OF FOOD PRODUCTS

Notice of Agreement

CROSS REFERENCE: For a document outlining an agreement between the Food and Drug Administration and the Agricultural Marketing Service concerning inspection and standardization of food

products, see FR Doc. 73-21484, Department of Health, Education, and Welfare, Food and Drug Administration, *infra*.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Center for Disease Control

COAL MINE HEALTH RESEARCH ADVISORY COUNCIL

Public Meeting

The Director, Center for Disease Control, announces the meeting dates and other required information for the following National Advisory body scheduled to assemble during the month of October 1973.

Committee name	Date, time, place	Type of meeting and/or contact person
Coal Mine Health Research Advisory Council	October 31, 1:30-5:30 p.m., November 1, 8:00 a.m.-12 noon Room 138, Acosh Bldg., 944 Chestnut Ridge Rd., Morgantown, W. Va.	Open—Contact Dr. Raymond T. Moore, Room 10A-13, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md. Code: 301-413-2100.

Purpose: The Council is charged with advising the Secretary, Department of Health, Education, and Welfare on matters involving or relating to coal mine health research, including grants and contracts for such research.

Agenda: Agenda items will include summary of methods and results of the National Coal Study and second round medical examinations, tours of the Appalachian Laboratory for Occupational Respiratory Diseases, mine hygiene and sanitation practices, industrial hygiene program, progress report on use of computer in X-ray analysis, research direction, and criteria for the diagnosis of disability and death from coal workers' pneumoconiosis.

Agenda items are subject to change as priorities dictate.

A roster of members and other relevant information regarding the meeting may be obtained from the contact person listed above.

Dated September 27, 1973.

WILLIAM C. WATSON,
Acting Director, Center for
Disease Control.

[FR Doc.73-21455 Filed 10-9-73; 8:45 am]

Food and Drug Administration INSPECTION AND GRADING OF FOOD PRODUCTS

Notice of Agreement With the Agricultural Marketing Service

The Agricultural Marketing Service and the Food and Drug Administration have drawn up an agreement concerning certain related objectives in carrying out their responsibilities under the Agricultural Marketing Act of 1946 and the Federal Food, Drug, and Cosmetic Act respectively. The agreement sets forth the working arrangements being followed or adopted in the interest of the

public so that each agency will discharge as effectively as possible its inspection and standardization activities for food products. It reads as follows:

MEMORANDUM OF AGREEMENT BETWEEN THE AGRICULTURAL MARKETING SERVICE AND THE FOOD AND DRUG ADMINISTRATION CONCERNING THE INSPECTION AND GRADING OF FOOD PRODUCTS¹

The Food and Drug Administration (FDA) of the Department of Health, Education and Welfare is charged with the enforcement of the Federal Food, Drug, and Cosmetic Act. In fulfilling its responsibilities under the Act, FDA's activities are directed toward the protection of the public health of the nation by insuring that foods are safe and wholesome and that products are honestly and informatively labeled. This is accomplished by inspecting the processing and distribution of foods and examining samples thereof to assure compliance with the Act. FDA also promulgates under the Act mandatory standards of identity, quality, and fill of container for food products after appropriate notices and hearings.

The Agricultural Marketing Service (AMS) of the U.S. Department of Agriculture, under the authority of the Agricultural Marketing Act of 1946, carries out certain voluntary service functions designed to aid in the efficient marketing of agricultural products. These include the development of commercial grade standards and specification for foods, and furnishing inspection and grading services, including the issuance of certificates of quality and/or condition, to producers, processors, shippers, buyers, or other interested parties. The major purpose is to assist producers in preparing better quality of wholesome products and to provide objective information by means of official certification concerning the grade, quality, or condition of a product which will be of maximum assistance to all interested parties engaged in marketing functions.

The two agencies have certain related objectives in carrying out their respective regulatory and service activities. Therefore, it is believed desirable from the standpoint of public interest to set forth in this Memorandum of Agreement the working arrangements which are being followed or adopted in the interest of each agency discharging as effectively as possible its responsibilities related to inspection and standardization activities for food products.

A. The Agricultural Marketing Service will:

(1) Supply to FDA, headquarters, a complete list of all food processing and packing plants which are operating under AMS continuous or other resident type

¹This Agreement does not apply to egg products, inspection of which is covered by the Egg Products Inspection Act, nor to grains, including rice, dry beans, peas, or lentils which will be covered by a separate memorandum of agreement between AMS and FDA.

inspection or grading contracts. This list will set forth the type of service provided and the food products involved. AMS will immediately advise the appropriate FDA field office of those plants subject to withdrawal or suspension of service, termination of contract or denial of inspection services because of sanitation or other current good manufacturing practice deficiencies.

(2) Investigate any report from FDA to the effect that a processor or packer operating under contract with AMS has not corrected objectionable conditions found to exist by FDA, and will take action in accordance with AMS regulations and contracts.

(3) Decline to inspect or grade samples of products which have been seized by FDA, or which are known to be involved in formal FDA actions. This does not preclude reinspection of legally authorized samples by AMS if the FDA seizure or other actions involve products which had previously been inspected or graded by AMS.

(4) Decline to assign a U.S. grade or permit the use of Government official marks or other approved identification on a food product which is considered adulterated under the Federal Food, Drug, and Cosmetic Act, of such type and/or in such amounts so as to result in the food product being subject to regulatory action by FDA or is otherwise found to be not suitable for grade assignment. AMS will make such examinations and tests as are reasonably feasible for those materials and substances that would be likely to contaminate the product.

(5) Report to the appropriate FDA field office information on any lot of product which, upon inspection, AMS declines to assign a grade unless such product is so reconditioned as to comply with FDA requirements and/or qualify for grade assignment, or is segregated and disposed of for non-food use or otherwise lawfully shipped or sold.

(6) Furnish FDA headquarters on request, with any pertinent information concerning the grade or quality determination relative to specific lots of products inspected or graded by AMS that have been proceeded against or are being considered for action by FDA.

(7) Report on the inspection certificate any pertinent codes or other marks that will serve to identify the specific goods which are inspected or graded.

(8) Inform FDA headquarters whenever it has information that an employee or USDA licensed inspector is to be or has been subpoenaed as a witness at judicial proceedings involving FDA action and advise FDA of the nature of his proposed testimony.

B. The Food and Drug Administration will:

(1) Invite the AMS inspector stationed at a plant which is operating under AMS inspection to accompany the FDA inspector during his inspection of such plant. The FDA inspector will point out or discuss with the AMS inspector any conditions noted which may result in

violations of the Federal Food, Drug, and Cosmetic Act.

(2) Request AMS headquarters for any pertinent information concerning the grade or quality determinations relative to specific lots of products that have been proceeded against or are being considered for action by FDA and are known or believed to have been inspected by AMS. FDA will take into consideration the results of AMS inspection certificates and other available data unless it has evidence that the product does not meet legal requirements as a food or has deteriorated to such an extent, subsequent to AMS inspection, as to make it unacceptable as food.

(3) Immediately notify the appropriate AMS field office concerning the details of serious objectionable conditions whenever such conditions are found to exist in processing or packing plants where AMS is currently conducting inspection of products, or in other food plants, when FDA believes such information would be of value to AMS in its inspection and grading activities.

(4) Whenever possible mark the claimant's samples of seized products in such a manner that AMS inspectors or graders will recognize such post-seizure samples.

(5) Discuss with AMS headquarters the criteria used by FDA in order to provide the maximum assurance that AMS does not classify a food as acceptable which FDA would consider actionable under the Federal Food, Drug, and Cosmetic Act.

(6) On request of AMS review labels, legends, stamps, and other official marks for products packed under the various inspection services of AMS from the standpoint of possible conflict with the misbranding provisions of the Federal Food, Drug, and Cosmetic Act.

C. It is mutually agreed that:

(1) Both agencies will maintain close working relations with each other, both in headquarters as well as in the field.

(2) Proposed regulations by either agency establishing or amending any food product standard will be referred to the other agency for review and comments prior to issuance.

(3) Both agencies will cooperate jointly and with industry in the improvement of sanitation and food handling practices in processing plants. Both agencies will mutually exchange data and cooperate in the development of sampling plans, methodology and guidelines for determining natural and unavoidable defects common to products inspected and graded by AMS.

(4) Both agencies will work with industry toward greater efficiency in connection with improvement in coding methods.

(5) Both agencies will cooperate in the handling of those cases of misbranding which also come under the provisions of the Perishable Agricultural Commodities Act of 1930, as amended.

(6) Each agency will designate to the other a central contact point to which communications dealing with this agree-

ment or matters affected thereby may be first referred for attention.

(7) Nothing in this Agreement modifies other existing agreements, nor does it preclude entering into separate agreements setting forth procedures for special programs which can be handled more efficiently and expeditiously by such special agreement.

(8) The provisions of this memorandum may be modified at any time by mutual agreement.

For the Agricultural Marketing Service.

Dated August 22, 1973.

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

For the Food and Drug Administration.

Dated August 28, 1973.

Approved: A. M. SCHMIDT,
Commissioner of Food and Drugs.

Effective date.—This agreement becomes effective on October 10, 1973.

Dated August 28, 1973.

A. M. SCHMIDT,
Commissioner of
Food and Drugs.

[FR Doc. 73-21484 Filed 10-9-73; 8:45 am]

[DESI 11839 and DESI 9238; Docket No. FDC-D-662; NDA 9-238 etc.]

**MEDROXYPROGESTERONE ACETATE;
NORETHINDRONE; NORETHINDRONE
ACETATE; PROGESTERONE; DYDRO-
GESTERONE; AND HYDROXYPROGES-
TERONE CAPROATE**

Follow-up

In notices published in the FEDERAL REGISTER of July 27, 1972 (37 FR 15033) (DESI 11839) and September 9, 1971 (36 FR 18115) (DESI 9238), the Commissioner of Food and Drugs announced his conclusions pursuant to the evaluation of reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drugs:

DESI 11839

NDA 11-839; Provera Tablets containing medroxyprogesterone acetate; The Upjohn Co., 7171 Portage Road, Kalamazoo, Michigan 49001.

DESI 9238

1. NDA 9-238; Progesterone Injection; Eli Lilly and Co., Box 618, Indianapolis, Indiana 46206.

2. NDA 10-895; Norlutin Tablets containing norethindrone; Parke, Davis and Co., Joseph Campau at the River, Detroit, Michigan 48232.

3. NDA 12-184; Norlutate Tablets containing norethindrone acetate; Parke, Davis and Co.

4. NDA 12-985; Duphaston Tablets containing dydrogesterone; Philips Roxane Laboratories, Division of Philips Roxane Inc., 330 Oak Street, Columbus, Ohio 53216.

5. NDA 10-347; Delalutin Injection containing hydroxyprogesterone caproate; E. R. Squibb and Sons, Inc., 909 Third Avenue, New York, New York 10022.

NDA 12-541 included in the notice of July 27, 1972 is the subject of a separate notice published elsewhere in this issue of the FEDERAL REGISTER proposing withdrawal of approval of certain products.

The probably effective and possibly effective indications for the above listed drugs have been reclassified as lacking substantial evidence of effectiveness in that either no new evidence of effectiveness has been received pursuant to the announcements of September 9, 1971, and July 27, 1972, or the evidence submitted in support the indications was inadequate as follows:

a. For Duphaston, Philips Roxane Laboratories submitted results of studies to support the indications endometriosis and dysmenorrhea. One study was reported on 49 patients diagnosed as having endometriosis. Long term follow-up was incomplete, so it is not possible to know that symptoms did not recur or for how long a time remissions may be expected. Objective evidence at the end of the test period was not obtained on 17 patients who declined re-examination. Nevertheless, this study tends to support the drug's effectiveness in treating endometriosis, but is not, in and of itself, sufficient to constitute substantial evidence of effectiveness. A second study reported was performed with an injectable form of the drug and is not applicable to the question of effectiveness of the orally administered drug.

In support of use of Duphaston for dysmenorrhea, reports of two studies were submitted. Neither study can be considered to be adequate and well-controlled, in that, in both studies, among other things, the number of patients was too small; the treatment regimen covered use of the drug over only one to two menstrual cycles—an inadequate number; of the patients reported as responding favorably, some were also taking analgesics and/or other drugs. These studies do not constitute substantial evidence of effectiveness. In addition, the firm submitted additional information concerning a study by Aydar and Coleman. This study was published in 1965 and was available to the NAS-NRC during their review of this drug. The NAS Panel stated that some of the literature is optimistic, but that other, sound therapeutic studies were needed. The additional information which has now been submitted does not alter the need for additional studies, which are adequate and well-controlled, to support use of the drug for dysmenorrhea.

b. For Delalutin, Squibb submitted information intended to support use of the drug in threatened and habitual abortion. The information consisted of the firm's clinical summary of the evidence and copies of published articles. With regard to habitual abortion, the summary concludes that despite numerous flaws in existing data, there is strong presumptive evidence of the value of progestins such as Delalutin in selected patients. The summary also concludes that neither threatened nor habitual abortion is a condition which lends itself to large controlled therapeutic trials, as advocates

of therapy do not feel morally or ethically justified in withholding treatment. Of the published papers, most were available prior to the NAS-NRC review. Of three recent ones (published in 1970 and 1971), two make no reference to efficacy of Delalutin and in the other one the author recommends treatment with hormones while concluding that proof is lacking. The additional information submitted does not constitute substantial evidence of effectiveness. Even if it did, there is new information regarding lack of proof of safety which makes the drug unsuitable for use in pregnancy-related conditions. See below.

In addition, data have become available which suggest a possible association of prenatal hormonal treatment of mothers with congenital heart defects in the offspring. The Food and Drug Administration has reviewed available material and has presented the problem to its Obstetrics and Gynecology Advisory Committee. On the basis of these considerations it is concluded that a question of safety is raised by inferential evidence supporting the existence of an association between the administration of progestins during early pregnancy and the occurrence of congenital malformations. The potential risk of teratogenic effects is considered high enough to warrant removal of pregnancy-related indications from the labeling of progestins currently marketed for systemic use. Those indications, some of which were evaluated as effective, and others, as probably or possibly effective for the drugs listed above, are:

1. Presumptive test for pregnancy;
2. Treatment of threatened and habitual abortion; and
3. Treatment of any abnormalities of pregnancy including pregnancy complicating diabetes.

Thus, the Commissioner of Food and Drugs finds that the labeling sections given in the July 27, 1972, and September 9, 1971, announcements for the various progestin drugs should be amended to read as follows:

INDICATIONS

MEDROXYPROGESTERONE ACETATE TABLETS

This drug is indicated in secondary amenorrhea; and abnormal uterine bleeding due to hormonal imbalance in the absence of organic pathology, such as fibroids or uterine cancer.

NORETHINDRONE OR NORETHINDRONE ACETATE

This drug is indicated in amenorrhea; abnormal uterine bleeding due to hormonal imbalance in the absence of organic pathology, such as submucous fibroids or uterine cancer; and in endometriosis.

PROGESTERONE

This drug is indicated in amenorrhea; and abnormal uterine bleeding due to hormonal imbalance in the absence of organic pathology, such as submucous fibroids or uterine cancer.

DIHYDROGESTERONE

This drug is indicated in amenorrhea; and abnormal uterine bleeding due to hormonal imbalance in the balance of organic pathology, such as submucous fibroids or uterine cancer.

HYDROXYPROGESTERONE CAPROATES

This drug is indicated in amenorrhea; abnormal uterine bleeding due to hormonal imbalance in the absence of organic pathology, such as submucous fibroids or uterine cancer; for production of secretory endometrium and desquamation; and as a test for endogenous estrogen production (Medical D & C).

Supplements to new drug applications for such drugs are required by December 10, 1973, to provide for revised labeling in accord with this notice. Such supplements should be submitted under the provisions of § 130.9 (d) and (e) (21 CFR 130.9 (d) and (e)) which permit certain changes to be put into effect at the earliest possible time.

Any such preparation, for human use, introduced into interstate commerce after December 10, 1973, with labeling bearing indications for which the drug lacks substantial evidence of effectiveness or for which the drug is not shown to be safe may be subject to regulatory proceedings.

Notice of opportunity for a hearing. Notice is given to the holder(s) of the new drug application(s) and to any other interested person that the Commissioner proposes to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)) withdrawing approval of the listed new drug application(s) and all amendments and supplements thereto providing for indications for which a drug lacks substantial evidence of effectiveness or is not shown to be safe. Withdrawal of approval is proposed on the grounds that (1) new information before him with respect to the drug(s), evaluated together with the evidence available to him at the time of approval of the application(s), shows there is a lack of substantial evidence that the drug(s) will have all the effects purported or represented to have under the conditions of use prescribed, recommended, or suggested in the labeling, and (2) new evidence of clinical experience shows that such drug(s) is (are) not shown to be safe for use under the conditions of use upon the basis of which the application was approved. An order withdrawing approval will not issue with respect to any application(s) supplemented, in accord with this notice, to delete the claim(s) lacking substantial evidence of effectiveness and not shown to be safe.

Any manufacturer or distributor of such an identical related, or similar product is an interested person who may in response to this notice submit data and information, request that the new drug application(s) not be withdrawn, request a hearing, and participate as a party in any hearing.

In accordance with the provisions of section 505 of the Act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR Part 130), the Commissioner hereby gives the applicant(s) and any other interested person an opportunity for a hearing to show why approval of the new drug application(s) providing for the claim(s) involved should not be withdrawn.

On or before November 9, 1973, the applicant(s) or any other interested person may file with the Hearing Clerk, Food and Drug Administration, Room 6-86, 5600 Fishers Lane, Rockville, Maryland 20852, a written appearance electing whether or not to avail himself of the opportunity for a hearing. Failure of an applicant or any other interested person to file a written appearance of election within said 30 days will constitute an election by him not to avail himself of the opportunity for a hearing. No extension of time may be granted.

If no person elects to avail himself of the opportunity for a hearing, the Commissioner without further notice will enter a final order withdrawing approval of the application(s) which have not been supplemented to delete the indications lacking substantial evidence of effectiveness and not shown to be safe.

If an applicant or any other interested person elects to avail himself of the opportunity for a hearing, he must file, on or before November 9, 1973, a written appearance requesting the hearing, giving the reasons why approval of the new drug application(s) should not be withdrawn, together with a well-organized and full-factual analysis of the clinical and other investigational data he is prepared to prove in support of his opposition. A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that a genuine and substantial issue of fact requires a hearing (21 CFR 130.14(b)).

If review of the data submitted by an applicant or any other interested person warrants the conclusion that there exists substantial evidence demonstrating the effectiveness and adequate evidence to prove safety of the product(s) for the labeling claim(s) involved, the Commissioner will rescind this notice of opportunity for hearing.

If review of the data in the application(s) and data submitted by the applicant(s) or any other interested person in a request for a hearing, together with the reasoning and factual analysis in a request for a hearing, warrants the conclusion that no genuine and substantial issue of fact precludes the withdrawal of approval of the application(s), the Commissioner will enter an order making findings and conclusions on such data and withdrawing approval of application(s) not supplemented to delete the claim(s) involved.

If, upon the request of the new drug applicant(s) or any other interested person, a hearing is justified, the issues will be defined, a hearing examiner will be named, and he shall issue, as soon as practicable after November 9, 1973, a written notice of the time and place at which the hearing will commence. All persons interested in identical, related, or similar products covered by the new drug application(s) will be afforded an opportunity to appear at the hearing, file briefs, present evidence, cross-examine witnesses, submit suggested findings of fact, and otherwise participate as a party. The hearing contemplated by this notice will be open to the public except that any

portion of the hearing that concerns a method or process the Commissioner finds entitled to protection as a trade secret will not be open to the public, unless the respondent specifies otherwise in this appearance.

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 the Administrative Procedure Act (5 U.S.C. 554) and under the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated October 4, 1973.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc. 73-21564 Filed 10-9-73; 8:45 am]

[DESI 11839; Docket No. FDC-D-659; NDA 12-541]

MEDROXYPROGESTERONE ACETATE FOR INTRAMUSCULAR ADMINISTRATION

Opportunity for Hearing on Proposal To Withdraw Approval of Pertinent Parts of New Drug Application

In a notice (DESI 11839) published in the FEDERAL REGISTER of July 27, 1972 (37 FR 15033), the Commissioner of Food and Drugs announced his conclusions pursuant to the evaluation of a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on Depo-Provera Sterile Aqueous Suspension containing medroxyprogesterone acetate; The Upjohn Co., 7171 Portage Road, Kalamazoo, Michigan 49001.

The July 27 notice stated that medroxyprogesterone acetate administered intramuscularly is probably effective for endometriosis and lacking substantial evidence of effectiveness for threatened and habitual abortion. The probably effective indication has been reclassified as lacking substantial evidence of effectiveness in that new evidence received pursuant to the above announcement did not constitute substantial evidence of effectiveness. The evidence submitted by the NDA holder consisted of brief abstracts of nine published papers. In three, no specific studies are reported. A fourth pertains to a study of 14 patients, 8 of whom had surgical treatment during or after drug therapy. This is too small a patient population. One paper related to oral rather than parenteral therapy. Another, reporting use of medroxyprogesterone acetate with estrogen, did not divide the series according to drug used. One author discusses another investigator's studies. Two other papers discuss use of the drug without the details of specific studies. This information does not comprise adequate and well-controlled studies.

NDA 12-541 provides for, among other products strengths and package sizes, products containing 50 mg. per ml. packaged in 1 ml. and 5 ml. vials and 100 mg. per ml. packaged in 1 ml. vials. Other product strengths and/or packages sizes and other uses for injectable medroxy-

progesterone acetate have been proposed subsequent to the NAS-NRC review. These are being handled through the new drug review procedures and are not the subject of this notice. Conditions for contraceptive use are proposed elsewhere in this issue of the FEDERAL REGISTER.

In addition, data have become available which suggest a possible association of prenatal hormonal treatment of mothers with congenital heart defects in the offspring. The Food and Drug Administration has reviewed available material and has presented the problem to its Obstetrics and Gynecology Advisory Committee. On the basis of these considerations it is concluded that a question of safety is raised by inferential evidence supporting the existence of an association between the administration of progestins during early pregnancy and the occurrence of congenital malformations. The potential risk of teratogenic effects is considered high enough to warrant removal of pregnancy-related indications such as habitual and threatened abortion from the labeling of progestins currently marketed for systemic use.

Therefore, notice is given to the holder of the new drug application and to any other interested person that the Commissioner proposes to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)) withdrawing approval of (1) those parts of the listed new drug application that pertain to medroxyprogesterone acetate 50 mg. per ml. in 1 ml. and 5 ml. vials, and 100 mg. per ml. in 1 ml. vials, and (2) those parts that provide for the indications endometriosis and threatened and habitual abortion, and all amendments and supplements applying thereto.

The basis for the proposal is that new information with respect to the drug, evaluated together with the evidence available at the time of approval of the application, shows there is a lack of substantial evidence that injectable medroxyprogesterone acetate is effective for the stated indications, and with respect to the drug's use for habitual or threatened abortion, new evidence of clinical experience shows the drug is not shown to be safe for such use.

All identical, related, or similar products, not the subject of an approved new drug application, are covered by the new drug application reviewed. See 21 CFR 130.40 (37 FR 23185, October 31, 1972). Any manufacturer or distributor of such an identical, related, or similar product is an interested person who may in response to this notice submit data and information, request that the new drug application not be withdrawn, request a hearing, and participate as a party in any hearing. Any person who wishes to determine whether a specific product is covered by this notice should write to the Food and Drug Administration, Bureau of Drugs, Office of Compliance (BD-300), 5600 Fishers Lane, Rockville, Maryland 20852.

In accordance with the provisions of section 505 of the Act (21 U.S.C. 355) and

the regulations promulgated thereunder (21 CFR Part 130), the Commissioner hereby gives the applicant and any other interested person an opportunity for a hearing to show why approval of the pertinent parts of the new drug application should not be withdrawn.

On or before November 9, 1973 the applicant and any other interested person is required to file with the Hearing Clerk, Food and Drug Administration, Room 6-86 5600 Fishers Lane, Rockville, Maryland 20852, a written appearance electing whether or not to avail himself of the opportunity for a hearing. Failure of an applicant or any other interested person to file a written appearance of election within the specified time will constitute an election by him not to avail himself of the opportunity for a hearing. No extension of time may be granted.

If no person elects to avail himself of the opportunity for a hearing, the Commissioner without further notice will enter a final order withdrawing approval of the specified parts of the application.

If an applicant or any other interested person elects to avail himself of the opportunity for a hearing, he must file, on or before November 9, 1973, a written appearance requesting the hearing, giving the reasons why approval of the pertinent parts of the new drug application should not be withdrawn, together with a well-organized and full-factual analysis of the clinical and other investigational data he is prepared to prove in support of his opposition. A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that a genuine and substantial issue of fact requires a hearing (21 CFR 130.14(b)).

If review of the data submitted by the applicant or any other interested person warrants the conclusion that there exists substantial evidence demonstrating the effectiveness of the product and evidence that it is safe for use for the labeling claims involved, the Commissioner will rescind this notice of opportunity for hearing.

If review of the data in the application and data submitted by the applicant or any other interested person in a request for a hearing, together with the reasoning and factual analysis in a request for a hearing, warrants the conclusion that no genuine and substantial issue of fact precludes the withdrawal of approval of those parts of the application, the Commissioner will enter an order of withdrawal making findings and conclusions on such data.

If, upon the request of the new drug applicant or any other interested person, a hearing is justified, the issues will be defined, a hearing examiner will be named, and he shall issue, as soon as practicable after November 9, 1973, a written notice of the time and place at which the hearing will commence. All persons interested in identical, related, or similar products covered by the new drug application will be afforded an opportunity to appear at the hearing, file briefs, present evidence, cross-examine witnesses submit suggested findings of

fact, and otherwise participate as a party. The hearing contemplated by this notice will be open to the public except that any portion of the hearing that concerns a method or process the Commissioner finds entitled to protection as a trade secret will not be open to the public, unless the respondent specifies otherwise in his appearance.

Requests for a hearing and/or elections not to request a hearing may be seen in the Office of the Hearing Clerk (address given above) during regular business hours, Monday through Friday.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505, 52 Stat. 1052-53, as amended; 21 U.S.C. 355), and the Administrative Procedure Act (5 U.S.C. 554), and under authority delegated to the Commissioner (21 CFR 2.120).

Dated October 4, 1973.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.73-21563 Filed 10-9-73;8:45 am]

National Institutes of Health
NATIONAL HIGH BLOOD PRESSURE
EDUCATION RESEARCH
Announcement of Program

The National Heart and Lung Institute will sponsor a program of research to explore ways of educating professionals and general public that will effect a greater degree of control of hypertension. Authority for this program is derived from section 414(a) of the Public Health Service Act (42 U.S.C. 287c(a)).

The overall goal of the National High Blood Pressure Education Program is the reduction of morbidity and mortality from hypertension.

The educational research component of the Program has three major objectives:

1. To identify the most effective ways of increasing public awareness of high blood pressure and its sequelae.
2. To identify cost-effective and feasible ways of delivering patient care and patient education.
3. To identify cost-effective ways of educating professionals and public to effect (a behavior change that results in) a greater degree of control of elevated blood pressure (i.e., more people on therapy, and greater percentage of patients under "adequate control").

The NHLI will accept proposals for studies on high blood pressure education that are designed to effect and measure a change in:

public or professional awareness,
patient compliance,
cost of delivering care,
number of patients under "adequate control,"
reduction of morbidity and mortality,
any combination of these factors.

Education should be interpreted in its broadest sense and not restricted to traditional approaches, although the use of traditional methods must be fully explored in this new context.

Institutions eligible for grants should so signify in their request for application. Profit-making organizations are eligible only for contract support. The program guidelines and the appropriate grant or contract application forms can be obtained by writing or calling:

Ronald G. Geller, Ph. D.
Assistant Chief
Hypertension and Kidney Diseases Branch
National Heart and Lung Institute
Landow Building, Room C816
Bethesda, Maryland 20014
(301) 496-1857

The NIH policies concerning the administration of research project grants will apply to all research grant projects in this program. DHEW General Provisions HEW-315 will be a part of each contract awarded. Deadline for receipt of letters of intent is close of business, October 15, 1973. Deadline for receipt of applications is November 15, 1973.

(Catalog of Federal Domestic Assistance Program No. 13.346 and No. 13.826, National Institutes of Health.)

Dated October 3, 1973.

ROBERT S. STONE, M.D.,
Director,
National Institutes of Health.

[FR Doc.73-21512 Filed 10-9-73;8:45 am]

STATEMENT OF ORGANIZATION, FUNCTIONS, AND DELEGATIONS OF AUTHORITY

Amendment to Part 8

Part 8 (National Institutes of Health) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare, as amended, is hereby amended to revise the functional statements of the National Heart and Lung Institute (8G) to reflect: (1) The abolishment of the Division of Technological Applications and the assignment of its staff and functions to other components of the Institute; and (2) the correction of the published statement for the Division of Extramural Affairs (8G19).

With reference to the section on Organization and Functions (Section B) delete the statement following Office of the Director (8G01) and insert the following:

Division of Heart and Vascular Diseases (8G15). (1) Plans and directs the Institute's research grant, contract, and training programs in heart and vascular diseases encompassing basic research, targeted research, clinical trials and demonstrations, national cardiovascular centers, technological development, and application of research findings; (2) maintains surveillance over developments in its program area and assesses the national need for research in the causes, prevention diagnosis, and treatment of cardiovascular diseases, in technological development, in the application of research findings, and for manpower training in these areas; and (3) maintains the necessary scientific management capability to foster and guide

an effective attack upon cardiovascular diseases.

Division of Lung Diseases (8G16). (1) Plans and directs the Institute's research grant, contract, and training programs in lung diseases, encompassing basic research, targeted research, clinical trials and demonstrations, national pulmonary centers, technological development, and application of research findings; (2) maintains surveillance over developments in its program area and assesses the national need for research in the causes, prevention, diagnosis, and treatment of lung diseases, in technological development, in the application of research findings, and for manpower training in these areas; and (3) maintains the necessary scientific management capability to foster and guide an effective attack upon lung diseases.

Division of Blood Diseases and Resources (8G17). (1) Plans and directs the Institute's research grant, contract, and training programs in blood diseases and resources, including sickle cell disease, encompassing basic research, targeted research, clinical trials and demonstrations, technological development, and application of research findings; (2) maintains surveillance over developments in this program area and assesses the national need for research in the causes, prevention, diagnosis, and treatment of blood diseases, in technological development, in the application of research findings, and for manpower training in these areas; (3) conducts research and demonstrations to improve the national systems of blood procurement, management, and distribution; (4) coordinates Federal sickle cell disease activities, and operates a national clearinghouse for information on sickle cell disease; (5) maintains the necessary scientific management capability to foster and guide an effective attack upon blood diseases and for the management of blood resources.

Division of Extramural Affairs (8G19). (1) Advises the Director on research contract, grant, and training program policy; (2) represents the Institute on overall NIH extramural and collaborative program policy committees, coordinates such policy within NHLL, and coordinates the Institute's research grant and training programs with the National Heart and Lung Advisory Council; (3) provides the Institute's program divisions with grant and contract management and processing services; (4) provides reports and statistics related to the Institute's grant and contract programs; and (5) provides initial scientific merit review of project grants and research contracts for the Institute.

Division of Intramural Research (8G20). (1) Plans and directs a program of general laboratory and clinical research in heart, blood vessel, lung, and kidney diseases; certain blood diseases such as sickle cell anemia, hemophilia, hepatitis; and development of technology related to cardiovascular and pulmonary diseases; (2) maintains communication with other programs of the Institute to facilitate early practical application of

basic research findings. Areas of major interest are: the biology of experimental and clinical arteriosclerosis and its manifestations; the pathophysiology of hypertensive vascular disease; functions of the lung; clinical and experimental studies on physiological and pharmacological aspects of heart, blood, and lung diseases, and a broad program of other basic research and technical developments related to them.

Approved:

S. H. CLARKE,
Acting Assistant Secretary for
Administration and Management.

OCTOBER 3, 1973.

[FR Doc. 73-21494 Filed 10-9-73; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

PROPOSED ACTION PLAN FOR DIRECT CONSTRUCTION ACTIVITIES

Notice of Availability

The Federal Highway Administrator is presently reviewing a proposed Action Plan for FHWA's direct construction activities administered by our Regional Offices in Denver, Colorado, San Francisco, California, Portland, Oregon, and Arlington, Virginia. These regional offices have responsibility for direct Federal construction activities nationwide.

This Action Plan is being developed in accordance with FHWA's Policy and Procedure Memorandum 90-4. The Action Plan outlines the organizational relationships, the assignments of responsibility, and the procedures to be used to assure that social, economic and environmental effects are fully considered in developing highway projects and that final decisions on highway projects are made in the best overall public interest taking into consideration: (1) Needs for fast, safe, and efficient transportation; (2) public services; and (3) costs of eliminating or minimizing adverse effects.

The proposed Action Plan is available for public review at the locations listed below. Comments from interested groups and the public on the proposed Action Plan are invited. Comments should be sent to the FHWA Washington Office before November 1, 1973.

FHWA WASHINGTON AND REGIONAL OFFICES

Region 8

Regional Federal Highway Administrator's
Office
Room 242, Building 40
Denver Federal Center
Denver, Colorado 80225

Region 9

Regional Federal Highway Administrator's
Office
450 Golden Gate Avenue
San Francisco, California 94102

Region 10

Regional Federal Highway Administrator's
Office
Room 412, Mohawk Building

222 SW. Morrison Street
Portland, Oregon 97204

Region 15

Regional Engineer
Eastern Federal Highway Programs Office
1000 North Glebe Road
Arlington, Virginia 22201

WASHINGTON, D.C.

Federal Highway Administration
Environmental Development Division
Room 3246, 400 Seventh Street SW.
Washington, D.C. 20590

FHWA DIVISION OFFICES

Division Engineer
Federal Highway Administration
441 High Street
Montgomery, Alabama 36104

Division Engineer
Federal Highway Administration
3500 N. Central Avenue Suite 201
Phoenix, Arizona 85012

Division Engineer
Federal Highway Administration
Post Office Box 1915
Sacramento, California 95809

Division Engineer
Federal Highway Administration
990 Wethersfield Avenue
Hartford, Connecticut 06114

Division Engineer
Federal Highway Administration
Federal Building
Post Office Box 1648
709 West Ninth Street
Juneau, Alaska 99801

Division Engineer
Federal Highway Administration
Room 3128, Federal Office Building
700 West Capitol Avenue
Little Rock, Arkansas 72201

Division Engineer
Federal Highway Administration
10488 W. 6th Place, Room 118
Denver, Colorado 80215

Division Engineer
Federal Highway Administration
Willard Hall, 2nd Floor
5 East Reed Street
Post Office Box 517
Dover, Delaware 19901

Division Engineer
Federal Highway Administration
Room 1248, Penn. Bldg.
425 13th Street NW
Washington, D.C. 20004

Division Engineer
Federal Highway Administration
900 Peachtree Street NE.
Atlanta, Georgia 30309

Division Engineer
Federal Highway Administration
3010 W. State Street
Boise, Idaho 83703

Division Engineer
Federal Highway Administration
Room 707, I.S.T.A. Center
150 W. Market Street
Indianapolis, Indiana 46204

Division Engineer
Federal Highway Administration
1263 Topeka Avenue
Topeka, Kansas 66612

Division Engineer
Federal Highway Administration
Federal Office Building, Room 239
750 Florida Boulevard
Baton Rouge, Louisiana 70801

Division Engineer
Federal Highway Administration
Room 206
George H. Fallon Federal Office Building
31 Hopkins Plaza
Baltimore, Maryland 21201

Division Engineer
Federal Highway Administration
JFK Federal Building
Government Center—Room 612
Boston, Massachusetts 02203

Division Engineer
Federal Highway Administration
Post Office Box 1079
Tallahassee, Florida 32302

Division Engineer
Federal Highway Administration
Pacific International Building
Suite 1002
677 Ala Moana Boulevard
Honolulu, Hawaii 96813

Division Engineer
Federal Highway Administration
3085 East Stevenson Drive
Post Office Box 3307
Springfield, Illinois 62708

Division Engineer
Federal Highway Administration
2nd Floor, P.O. Bldg.
6th & Kellogg Street
Ames, Iowa 50010

Division Engineer
Federal Highway Administration
151 Elkhorn Court
Frankfort, Kentucky 40601

Division Engineer
Federal Highway Administration
Federal Building—U.S. Post Office
Room 614
40 Western Avenue
Augusta, Maine 04330

Division Engineer
Federal Highway Administration
Room 211, Federal Building
Lansing, Michigan 48901

Division Engineer
Federal Highway Administration
Metro Square Building
Seventh & Roberts Streets
St. Paul, Minnesota 55101

Division Engineer
Federal Highway Administration
209 Adams Street
Jefferson City, Missouri 65101

Division Engineer
Federal Highway Administration
1701 South 17th Street
Lincoln, Nebraska 68502

Division Engineer
Federal Highway Administration
55 Pleasant Street
Concord, New Hampshire 03301

Division Engineer
Federal Highway Administration
117 U.S. Court House
Santa Fe, New Mexico 87501

Division Engineer
Federal Highway Administration
310 New Bern Avenue
Raleigh, North Carolina 27611

Federal Highway Administration
2409 North Broadway
Oklahoma City, Oklahoma 73103

Division Engineer
Federal Highway Administration
Post Office Box 1086
Harrisburg, Pennsylvania 17108

Division Engineer
Federal Highway Administration
Gardner Building, 3rd Floor
40 Fountain Street
Providence, Rhode Island 02903

Division Engineer
Federal Highway Administration
301 Building
301 N. Lamar Street
Jackson, Mississippi 39202

Division Engineer
Federal Highway Administration
501 N. Fee Street
Helena, Montana 59601

Division Engineer
Federal Highway Administration
106 East Adams Street
Carson City, Nevada 89701

Division Engineer
Federal Highway Administration
Suburban Square Building
25 Scotch Road
Trenton, New Jersey 08628

Division Engineer
Federal Highway Administration
12-14 Russell Road
Albany, New York 12206

Division Engineer
Federal Highway Administration
Post Office Box 1755
Bismarck, North Dakota 58501

Division Engineer
Federal Highway Administration
477 Cottage Street NE.
Salem, Oregon 97308

Division Engineer
Federal Highway Administration
Caso Building, Room 805
1225 Ponce de Leon Avenue
San Juan, P.R. 00907

Division Engineer
Federal Highway Administration
2001 Assembly Street, Suite 203
Columbia, South Carolina 29201

Division Engineer
Federal Highway Administration
Post Office Box 700
Pierre, South Dakota 57501

Division Engineer
Federal Highway Administration
Room 826, Federal Office Building
300 East 8th Street
Austin, Texas 78701

Division Engineer
Federal Highway Administration
Post Office Box 568
Montpelier, Vermont 05602

Division Engineer
Federal Highway Administration
Post Office Box 29
Olympia, Washington 98507

Division Engineer
Federal Highway Administration
Post Office Box 5428
Madison, Wisconsin 53705

Division Engineer
Federal Highway Administration
4004 Hillsboro Road, Suite 236
Nashville, Tennessee 37215

Division Engineer
Federal Highway Administration
Post Office Box 11563
Salt Lake City, Utah 84111

Division Engineer
Federal Highway Administration
Post Office Box 10045
Richmond, Virginia 23240

Division Engineer
Federal Highway Administration
2000 Federal Office Building
500 Quarrier Street
Charleston, W. Virginia 25301

Division Engineer
Federal Highway Administration
Post Office Box 1127
Cheyenne, Wyoming 82001

Issued on October 3, 1973.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.73-21507 Filed 10-9-73;8:45 am]

VIRGINIA'S PROPOSED ACTION PLAN Notice of Availability

The Virginia Department of Highways has submitted to the Federal Highway Administration of the U.S. Department of Transportation a proposed Action Plan as required by Policy and Procedure Memorandum 90-4 issued on June 1, 1973. The Action Plan outlines the organizational relationships, the assignments of responsibility, and the procedures to be used by the State to assure that economic, social and environmental effects are fully considered in developing highway projects and that final decisions on highway projects are made in the best overall public interest, taking into consideration: (1) Needs for fast, safe and efficient transportation; (2) public services; and (3) costs of eliminating or minimizing adverse effects.

The proposed Action Plan is available for public review at the following locations:

1. Mr. H. M. Morecock, Jr.
District Engineer
Virginia Department of Highways
P.O. Box 768
Bristol, Virginia 24201
2. Mr. J. E. Williams
Resident Engineer
Virginia Department of Highways
P.O. Box 38
Wise, Virginia 24293
3. Mr. C. H. McCloud
Resident Engineer
Virginia Department of Highways
Box 630
Abingdon, Virginia 23210
4. Mr. Frank Norris
Resident Engineer
Virginia Department of Highways
P.O. Box 127
Lebanon, Virginia 23266
5. Mr. G. H. Shepherd
Resident Engineer
Virginia Department of Highways
Box 270
Tazewell, Virginia 24351
6. Mr. J. R. Minton
Resident Engineer
Virginia Department of Highways
P.O. Box 531
Wytheville, Virginia 24382
7. Mr. D. L. Jones
Resident Engineer
Virginia Department of Highways
Jonesville, Virginia 24263
8. Mr. D. B. Hope
District Engineer
Virginia Department of Highways
P.O. Box 671
Culpeper, Virginia 22701

9. Mr. F. E. Campodónico
Resident Engineer
Virginia Department of Highways
P.O. Box 484
Louisville, Virginia 23093
10. Mr. R. G. Warner
Resident Engineer
Virginia Department of Highways
P.O. Box 910
River Road
Charlottesville, Virginia 22902
11. Mr. D. H. Marston
Resident Engineer
Virginia Department of Highways
P.O. Box 671
Culpeper, Virginia 22701
12. Mr. D. R. Askew
Resident Engineer
Virginia Department of Highways
P.O. Box 33
Warrenton, Virginia 22186
13. Mr. R. H. Connock, Jr.
Resident Engineer
Virginia Department of Highways
P.O. Box 1160
Leesburg, Virginia 22075
14. Mr. D. E. Keith
Resident Engineer
Virginia Department of Highways
3555 Chain Bridge Road
Fairfax, Virginia 22030
15. Mr. T. F. Butler, Jr.
Resident Engineer
Virginia Department of Highways
3555 Chain Bridge Road
Fairfax, Virginia 22030
16. Mr. D. L. Camper
Resident Engineer
Virginia Department of Highways
P.O. Box 249
Manassas, Virginia 22110
17. Mr. S. G. Spencer
District Engineer
Virginia Department of Highways
Box 808
Fredericksburg, Virginia 22401
18. Mr. J. E. Beck, Jr.
Resident Engineer
Virginia Department of Highways
Saluda, Virginia 23149
19. Mr. T. W. Rhodes
Resident Engineer
Virginia Department of Highways
Warsaw, Virginia 22572
20. Mr. Andrew Myruski, Jr.
Resident Engineer
Virginia Department of Highways
Box 808
Fredericksburg, Virginia 22401
21. Mr. H. L. Howard
Resident Engineer
Virginia Department of Highways
Box 368
Bowling Green, Virginia 22427
22. Mr. D. H. Gauden, Jr.
District Engineer
Virginia Department of Highways
P.O. Box 531
Lynchburg, Virginia 24505
23. Mr. M. E. Bayliss
Resident Engineer
Virginia Department of Highways
Box 309
Chatham, Virginia 24531
24. Mr. W. L. Bower
Resident Engineer
Virginia Department of Highways
Halifax, Virginia 24558
25. Mr. L. W. Butler
Resident Engineer
Virginia Department of Highways
Box 10
Dillwyn, Virginia 23936
26. Mr. T. E. Pittman
Resident Engineer
Virginia Department of Highways
Appomattox, Virginia 24522
27. Mr. J. W. Crow
Resident Engineer
Virginia Department of Highways
P.O. Box 190
Amherst, Virginia 24321
28. Mr. L. R. Treat, Jr.
District Engineer
Virginia Department of Highways
P.O. Box 391
Petersburg, Virginia 23803
29. Mr. B. S. Byrd
Resident Engineer
Virginia Department of Highways
P.O. Box 245
South Hill, Virginia 23970
30. Mr. A. O. R. Lovell
Resident Engineer
Virginia Department of Highways
Amelia, Virginia 23002
31. Mr. R. V. Lancaster, III
Resident Engineer
Virginia Department of Highways
Box 4230
Petersburg, Virginia 23803
32. Mr. E. L. Covington, Jr.
Resident Engineer
Virginia Department of Highways
P.O. Box 3086
Chesterfield, Virginia 23832
33. Mr. J. G. Browder, Jr.
Resident Engineer
Virginia Department of Highways
P.O. Box R
Williamsburg Road
Sandston, Virginia 23150
34. Mr. R. M. Cleek, Jr.
Resident Engineer
Virginia Department of Highways
P.O. Box 191
Ashland, Virginia 23005
35. Mr. M. E. Wood, Jr.
District Engineer
Virginia Department of Highways
P.O. Box 71
731 Harrison Avenue
Salem, Virginia 24153
36. Mr. R. M. Strauser
Resident Engineer
Virginia Department of Highways
P.O. Box 188
Hillsville, Virginia 24343
37. Mr. D. R. Collins
Resident Engineer
Virginia Department of Highways
P.O. Box 420
Christiansburg, Virginia 24073
38. Mr. C. H. Coffman
Resident Engineer
Virginia Department of Highways
P.O. Drawer 3631
Martinsville, Virginia 24112
39. Mr. M. W. Holland
Resident Engineer
Virginia Department of Highways
P.O. Box 609
Rocky Mount, Virginia 24151
40. Mr. G. L. Robertson, Jr.
Resident Engineer
Virginia Department of Highways
714 Water Street
Salem, Virginia 24153
41. Mr. J. F. Coles
Resident Engineer
Virginia Department of Highways
P.O. Box 446
Bedford, Virginia 24523
42. Mr. R. C. Ambler
District Engineer
Virginia Department of Highways
P.O. Box 2249
Staunton, Virginia 24401
43. Mr. L. G. Ferris
Resident Engineer
Virginia Department of Highways
P.O. Box 934
Lexington, Virginia 24450
44. Mr. R. L. Moore
Resident Engineer
Virginia Department of Highways
P.O. Box 940
Verona, Virginia 24482
45. Mr. W. J. Osborne
Resident Engineer
Virginia Department of Highways
P.O. Box 509
Harrisonburg, Virginia 22801
46. Mr. J. W. Chiles
Resident Engineer
Virginia Department of Highways
P.O. Box 278
Edinburg, Virginia 22824
47. Mr. A. R. Cline
Resident Engineer
Virginia Department of Highways
P.O. Box 308
Luray, Virginia 22835
48. Mr. J. T. Warren
District Engineer
Virginia Department of Highways
P.O. Box 1070
Suffolk, Virginia 23434
49. Mr. C. L. Ellington
Resident Engineer
Virginia Department of Highways
P.O. Box 328
Franklin, Virginia 23851
50. Mr. J. C. Cleveland
Resident Engineer
Virginia Department of Highways
P.O. Box 45
Waverly, Virginia 23890
51. Mr. R. E. Rawls, Jr.
Resident Engineer
Virginia Department of Highways
P.O. Box 1366
Chesapeake, Virginia 23320
52. Mr. R. D. Yeatts, Jr.
Resident Engineer
Virginia Department of Highways
P.O. Box HD
Williamsburg, Virginia 23185
53. Mr. R. P. Wingfield
Resident Engineer
Virginia Department of Highways
P.O. Box 1070
Suffolk, Virginia 23434
54. Mr. J. K. Brookshire, Jr.
Resident Engineer
Accomac, Virginia 23301
55. Virginia Division Office—FHWA
Federal Building, 400 N. 8th Street
P.O. Box 10045
Richmond, Virginia 23240
56. FHWA Regional Office—Region 3
Room 1615, Federal Building
31 Hopkins Plaza
Baltimore, Maryland 21201
57. U.S. Department of Transportation
Federal Highway Administration
Environmental Development Division
Nasif Building—Room 3246
400 7th Street S.W.
Washington, D.C. 20590

Comments from interested groups and the public on the proposed Action Plan are invited. Comments should be sent to the FHWA Regional Office shown above before October 26, 1973.

Copies of the Preliminary Draft of Virginia's Action Plan for Federally Funded Highway Improvement Projects may be obtained from:

Mr. A. W. Coates, Jr.
Special Assistant for Public Relations
Virginia Department of Highways

1401 East Broad Street
Richmond, Virginia 23219

Issued on October 3, 1973.

NORBERT T. TIEMANN,
Federal Highway Administrator.

*[FR Doc.73-21508 Filed 10-9-73;8:45 am]

**CIVIL SERVICE COMMISSION
DEPARTMENT OF AGRICULTURE**

**Notice of Grant of Authority To Make
Noncareer Executive Assignment**

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Agriculture to fill by non-career executive assignment in the excepted service another position of Assistant Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service.

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

[FR Doc.73-21483 Filed 10-9-73;8:45 am]

**DEPARTMENT OF AGRICULTURE
Notice of Title Change in
Noncareer Executive Assignment**

By notice of March 30, 1970, FR Doc. 70-3835 the Civil Service Commission authorized the Department of Agriculture to fill by noncareer executive assignment the position of Assistant Deputy Administrator for International Trade, Foreign Agricultural Service. This is notice that the title of this position is now being changed to Assistant Administrator, International Trade, Foreign Agricultural Service.

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

[FR Doc.73-21478 Filed 10-9-73;8:45 am]

**DEPARTMENT OF COMMERCE
Notice of Grant of Authority To Make
Noncareer Executive Assignment**

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Commerce to fill by noncareer executive assignment in the excepted service the position of Director, Office of Field Operations, Domestic and International Business Administration.

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

[FR Doc.73-21482 Filed 10-9-73;8:45 am]

**DEPARTMENT OF COMMERCE
Notice of Grant of Authority To Make
Noncareer Executive Assignment**

Under authority of section 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Commerce to fill by non-career executive assignment in the excepted service the position of Solicitor, Office of the Solicitor, Patent Office.

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

[FR Doc.73-21481 Filed 10-9-73;8:45 am]

**DEPARTMENT OF COMMERCE
Notice of Revocation of Authority To Make
Noncareer Executive Assignment**

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Commerce to fill by noncareer executive assignment in the excepted service the position of Executive Assistant to the Secretary for Interdepartmental Liaison, Office of the Secretary.

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

[FR Doc.73-21474 Filed 10-9-73;8:45 am]

**DEPARTMENT OF DEFENSE
Notice of Grant of Authority To Make
Noncareer Executive Assignment**

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Special Advisor to the Secretary of Defense, Immediate Office, Office of the Secretary of Defense.

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

[FR Doc.73-21473 Filed 10-9-73;8:45 am]

**DEPARTMENT OF DEFENSE
Notice of Grant of Authority To Make
Noncareer Executive Assignment**

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Assistant to the

Secretary and Deputy Secretary of Defense for Resource Utilization, Immediate Office of the Deputy Secretary, Office of the Secretary of Defense.

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

[FR Doc.73-21476 Filed 10-9-73;8:45 am]

**DEPARTMENT OF DEFENSE
Notice of Revocation of Authority To Make
Noncareer Executive Assignment**

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Defense to fill by non-career executive assignment in the excepted service the position of Deputy Assistant Secretary (Policy Plans and NSC Affairs), Office of the Deputy Assistant Secretary (Policy Plans and NSC Affairs), Office of the Assistant Secretary of Defense (International Security Affairs), Office of the Secretary of Defense.

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

[FR Doc.73-21477 Filed 10-9-73;8:45 am]

**DEPARTMENT OF JUSTICE
Notice of Revocation of Authority To Make
Noncareer Executive Assignment**

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Justice to fill by non-career executive assignment in the excepted service the position of Chief, Economic Section, Antitrust Division.

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

[FR Doc.73-21480 Filed 10-9-73;8:45 am]

**DEPARTMENT OF THE TREASURY
Notice of Revocation of Authority To Make
Noncareer Executive Assignment**

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of the Treasury to fill by noncareer executive assignment in the excepted service the position of Special Consultant to the Secretary for

Public Affairs, Office of the Secretary,
Immediate Office.

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

[FR Doc.73-21479 Filed 10-9-73; 8:45 am]

FEDERAL POWER COMMISSION

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Federal Power Commission to fill by noncareer executive assignment in the excepted service the position of Chief Engineer, Commissioners and Offices.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
*Executive Assistant to
the Commissioners.*

[FR Doc.73-21475 Filed 10-9-73; 8:45 am]

COST OF LIVING COUNCIL

FOOD INDUSTRY ADVISORY COMMITTEE

Notice of Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770), notice is hereby given that the meeting of the Food Industry Advisory Committee, created by section 7(b) of Executive Order 11695, will be held on October 18, 1973, at 9 a.m., at 2000 M Street NW., Room 7206, Washington, D.C.

Since the meeting will consider sensitive policy issues and possible governmental actions in connection therewith, I have determined that the meetings would fall within exemption (5) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with the operation of the Committee.

Issued in Washington, D.C., October 5, 1973.

HENRY H. PERRITT, Jr.,
*Executive Secretary,
Cost of Living Council.*

[FR Doc.73-21612 Filed 10-5-73; 4:06 pm]

HEALTH INDUSTRY ADVISORY COMMITTEE

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (P.L. 92-463, 86 Stat. 770), notice is hereby given that the Health Industry Advisory Committee, created by section 6(b) of Executive Order 11695, will meet on October 17, 1973, at the Cost of Living Council offices, 2000 M Street NW., Washington, D.C.

The meeting, which will be held from 10 a.m. to 4 p.m. in the second floor auditorium, will be open to the public.

The Chairman of the Committee is empowered to conduct the meeting in

a fashion that will, in his judgment, facilitate the orderly conduct of business. Only members of the Committee and its staff, may question the witnesses. Due to space limitations, it is possible that there will not be enough seating. For that reason, persons will be admitted on a first-come-first-served basis.

While no unscheduled oral presentations will be entertained, anyone may submit a written statement by mailing it to Robert Saner, 2000 M Street NW., Washington, D.C. 20508. Any statement received three or more days prior to the meeting will be provided to the Committee before the meeting. Any statement over three pages in length should be submitted with twenty copies.

Issued in Washington, D.C., on October 5, 1973.

HENRY H. PERRITT, Jr.,
*Executive Secretary,
Cost of Living Council.*

[FR Doc.73-21611 Filed 10-5-73; 4:06 pm]

ENERGY POLICY OFFICE

ENERGY RESEARCH AND DEVELOPMENT ADVISORY COUNCIL

Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770), the Energy Policy Office announces the following public advisory committee meeting.

The Energy Research and Development Advisory Council will hold a meeting on October 11, 1973, in the Old Executive Office Building, Room 248, 17th and Pennsylvania Avenue, Washington, D.C. The meeting will commence at 11:15 a.m. local time and last until 3:30 p.m., except for a one hour break for lunch at 1 p.m. The meeting will be for the purpose of discussing matters related to national energy research and development policy and programs.

The Advisory Council was established by the President on June 29, 1973, and announced in his Energy Statement of the same date. The objective of the Council is to help ensure the development of comprehensive technological programs to meet the Nations' energy needs. It would do this by providing independent advice to the Energy Policy Office on matters relating to energy R&D.

Members of the public will be admitted up to the limits of the capacity of the meeting room. Members of the public who plan to attend the meeting are requested to so inform Dr. William McCormick, Executive Secretary of the Advisory Council prior to October 11, 1973. Dr. McCormick can be contacted in Room 472, Old Executive Office Building, Washington, D.C., or on (202) 456-6575.

WILLIAM T. MCCORMICK, Jr.,
Executive Secretary, Energy Research and Development Advisory Council.

OCTOBER 5, 1973.

[FR Doc.73-21633 Filed 10-9-73; 8:54 am]

ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL IMPACT STATEMENTS AND OTHER ACTIONS

Availability of Environmental Protection Agency Comments

Pursuant to the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969 and section 309 of the Clean Air Act, as amended, the Environmental Protection Agency (EPA) has reviewed and commented in writing on Federal agency actions impacting the environment contained in the following appendices during the period of September 1, 1973, and September 15, 1973.

Appendix I contains a listing of draft environmental impact statements reviewed and commented upon in writing during this review period. The list includes the Federal agency responsible for the statement, the number and title of the statement, the classification of the nature of EPA's comments as defined in Appendix II, and the EPA source for copies of the comments as set forth in Appendix V.

Appendix II contains the definitions of the classifications of EPA's comments on the draft environmental impact statements as set forth in Appendix I.

Appendix III contains a listing of final environmental impact statements reviewed and commented upon in writing during this reviewing period. The listing will include the Federal agency responsible for the statement, the number and title of the statement, a summary of the nature of EPA's comments, and the EPA source for copies of the comments as set forth in Appendix V.

Appendix IV contains a listing of proposed Federal agency regulations, legislation proposed by Federal agencies, and any other proposed actions reviewed and commented upon in writing pursuant to section 309(a) of the Clean Air Act, as amended, during the referenced reviewing period. The listing includes the Federal agency responsible for the proposed action, the title of the action, a summary of the nature of EPA's comments, and the EPA source for copies of the comments as set forth in Appendix V.

Appendix V contains a listing of the names and addresses of the sources for copies of EPA comments listed in Appendices I, III, and IV.

Copies of the EPA Manual, setting forth the policies and procedures for EPA's review of agency actions, may be obtained by writing the Public Inquiries Branch, Office of Public Affairs, Environmental Protection Agency, Washington, D.C. 20460. Copies of the draft and final environmental impact statements referenced herein are available from the originating Federal department or agency or from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151.

Dated September 28, 1973.

SHELDON MEYERS,
*Director,
Office of Federal Activities.*

APPENDIX I

DRAFT ENVIRONMENTAL IMPACT STATEMENTS FOR WHICH COMMENTS WERE ISSUED BETWEEN SEPTEMBER 1, 1973 AND SEPTEMBER 14, 1973

Responsible Federal Agency	Title and Identifying number	General nature of comments	Source for copies of comments
Atomic Energy Commission	D-AEC-06095-NJ: Newbold Island Nuclear Generating Station (Revised), New Jersey.	ER-2	C
Do	D-AEC-06108-NC: Brunswick Steam Electric Plant Units 1 and 2, North Carolina.	ER-2	E
Do	D-AEC-06111-IL: Dresden Nuclear Power Station, Illinois.	ER-2	F
Do	D-AEC-06112-NY: Nine Mile Point Nuclear Station, Unit 1, New York.	ER-2	C
Department of Agriculture	D-APS-61148-KY: Stanton Ranger District, Management of Red River Gorge Unit, Kentucky.	LO-1	E
Do	D-REA-08004-MN: Center Unit 2 and Transmission Line, North Dakota and Minnesota.	ER-2	F
Do	D-SCS-36239-IA: Crawford Creek Subwatershed Project, Little Sioux, Iowa.	LO-1	H
Do	D-SCS-36230-IA: Troublesome Creek Watershed, Iowa.	ER-2	H
Do	D-SCS-36300-MS: Sledge Bayou Watershed, Quitman County, Mississippi.	ER-2	E
National Aeronautics and Space Administration	D-NAS-12029-00: Mariner Jupiter/Saturn Project.	3	A
Corps of Engineers	D-COE-32432-GA: Widening and Deepening Savannah Harbor, Georgia.	ER-2	E
Do	D-COE-23436-FL: Escambia River, Escambia Bay (Dredging), Florida.	ER-2	E
Do	D-COE-32437-FL: Lagrange Bayou (Maintenance and Dredging), Walton County, Florida.	ER-2	E
Do	D-COE-32439-MI: Navigation, Season Extension Demonstration Program, Michigan.	LO-1	F
Do	D-COE-34077-CA: Butler Valley Dam and Blue Lake Project, Humboldt, California.	ER-2	J
Do	D-COE-34078-KY: Red River Lake, Kentucky River Basin, Kentucky.	ER-2	E
Do	D-COE-34079-CA: Warm Springs Dam and Lake Sonoma Project, California.	ER-2	J
Do	D-COE-34082-GA: Allatoona Dam, Coosa River, Bartow and Cobb Counties, Georgia.	ER-2	E
Do	D-COE-34083-GA: Buford Dam and Lake Sidney Lanier (Navigation), Georgia.	ER-2	E
Do	D-COE-35084-AL: Perdido Pass Channel, Baldwin County, Alabama.	LO-2	E
Do	D-COE-36297-MS: Yazoo Headwater Project, Ascalmore Creek, Mississippi.	ER-2	E
Do	D-COE-38006-TX: Taylor's Bayou, Drainage (Flood Control), Texas.	ER-2	G
General Services Administration	D-GSA-60081-MI: Disposal of a Portion of Custer AFB, Springfield, Michigan.	LO-1	F
Do	D-GSA-81140-MI: Federal Office Building, Saginaw County, Michigan.	LO-2	F
Do	D-GSA-82070-DC: Federal Home Loan Bank Building, Washington, D.C.	LO-1	D
Department of Transportation	D-CGD-50122-NJ: Bridge Permit, Route 18, extension fixed highway bridge, New Jersey.	ER-2	C
Do	D-CGD-50123-TX: International Bridge Project, Rio Grande River, Texas.	LO-2	G
Do	D-CGD-81148-HI: Coast Guard Base Honolulu Water Front Redevelopment, Hawaii.	LO-1	J
Do	D-FAA-51295-NB: Alma Municipal Airport, Alma, Nebraska.	LO-2	H
Do	D-FAA-51297-MS: Poplarville-Pearl River County Airport, Mississippi.	LO-2	E
Do	D-FHW-41881-AZ: I-40-1(30), McConico-Kingman Interstate Freeway, Mohave County, Arizona.	LO-1	J
Do	D-F11W-41903-AL: U.S.-278 from I-65 east to main Street, Cullman County, Alabama.	ER-2	E
Do	D-F11W-41904-TN: Mairy County, State Route 6 (U.S.-43), F-006-1, Tennessee.	ER-2	E
Do	D-F11W-41909-GA: Troup, Harris, and Muscogee Counties, Project I-185-1(63), Georgia.	LO-2	E
Do	D-F11W-41911-KY: Jefferson Freeway, Sections I-IV, Jefferson County, Kentucky.	ER-2	E
Do	D-F11W-41912-AL: Marlon-Fayette Counties, Project S-4732(101), Winfield, Alabama.	LO-2	E
Do	D-F11W-41913-NY: Shore Front Drive, North Shore Section, Richmond, New York.	ER-2	C
Do	D-F11W-41914-KS: Improvement of 18th Street and Central Avenue, Kansas City, Kansas.	ER-2	H
Do	D-F11W-41915-MO: Route 60, Wright-Texas Counties, Route 95, Wright County, Missouri.	LO-2	H
Do	D-F11W-41923-MD: Maryland Route 198 to U.S. 29, M 535-3-371, Maryland.	ER-2	D
Do	D-F11W-41924-TN: State Route 37 (U.S.19E) in Carter-Sullivan Counties, Tennessee.	LO-2	E
Do	D-F11W-41928-MI: U.S. 31 from Oceana-Mason County Line, U.S. 10, Michigan.	LO-2	F
Do	D-F11W-41932-ID: Caldwell Interstate, Caldwell Northwest Connector, Idaho.	LO-1	K
Do	D-F11W-41934-KS: Improvement of Central Avenue, 26th Street, Westview Drive, Kansas City, Kansas.	LO-2	H
Do	D-F11W-41942-OH: S.R. 800 (Relocation and Improvement), Belmont County, Ohio.	LO-2	F
Do	D-F11W-41951-AL: County Route 53 from Auburn to Sanford Avenue, Lee County, Alabama.	LO-2	E
Do	D-F11W-41994-OK: Improvement of U.S. 62 from Arkansas River, to Muskogee County, Oklahoma.	LO-2	G

APPENDIX II

DEFINITION OF CODES FOR THE GENERAL NATURE OF EPA COMMENTS

Environmental Impact of the Action

LO—Lack of Objection

EPA has no objections to the proposed action as described in the draft impact statement; or suggests only minor changes in the proposed action.

ER—Environmental Reservations

EPA has reservations concerning the environmental effects of certain aspects of the proposed action. EPA believes that further study of suggested alternatives or modifications is required and has asked the originating Federal agency to reassess these aspects.

EU—Environmentally Unsatisfactory

EPA believes that the proposed action is unsatisfactory because of its potentially harmful effect on the environment. Furthermore, the Agency believes that the potential safeguards which might be utilized may not adequately protect the environment from hazards arising from this action. The Agency recommends that alternatives to the action be analyzed further (including the possibility of no action at all).

Adequacy of the Impact Statement

Category 1—Adequate

The draft impact statement adequately sets forth the environmental impact of the proposed project or action as well as alternatives reasonably available to the project or action.

Category 2—Insufficient Information

EPA believes that the draft impact statement does not contain sufficient information to assess fully the environmental impact of the proposed project or action. However, from the information submitted, the Agency is able to make a preliminary determination of the impact on the environment. EPA has requested that the originator provide the information that was not included in the draft statement.

Category 3—Inadequate

EPA believes that the draft impact statement does not adequately assess the environmental impact of the proposed project or action, or that the statement inadequately analyzes reasonable available alternatives. The Agency has requested more information and analysis concerning the potential environmental hazards and has asked that substantial revision be made to the impact statement.

APPENDIX III

FINAL ENVIRONMENTAL IMPACT STATEMENTS FOR WHICH COMMENTS WERE ISSUED BETWEEN SEPTEMBER 1, 1973 AND SEPTEMBER 15, 1973

Identifying Number	Title	General nature of comments	Source for copies of comments
<i>Department of Transportation</i>			
F-FAA-51270-NC:	Albert J. Ellis Airport, Onslow County, Jacksonville, North Carolina.	EPA generally agreed with the project as proposed. However, EPA recommended utilization of the GSA "construction noise specifications" as guidelines for allowable noise levels.	E
F-FHW-41935-SC:	Downtown Loop Freeway, Greenville County, Greenville, South Carolina.	EPA did not review the draft statement. EPA recommended that noise and water runoff considerations be added to the final statement by means of an addendum.	E

APPENDIX IV

REGULATIONS, LEGISLATION AND OTHER FEDERAL AGENCY ACTIONS FOR WHICH COMMENTS WERE ISSUED BETWEEN SEPTEMBER 1, 1973 AND SEPTEMBER 15, 1973

Agency	Title	General nature of comments	Source for copies of comments
<i>Federal Power Commission</i>			
R-FPC-99044-00:	18 CFR Part 34—Wholesale rate schedules—fuel adjustment clauses.	EPA generally agreed with the proposed regulation. However, several comments were made respecting clarification and recommendations.	A
<i>Department of the Interior</i>			
R-BLM-99048-00:	43 CFR Parts 3000, 3200—Geothermal resources—leasing on public, acquired and withdrawn lands, revision of proposed rule.	EPA has reviewed these proposed regulations to govern the leasing of geothermal resources on public lands. These proposed regulations provide the framework for controlling environmental damage from surface and subsurface operations associated with the explanation, development and utilization of this resource. With effective implementation these proposed regulations should be a forward step in minimizing adverse environmental impacts.	A
R-IGS-99047-00:	30 CFR Parts 270, 271—Geothermal resources operations on public, acquired and withdrawn lands and geothermal resources unit plan regulations.		
<i>Department of Labor</i>			
RD-LAB-99026-00:	Proposed occupational safety and health administration standard to restrict employee re-entry to specific crop areas after treatment with organophosphate insecticides.	EPA did not comment on the draft statement pending resolution of content of regulations now subject to EPA-OSHA action.	A

APPENDIX V

SOURCES FOR COPIES OF EPA COMMENTS

- A. Director, Office of Public Affairs
Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460
- B. Director of Public Affairs
Region I
Environmental Protection Agency
Room 2303
John F. Kennedy Federal Building
Boston, Massachusetts 02203
- C. Director of Public Affairs
Region II
Environmental Protection Agency
Room 847
26 Federal Plaza
New York, New York 10007
- D. Director of Public Affairs
Region III
Environmental Protection Agency
Curtis Bldg., 6th and Walnut Streets
Philadelphia, Pennsylvania 19106
- E. Director of Public Affairs
Region IV
Environmental Protection Agency
Suite 300
1421 Peachtree Street NE.
Atlanta, Georgia 30309

F. Director of Public Affairs

Region V
Environmental Protection Agency
1 N. Wacker Drive
Chicago, Illinois 60606

G. Director of Public Affairs

Region VI
Environmental Protection Agency
1600 Patterson Street
Dallas, Texas 75201

H. Director of Public Affairs

Region VII
Environmental Protection Agency
1735 Baltimore Street
Kansas City, Missouri 64108

I. Director of Public Affairs

Region VIII
Environmental Protection Agency
Lincoln Tower, Room 916
1860 Lincoln Street
Denver, Colorado 80203

J. Director of Public Affairs

Region IX
Environmental Protection Agency
100 California Street
San Francisco, California 94102

K. Director of Public Affairs

Region X
Environmental Protection Agency
1200 6th Avenue
Seattle, Washington 98101

[FR Doc.73-21341 Filed 10-9-73;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 668]

COMMON CARRIER SERVICES INFORMATION¹Domestic Public Radio Services Applications Accepted for Filing²

OCTOBER 1, 1973.

Pursuant to §§ 1.227(b)(3) and 21.30 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing below, must be substantially complete and tendered for filing by whichever date is earlier: (a) the close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates are set forth in the alternative—applications will be entitled to consideration with those listed in the appendix if filed by the end of the 60-day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amend, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] VINCENT J. MULLINS,
Acting Secretary.

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE
20304-C2-P-74, New England Telephone and Telegraph Company (KCA671): C.P. to re-

¹ All applications listed in the appendix are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations and other requirements.

² The above alternative cutoff rules apply to those applications listed in the appendix as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio and Local Television Transmission Services (Part 21 of the Rules).

NOTICES

place test transmitter with base standby transmitter operating on 152.51, 152.54, 152.66, 152.60 & 152.78 MHz located at Route 128, Bear Hill Road, Bear Hill, Waltham, Massachusetts.

20305-C2-P-74, BCC of Virginia, Inc. (KFQ938): C.P. for additional facilities to operate on 152.15 at Loc. #2: Corter's Mountain, 1.5 miles S. of Charlottesville, Virginia.

20306-C2-P-(4)-74, RCC of Virginia, Inc. (KIY783): C.P. for additional facilities to operate on 454.025, 454.075, 454.125, & 454.175 MHz at Loc. #2: 700 East River Road, Norfolk, Virginia.

20307-C2-P-(3)-74, Northern Illinois Radio Phone & Paging Systems, Inc. (KSB590): C.P. for additional facilities to operate on 454.050, 454.075, 454.175 MHz located at 1741 S. O'Plane Road, Warren Township, Illinois.

20308-C2-P-74, General Telephone Company of Florida (KRS704): C.P. to change antenna location and antenna system operating on 158.100 MHz at Loc. #1: Corner of Pine Place and Bamboo Lande, Sarasota, Florida.

20309-C2-P-74, Clarksdale Mobile Telephone, Inc. (New): C.P. for a new 1-way signaling station to operate on 152.24 MHz to be located at 1107 Desota Avenue, extended, South of State Street, Clarksdale, Mississippi.

20310-C2-P-74, Air Page (KEC515): C.P. to replace transmitter operating on 35.58 MHz located at 397 State Street, Albany, New York.

20311-C2-P-74, Aircall, Inc. (KIY776): C.P. to replace transmitter, change antenna and change antenna location and change control point location operating on 454.35 MHz at Loc. #2: 216 Haywood Street, Asheville, North Carolina.

20313-C2-TC-(5)-74, Chenango and Unadilla Telephone Corporation. Consent to Transfer of Control from C & U Communications Corporation, TRANSFEROR to Continental Telephone Corporation, TRANSFEREE. Stations: KEJ895, Norwich, New York; KEJ896, Sidney, New York; KEJ897, Cassville, New York; KEJ898, DeRuyter, New York; and KEJ899, Whitney Point, New York.

20314-C2-P-74, West Texas Telephone Company (KKQ969): C.P. to change antenna system and replace transmitter operating on 152.51 MHz located at Lots 1-6, Block 143, 12th & Throckmorton Streets, Vega, Texas.

20315-C2-P-74, General Telephone Company of Indiana, Inc. (KSA309): C.P. to change antenna system and location and replace transmitter operating on 152.75 MHz located at 1150 Cumberland Avenue, West Lafayette, Indiana.

APPLICATIONS ACCEPTED FOR FILING:

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE:

20316-C2-AP-74, Mahaffey Message Relay Consent to Assignment of Permit from Mahaffey Message Relay, ASSIGNOR to Mahaffey Message Relay, Inc., ASSIGNEE. Station: KUC870, Collierville, Tennessee.

20317-C2-AL-(2)-74, Selma Radio Telephone Company. Consent to Assignment of License from Selma Radio Telephone Company, ASSIGNOR to Talton Communications Corporation, ASSIGNEE. Stations: KUC904, Selma, Alabama; and KTS209, Selma, Alabama.

20318-C2-TC-74, Ra-Tel Company. Consent to Transfer of Control from Alton Eugene Whitley and Henry Blake Price, ASSIGNORS, to Wilson Jiggs Broadwell and John B. Askew, ASSIGNEES. Station: KIY777, Selma, North Carolina.

20319-C2-P-(4)-74, Tri-Cities Answering Service, Inc. (KEC930): C.P. for additional facilities to operate on 454.100 MHz at Loc. #1: 26 mile N. of Pierce Hill Road on Country Road, Binghamton, New York; additional facilities to operate on 152.15 MHz and change antenna system and location on same frequency at a new site described as Loc. #2: On top of Grippen Hill, Vestal, New York; and additional facilities to operate on 152.18 MHz to be located at a new site described as Loc. #3: West side of Inghram Hill Road, 3.2 miles SW of Binghamton P.O. Binghamton, New York.

20320-C2-TC-(3)-74, Radio Telephone Communications, Inc. Consent to Transfer of Control from L. W. Williams, TRANSFEROR to Middle-South Communications Systems, Inc., TRANSFEREE. Stations: KUO563, Tallahassee, Florida; KIR200, Tallahassee, Florida; and KIY726, Quincy, Florida.

20321-C2-P-74, West Texas Telephone Company (KLB789): C.P. to change antenna location operating on 152.54 MHz located 1 mile NE of Simmit, Texas.

20322-C2-P-74, Central Oklahoma Telephone Company (NEW): C.P. for a new 2-way station to operate on 152.57 MHz to be located at telephone office, center of town, Davenport, Oklahoma.

20323-C2-P-(2)-74, Westchester Mobilphone System, Inc. (KEA274): C.P. to replace (1) transmitter and to add antenna location to operate on 152.06 and 152.15 MHz located at North Broadway, White Plains, New York.

20324-C2-TC-74, Taconic Telephone Corporation. Consent to Transfer of Control from Copake Telephone Company, TRANSFEROR to Taconic Telephone Corporation, TRANSFEREE. Station: KED363, Copake, New York.

20325-C2-P-74, Taconic Telephone Corporation (KED363): C.P. to reinstate facilities operating on 152.54 MHz located 1/2 mile Southwest of Copake, New York.

APPLICATIONS ACCEPTED FOR FILING: DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE:

Major Amendment

20071-C2-P-74, Miami Valley Radiotelephone (KLF577): Hamilton, Ohio. Amend to add an additional location on 35.22 MHz at Cox Road & State Route 42, Plisgah, Ohio. All other particulars are to remain as reported on PN #659 dated July 13, 1973.

Correction

20289-C2-AP/AL-(2)-74, Correct name of licensee to read Medical Business Bureau, Inc. d/b as Mobilradio Telephone Service. All other particulars to remain as reported on PN #667 dated September 24, 1973.

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE:

Informative:

It appears that the following applications may be mutually exclusive and subject to the Commission's Rules regarding ex parte presentations by reason of economic competition or potential electrical interference.

Illinois

South Shore Radio-Telephone, Inc. (KSB 591): 4106-C2-P-73.

Northern Illinois Radio Phone & Paging Systems, Inc. (KSA256) 6118-C2-P-73.

APPLICATIONS ACCEPTED FOR FILING—Con.

RURAL RADIO SERVICE:

60065-C6-P-74, Continental Telephone Company of California (NEW): C.P. for a new rural subscribed station to operate on

157.89 MHz to be located at Fuller Ranch, approx. 6 miles East of Alamo Dam, Arizona.

60066-C6-P-74, The Mountain States Telephone and Telegraph Company (NEW): C.P. for a new rural subscribed station to operate on 158.01 MHz to be located 27.6 miles Southeast of Rock Springs, Wyoming.

Renewal of Licenses expiring July 1, 1973. TERM: July 1, 1973 to July 1, 1978.

Licensee	Call sign
AAA Anserphone, Inc.—Jackson	WIV30
Am-Tex Dispatch Service	KVH99
Answer, Inc., of Galveston	KRR73
Answer, Inc., of San Antonio	KLT67
Albert E. Armour, Jr.	KPE95
Associated Telephone Answering Services.	KRR31
Associated Telephone Answering Services.	KRR33
Same	KRR37
Same	KRR39
Same	KRR41
Same	KRR42
Same	KKA45
Same	KRR70
Auto-Phone Company	KNK89
Same	KNM44
Autofone Company	KPX66
Autophone of Laredo, Inc.	WAX69
Perry R. Bass	KLD67
Cal-Autofone	KMC64
Same	KMJ80
Same	KMQ65
Same	KYJ26
California-Pacific Utilities Company.	KPZ58
Same	KPZ59
Same	KYN33
Same	KYN34
Cameron Telephone Company	KLD64
Same	KL)86
Same	KLR59
Same	KOA94
Same	WGF89
Canaveral Communications	KJJ25
APPLICATIONS ACCEPTED FOR FILING—Con. RURAL RADIO SERVICE:	
Renewal of Licenses expiring November 1, 1973. TERM 11-1-73 to 11-1-78.	
Caprock Radio Dispatch	KLP87
Carolina Telephone & Telegraph Company.	KIO86
Cascade Telephone Company	WGI59
Cascade Utilities, Inc.	KZI79
Same	KZS35
Central Mobilphone, Inc.	KAZ62
Central Ohio Radiotelephone, Inc.	KQO56
Central Radio Dispatch, Inc.	KKB28
Charlotte Message Center	KJG88
Same	KJG89
Churchill County Telephone & Telegraph System.	KPZ93
Same	KVD90
Colton Telephone Company	KPF62
Coleman County Telephone Cooperative, Inc.	KTF20
Communications Equipment & Service Co.	KWX60
Contact of Farmington, Inc.	KLC45
Contact of New Mexico	KSW21
Contact of Texas	KSW24
Continental Telephone Co. of Calif.	KGC73
Same	KNB48
Same	KNB49
Same	KNB50
Same	KNL47
Same	KOB44
Same	KRW89
Same	KTF56
Same	KTF57
Same	WBO51

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APPLICATIONS ACCEPTED FOR FILING—Con.

RURAL RADIO SERVICE:

Renewal of Licenses expiring November 1, 1973. TERM: 11-1-73 to 11-1-78.

Licensee	Call sign
Same	WHI97
Same	WHT77
Same	WHT78
Same	WOF47
Continental Telephone Co. of Minnesota.	KAI84
Same	KAJ61
Continental Telephone Co. of the Northwest, Inc.	KPP87
Same	KSQ50
Credit Bureau of Decatur, Inc.	KSQ52
Dome Communications	KOB49
Eagle Valley Telephone Company.	WDE82
Empire Communications Company.	KPJ20
Federated Telephone Cooperative.	KAU54
Fresno Mobile Radio, Inc.	KMX39
Same	KNG54
General Communication Systems, Inc.	KAV51
Same	KBC46
General Communications Service, Inc.	KSQ27
General Communications Service, Inc.	KPH72
Same	KQN86
General Electronics Company	KZS44
General Telephone Co. of Calif.	KMO96
Same	KMO97
Same	KVH64
Same	WBO66
Same	WDD36
Same	WJM99
General Telephone Co. of the Northwest, Inc.	WAN74
Glacier State Telephone Company.	KWY80
Grand River Mutual Telephone Corp.	KAW26
Gulf Central Communications & Electronics, Inc.	KLU50
Halstad Telephone Company	KAY59
Hanford Mobile Radio, Inc.	KNG51
Idaho Telephone Company	KKU66
Illinois Bell Telephone Company.	KSH92
Same	KSN44
Imperial Communications Corp.	KOA42
Industrial Communications	KZA88
Jacksonville Radio Dispatch Service.	KJK27
Jennings Mobilfone	WAY87
Kalama Telephone Company	KYC71
Kerman Telephone Company	KNJ69
Kern Radio Dispatch	KNJ80
Kerrville Telephone Company	WAD90
Kidd's Communications, Inc.	KMQ80
Lafourche Telephone Company, Inc.	KLM96
Same	KLU29
Same	KLU93
Same	KLU94
Same	KZS89
Lavergne's Tel. Answering Service.	KVU84
Lemhi Telephone Company	KPF25
Same	KPF68
Lufkin Telephone Exchange, Inc.	KKX717
Madera Radio Dispatch	KMX46
Maine State Telephone Company.	KTQ92
Malheur Home Telephone Company.	KOS61
Same	KPC76
Same	KOS56
Michigan Bell Telephone Company.	KOA27
Same	KQH56
Same	KQH42

APPLICATIONS ACCEPTED FOR FILING—Con.

RURAL RADIO SERVICE:

Renewal of Licenses expiring November 1, 1973. TERM: 11-1-73 to 11-1-78.

Licensee	Call sign
Midland Telephone Company	KPQ82
Same	KSV74
Same	KSV78
Same	KSV79
Same	KTQ59
Same	KVD67
Same	WHA81
Same	WAY70
Same	WAY71
Same	WHT79
Mobil Radio Communication Service.	WHT76
Mobile Radio System of San Jose, Inc.	KNK83
Mobile Telecommunications Corp.	KLP93
Mobilfone	KKU93
Mobilfone Communications, Inc.	KLS65
Mobilfone Service, Inc.	KKW30
Mobilfone of Baton Rouge	WPF28
Mobilfone of Tyler	KLU92
Monroe Radiotelephone Company.	KLF33
Morgan City Mobilephone	KVU82
Montana Communications	KPX22
Myrtle Beach Communications	KJD21
Xavier W. Nady	KPI67
Navajo Communications Co., Inc.	WCZ58
Same	WCZ59
Same	WCZ60
Same	WCZ61
Same	WCZ62
Same	WJK86
Same	WJM94
Same	WJM96
Same	WJM98
Same	WSN39
Nevada Telephone-Telegraph Co.	WDD58
Same	WIU96
New Orleans Mobilfone	KKB33
Northwestern Bell Telephone Company.	KAA99
Same	KAJ26
Same	KAK42
Same	KAX50
Same	KAX51
Same	KAX52
Northwestern Telephone Systems, Inc.	KPT92
Same	WAY32
Nucia-Naturita Telephone Company.	KAA93
Offshore Telephone Company	KKT88
Same	KKT89
Same	WAD29
Same	WAD30
Same	WAD31
Same	WGI63
Same	WGI77
Same	WJL23
Same	WOG50
Pacific NW Bell Telephone Company.	KOB35
Same as above	KOB51
Same	KOU52
Same	KPR68
Same	KPR69
Same	KPR70
Same	KPV67
Same	KPV77
Same	KPX54
Same	KPX56
Same	KPY38
Same	KSV67
Same	KTF50
Same	KTG55
Same	KTG54
Same	KZA73
Same	KZS55
Same	KZS91
Same	KSP96

APPLICATIONS ACCEPTED FOR FILING—Con.

RURAL RADIO SERVICE:

Renewal of Licenses expiring November 1, 1973. TERM: 11-1-73 to 11-1-78.

Licensee	Call sign
Pacific Telephone and Telegraph Co.	KMN96
Same as above	KMO35
Same	KMO38
Same	KMX53
Same	KMX54
Same	KZI23
Same	WQO55
Same	WJK84
Same	WSX28
Penasco Valley Telephone Cooperative, Inc.	WAX89
Pioneer Telephone Cooperative	WAD64
Polar Rural Tel. Mutual Aid Corp.	KOC25
R.C.S., Inc.	KMU41
Radio Communications, Inc.	KGN23
Radio Dispatch, Inc.	KKX81
Radio Electronics Products, Corp.	KYC32
Radio Paging Service	KLU49
Radio Telephone Co. of Gainesville, Inc.	KZI78
Radiocall, Inc.	KUS24
Radiofone	KEG48
Radiofone of Georgia, Inc.	KJK71
Radio Radio, Inc.	KLU32
Same as above	KFP96
Reservation Telephone Cooperative.	KAS71
Road Runner Radio Paging Service, Inc.	KKB91
E. Ritter Telephone Company	KKK42
San Juan Radiotelephone Corp.	WWY90
San Marcos Telephone Company, Inc.	KKB24
Santa Cruz Telephone Answering and Radio Service.	KNE69
Santa Rose Telephone Cooperative Inc.	KLT76
South Central Bell Telephone Co.	KIK85
Same as above	KIK86
Same	KIK87
Same	KKZ83
Same	KLD93
Same	KLP85
Same	KLP86
Same	KLR53
Same	KLR54
Same	KLR58
Same	KLU35
Same	KLU59
Same	KLU84
Same	KLU85
Same	KOB46
Same	KPP66
Same	KPP70
Same	KPP72
Same	KPP74
Same	KRW83
Same	KSV48
Same	KVI23
Same	KYO90
Same	KZS78
Same	WAD92
Same	WAD94
Same	WDF64
Same	WGF90
Same	WHA37
Same	WHB37
Same	WHT61
Same	WIV37
Same	WJK99
Same	KKR74
Same as above	WBO50
Same	WCZ27
Southern Message Service, Inc.	KLD87
Southern New England Tel. Co.	KCD26
Same as above	KCL70
Same	KCL71

NOTICES

Licensee	Call sign
Southern Radio-Phone, Inc.....	KOC55
Same as above.....	WPF33
Southwestern Bell Telephone Co.	KAL82
Same as above.....	KAO99
Same.....	KAP20
Same.....	KLT61
Same.....	KLT65
Same.....	KLT66
Same.....	KLU72
Same.....	KLU73
Same.....	KSV43
Same.....	KVD61
Same.....	WAN97
Same.....	WIV29
Same.....	WPF31
Spartan Radiocasting Company...	KIB99
Spohn Ranch, John Middleton d/b/as.	KVU62
T. C., Inc.....	KKK52
Telco Answering Service.....	KVI21
Texas Telephone & Telegraph Co.	KLJ71
Same as above.....	WHB50
Same.....	WHB51
Same.....	WPF32
Same.....	WPF43
Tri-State Communications.....	KRR64
United Telephone Company.....	KSP22
Untied Telephone Co. of Florida...	KJC34
Same as above.....	WGI57
Same.....	WHJ25
Upper Peninsula Telephone Com- pany.	WHT80
Utah Telephone Company.....	KVU85
Ute Communications.....	KAR80
United Telephone Co. of the NW.	KPP97
Same as above.....	KPP98
Same.....	KPQ63
Same.....	KYO75
Same.....	KYO76
Waco Communications, Inc.....	KKV99
Westcol Radio Dispatch.....	KBD30
West Indies Communications, Inc.	WVY45
West Jersey Telephone Company..	KEL63
West Texas Telephone Company...	KLU37
Same as above.....	KYC40
West Virginia Telephone Co.....	KQL37
Western California Tel. Co.....	KVI58
Western Communications Serv- ice.	KKV22
Western States Tel. Co., Inc.....	KPV96
Same as above.....	KPV97
Same.....	KPZ99
Same as above.....	WJL40
Same.....	WOF46
Same.....	WOF44
World Service, E. B. Brownell d/b/as.	KZS43
Same.....	WAD91

POINT-TO-POINT MICROWAVE RADIO SERVICE

917-C1-P-74, South Central Bell Telephone Company (KIX60) 748 Forrest Avenue, Gadsden, Alabama. Lat. 34°00'54" N., Long. 86°00'39" W.: C.P. to add freq. 3890H MHz toward Hokes Bluff, Ala., on azimuth 114°38'.

918-C1-P-74, Same (KVI26) Approx. 3.0 Miles SSE of Hokes Bluff, Alabama. Lat. 33°57'15" N., Long. 85°51'07" W.: C.P. to add freqs. 3930H MHz toward Coldwater, Ala., on azimuth 179°14'; freq. 3930H MHz toward Gadsden, Ala., on azimuth 294°44'.

919-C1-P-74, Same (KIB84) Coldwater, approx. 1.5 Miles SW of Anniston, Alabama. Lat. 33°38'38" N., Long. 85°50'49" W.: C.P. to add freq. 3890H MHz toward Hokes Bluff, Ala., on azimuth 359°14'.

920-C1-ML-74, Cascade Utilities, Inc. (KZS 52) 4.25 Miles NE of Government Camp, Mt. Hood Meadows, Oregon. Lat. 45°19'49" N., Long. 121°39'49" W. Mod. of License to change antenna location on freq. 2111V MHz toward Mt. Hood, Oreg., via Passive Reflector on azimuth 143°11'.

POINT TO POINT MICROWAVE RADIO SERVICE—
Continued

921-C1-AL-74, Paul E. Taft d/b/a Taft Broadcasting Company. Consent to Assignment of License from Paul E. Taft d/b/a Taft Broadcasting Company, ASSIGNOR to Taft Broadcasting Corporation, ASSIGNEE for station WOJ40 located at Houston, Texas.

922-C1-AL-(2)-74, Racom, Inc. Consent to Assignment of License from Racom, Inc., ASSIGNOR to Yankee Microwave Corporation, Inc., ASSIGNEE for stations KYZ85, Mt. Washington, New Hampshire, and KYZ86, Moose Hill, Maine.

923-C1-AL-74, The Ohio Bell Telephone Company. Consent to Assignment of License from The Ohio Bell Telephone Company, ASSIGNOR to The Northern Ohio Telephone Company, ASSIGNEE for station KQO83, Medina, Ohio.

924-C1-P/L-74, New Jersey Bell Telephone Company (KYC84) (19 Units). In any temporary fixed location within the territory of the grantee: C.P. & License to reinstate expired License of Station KYC84, File No. 4967-C1-R-72 for freqs. 5925-6425 & 10700-11700 MHz.

925-C1-P/L-74, The Pacific Telephone & Telegraph Company (new). In any temporary fixed location within the territory of the grantee: C.P. & License for a new station on freqs. 3700-4200 MHz.

926-C1-P-74, Puerto Rico Communications Authority (WWR70) Cerro de Punta Jayuya, Puerto Rico. Lat. 18°10'27" N., Long. 66°35'28" W.: C.P. to add freq. 2112.0V MHz toward new point of communication at Manati, P.R., on azimuth 20°51'.

927-C1-P-74, Puerto Rico Communications Authority (new) Manati, Puerto Rico. Lat. 18°26'00" N., Long. 66°29'10" W.: C.P. for a new station on freq. 2162.0V MHz toward Cerro Punta, P.R., on azimuth 202°49'.

930-C1-P/L-74, Transportation Microwave Corporation (new) 1930 Military Road, Tonawanda, New York. Lat. 42°59'22" N., Long. 78°53'10" W.: C.P. & License for freq. 6585H MHz toward Attica, N.Y., on azimuth 106°42'.

931-C1-P/L-74, Same (new) 3.75 Miles SE of Attica, New York. Lat. 42°50'15" N., Long. 78°12'20" W.: C.P. & License for freq. 6705H MHz toward Tonawanda, N.Y., on azimuth 287°12' and freq. 6725H MHz toward Bristol Center, N.Y., on azimuth 97°18'.

932-C1-P/L-74, Same (new) Bristol Center, 10.5 Miles SW of Canandaigua, New York. Lat. 42°45'43" N., Long. 77°25'34" W.: C.P. & License for freq. 6625H MHz toward Attica, N.Y., on azimuth 277°48'; freq. 6825H MHz toward Rochester, N.Y., on azimuth 337°54'; freq. 6585V MHz toward South Butler, N.Y., on azimuth 51°6'.

933-C1-P/L-74, Same (new) 1661 Mt. Read Boulevard, Rochester, New York. Lat. 43°-11'05" N., Long. 77°30'40" W.: C.P. & License for freq. 6745H MHz toward Bristol Center, N.Y., on azimuth 157°48'.

934-C1-P/L-74, Same (new) 0.8 Mile North of South Butler, New York. Lat. 43°08'51" N., Long. 76°46'04" W.: C.P. & License for freq. 6665V MHz toward Bristol Center, N.Y., on azimuth 231°36' and freq. 6685V MHz toward Pompey, N.Y., on azimuth 110°0'.

935-C1-P/L-74, Same (new) Pompey, 9 Miles SE of Syracuse, New York. Lat. 42°56'51" N., Long. 76°01'31" W.: C.P. & License for freq. 6625V MHz toward South Butler, N.Y., on azimuth 290°30'; freq. 6825V MHz toward Syracuse, N.Y., on azimuth 329°0'; and freq. 6605V MHz toward Camroden, N.Y., on azimuth 57°24'.

POINT TO POINT MICROWAVE RADIO SERVICE—
Continued

936-C1-P/L-74, Same (new) 1900 Brewerton Road, Syracuse, New York. Lat. 43°05'41" N., Long. 76°08'47" W.: C.P. & License for freq. 6765V MHz toward Pompey, N.Y., on azimuth 148°54'.

937-C1-P/L-74, Same (new) Camroden, 9 Miles NE of Rome, New York. Lat. 43°16'51" N., Long. 76°18'13" W.: C.P. & License for freq. 6665V MHz toward Pompey, N.Y., on azimuth 237°54'; freq. 6685H MHz toward Utica, N.Y., on azimuth 174°30'; and freq. 6705H MHz toward Jordanville, N.Y., on azimuth 140°6'.

938-C1-P/L-74, Same (new) 800 Calder Avenue, Utica, New York. Lat. 43°06'47" N., Long. 75°16'53" W.: C.P. & License for freq. 6845H MHz toward Camroden, N.Y., on azimuth 354°30'.

939-C1-P/L-74, Transportation Microwave Corporation (new) Jordanville, 6 miles NE of Richfield Springs, New York. Lat. 42°54'43" N., Long. 74°53'02" W.: C.P. & License for freq. 6585H MHz toward Camroden, N.Y., on azimuth 320°24' and freq. 6805H MHz toward Duaneburg, N.Y., on azimuth 101°48'.

940-C1-P/L-74, Same (new) Duaneburg, 9.5 miles west of Schenectady, New York. Lat. 42°48'06" N., Long. 74°10'39" W.: C.P. & License for freq. 6685H MHz toward Jordanville, N.Y., on azimuth 282°18' and freq. 6625H MHz toward Glenmont, N.Y., on azimuth 121°24'.

941-C1-P/L-74, Same (new) Glenmont, New York. Lat. 42°37'30" N., Long. 73°47'14" W.: C.P. & License for freq. 6785H MHz toward Duaneburg, N.Y., on azimuth 301°36' and freq. 6685H MHz toward Mt. Darby, Mass., on azimuth 153°24'.

942-C1-P/L-74, Same (new) Mt. Darby, 2.7 miles SW of Egremont, Massachusetts. Lat. 42°08'00" N., Long. 73°27'26" W.: C.P. & License for freq. 6585H MHz toward Glenmont, N.Y., on azimuth 333°24' and freq. 6605H MHz toward Shaupeneak, N.Y., on azimuth 233°48'.

943-C1-P/L-74, Same (new) Shaupeneak, 5.5 miles south of Kingston, New York. Lat. 41°50'28" N., Long. 73°59'27" W.: C.P. & License for freq. 6665H MHz toward Mt. Darby, Mass., on azimuth 53°24' and freq. 6685H MHz toward Monroe, N.Y., on azimuth 192°18'.

944-C1-P/L-74, Same (new) Mountain Lodge, 4 miles NE of Monroe, New York. Lat. 41°22'41" N., Long. 74°08'12" W.: C.P. & License for freq. 6585H MHz toward Shaupeneak, New York, on azimuth 13°12' and freq. 6785V MHz toward Mahwah, N.J., on azimuth 188°54'.

945-C1-P/L-74, Same (new) 2.5 miles NW of Mahwah, New Jersey. Lat. 41°07'17" N., Long. 74°11'24" W.: C.P. & License for freq. 6615V MHz toward Monroe, N.Y., on azimuth 8°48' and freq. 6685H MHz toward Jersey City, N.J., on azimuth 168°36'.

946-C1-P/L-74, Same (new) 418 Duncan Avenue, Jersey City, New Jersey. Lat. 40°43'58" N., Long. 74°05'13" W.: C.P. & License for freq. 6745H MHz toward Mahwah, N.J., on azimuth 348°36'; freq. 6775V MHz toward South Amboy, N.J., on azimuth 212°36' and freq. 2180.8H MHz toward Carlstadt, N.J., on azimuth 12°12'.

947-C1-P/L-74, Same (new) Eastern and Moonachie Avenue, Carlstadt, New Jersey. Lat. 40°43'58" N., Long. 74°02'29" W.: C.P. & License for freq. 2130.8H MHz toward Jersey City, New Jersey, on azimuth 192°12'.

948-C1-P/L-74, Transportation Microwave Corporation (new) Raritan Street, South Amboy, New Jersey. Lat. 40°28'40" N., Long. 74°18'01" W.: C.P. & License for freq. 6615V MHz toward Jersey City, N.J., on azimuth

POINT TO POINT MICROWAVE RADIO SERVICE—
Continued

- 32°30' and freq. 6645H MHz toward Rocky Hill, N.J., on azimuth 254°18'.
- 949-C1-P/L-74, Same (new) 2 Miles NE of Rocky Hill, New Jersey. Lat. 40°24'46" N., Long. 74°36'07" W.: C.P. & License for freq. 6855H MHz toward South Amboy, N.J., on azimuth 74°12' and freq. 6885V MHz toward Trenton, N.J., on azimuth 215°18'.
- 950-C1-P/L-74, Same (new), 557 Ingham Avenue, Trenton, New Jersey. Lat. 40°14'05" N., Long. 74°46'02" W.: C.P. & License for freq. 6605V MHz toward Rocky Hill, N.J., on azimuth 35°12' and freq. 6625H MHz toward Wyndmoor, Pa. on azimuth 244°30'.
- 951-C1-P/L-74, Same (new) Mermaid Lane, Wyndmoor, Pennsylvania. Lat. 40°04'58" N., Long. 75°10'54" W.: C.P. & License for freq. 6785H MHz toward Trenton, N.J., on azimuth 64°12' and freq. 6685V MHz toward Philadelphia, Pa., on azimuth 142°36'.
- 952-C1-P/L-74, Same (new) 3715 East Thompson Street, Philadelphia, Pennsylvania. Lat. 39°59'27" N., Long. 75°05'24" W.: C.P. & License for freq. 6605 MHz toward Wyndmoor, Pa. on azimuth 322°42'. (Informative: The above applications of Transportation Microwave Corporation request authority to operate the microwave system currently licensed to Preston Trucking Company, Inc., as a specialized common carrier as detailed in the Commission's Memorandum Opinion and Order (FCC-73-812) (Docket 19309) released July 31, 1973.)
- 953-C1-P-74, Same (new) Mermaid Lane, Wyndmoor, Pennsylvania. Lat. 40°04'58" N., Long. 75°10'54" W.: C.P. for freq. 6665H MHz toward Philadelphia, Pa., on azimuth 187°18'.
- 954-C1-P-74, Same (new) Ferry Avenue Extended, Philadelphia, Pennsylvania. Lat. 39°56'08" N., Long. 75°12'18" W.: C.P. for a new station on freq. 6825H MHz toward Wyndmoor, Pa., on azimuth 7°18'.
- 974-C1-P-74, American Microwave & Communications, Inc. (KQN57) 2 Miles SE of Ishpeming, Michigan. Lat. 46°27'46" N., Long. 87°38'40" W.: C.P. to change freq. 5982.3V MHz to 6100, 9H MHz toward Sawyer AFB, Mich., via power split on azimuth 123°16'.
- 975-C1-P-74, United Video, Inc. (WQQ93) 0.2 Mile NE of Winterset, Iowa. Lat. 41°22'07" N., Long. 93°59'05" W.: C.P. to relocate receive site from Urbandale, Iowa, to Des Moines, Iowa, & change freq. from 6226.9H MHz to 6197.2H MHz along corrected azimuth of 45°16'.

Informative

Applicant proposes to provide specialized communications services between Atlanta, Georgia and Birmingham and Montgomery, Alabama.

- 955-C1-P-74, UNITED VIDEO, INC. (new) 3400 Peachtree Road, N.E., Atlanta, Ga. Lat. 33°50'59" N., Long. 84°21'51" W.: C.P. for a new station on freq. 5974.8H MHz on an azimuth of 219°58' toward Fairburn, Ga.
- 956-C1-P-74, Same (new) 4.75 mi. NE of Fairburn, Ga. Lat. 33°35'13" N., Long. 84°37'42" W.: C.P. for a new station on freq. 6226.9V MHz on an azimuth of 39°50' toward Atlanta, Ga.; freq. 6226.9H MHz on an azimuth of 194°58' toward Luthersville, Ga.
- 957-C1-P-74, Same (new) 1 mi. north of Luthersville, Ga. Lat. 33°13'25" N., Long. 84°44'39" W.: C.P. for a new station on freq. 5945.2H MHz on an azimuth of 14°52' toward Fairburn, Ga.; freq. 5974.8H MHz on an azimuth of 174°06' toward Dowdell Knob, Ga.
- 958-C1-P-74, Same (new) 3.5 miles north of Shiloh, Ga., at Dowdell Knob, Ga. Lat. 32°51'27" N., Long. 84°41'57" W.: C.P. for a new station on freq. 6197.2H MHz on an azimuth of 354°08' toward Luthersville, Ga.; freq. 6226.9V MHz on an azimuth of 285°31' toward Fredonia, Ala.
- 959-C1-P-74, Same (new) .75 mi. NW of Fredonia, Ala. Lat. 32°59'43" N., Long. 85°17'48" W.: C.P. for a new station on freq. 5974.8H MHz on an azimuth of 105°12' toward Dowdell Knob, Ga.; freq. 5945.2H MHz on an azimuth of 253°58' toward Easton, Ala.
- 960-C1-P-74, Same (new) 1 mi. SE of Easton, Ala. Lat. 32°53'42" N., Long. 85°42'34" W.: C.P. for a new station on freq. 6197.2H MHz on an azimuth of 73°45' toward Fredonia, Ala.; freq. 6226.9V MHz on an azimuth of 285°55' toward Terrapin Hill, Ala.
- 961-C1-P-74, Same (new) 1 mile NW of Hanover at Terrapin Hill, Ala. Lat. 33°01'16" N., Long. 86°14'30" W.: C.P. for a new station on freq. 5945.2H MHz on an azimuth of 105°37' toward Easton, Ala.; freq. 6004.5H MHz toward Helena, Ala. on an azimuth of 301°11'; freq. 5974.8V MHz on an azimuth of 169°25' toward Wetumpka, Ala.
- 962-C1-P-74, Same (new) 2 miles SE of Wetumpka, Ala. Lat. 32°30'44" N., Long. 86°07'44" W.: C.P. for a new station on freq. 6226.9V MHz on an azimuth of 349°28' toward Terrapin Hill, Ala.; freq. 6197.2V MHz on an azimuth of 228°30' toward Montgomery, Ala.
- 963-C1-P-74, UNITED VIDEO, INC. (new): 314 Bell Building, Montgomery, Ala. Lat. 32°22'35" N., Long. 86°18'38" W.: C.P. for a new station on freq. 5945.2V MHz on an azimuth of 48°25' toward Wetumpka, Ala.
- 964-C1-P-74, Same (new): 4 miles east of Helena, Ala. Lat. 33°17'19" N., Long. 86°46'22" W.: C.P. for a new station on freq. 6197.2V MHz on an azimuth of 120°53' toward Terrapin Hill, Ala.; freq. 6226.9H MHz on an azimuth of 329°50' toward Birmingham, Ala.
- 965-C1-P-74, Same (new): 1 mile east of Wenonah in Jefferson County near Birmingham, Alabama. Lat. 33°26'36" N., Long. 86°52'50" W.: C.P. for a new station on freq. 5945.2H MHz on an azimuth of 149°47' toward Helena, Ala.
- 976-C1-P-74, Penn Service Microwave Company (WQQ37): Wyoming Mountain, 4 miles SSE of Wilkes-Barre, Pennsylvania. Lat. 41°11'52" N., Long. 75°49'22" W.: C.P. to relocate receive site 0.7 mile NW at Chestnut Hill, Pennsylvania.
- 977-C1-R-74, Michigan Bell Telephone Company (KKU73): Any temporary fixed location within the territory of the grantee. Application for Renewal of Station KKU73 for Term: November 13, 1973 to November 13, 1974.
- 984-C1-P-74, Eastern Microwave, Inc. (KEL 89): 8 miles NE of Sidney, New York. Lat. 42°23'27" N., Long. 75°19'42" W.: C.P. to add freq. 6360.3H MHz toward Roger's Knob, N.Y. via power split on azimuth 50°57'.
- 985-C1-P-74, Same (KEA64): 4 miles SE of Cherry Valley, New York. Lat. 42°46'31" N., Long. 74°40'56" W.: C.P. to add freq. 5960.0H MHz toward Helderberg Mtn., N.Y. on azimuth 105°5' and freq. 5960.0V MHz toward Amsterdam, N.Y. via power split on azimuth 62°39'. (INFORMATIVE: A waiver of Section 21.701(i) is requested by Eastern.)
- 986-C1-P-74, Same (KEM58): 1.75 miles NW of New Salem, New York. Lat. 42°38'12" N., Long. 73°59'45" W.: C.P. to add freq. 6212.0H MHz toward Troy, N.Y. on azimuth 63°59'. (INFORMATIVE: A waiver of Section 21.701(i) is requested by Eastern.)

POINT TO POINT MICROWAVE RADIO SERVICE—
ContinuedPOINT TO POINT MICROWAVE RADIO SERVICE—
Continued

- 987-C1-P-74, Same (WQP99): Quaker Hill, 3.0 miles NE of Stokes, New York. Lat. 43°20'36" N., Long. 75°25'36" W.: C.P. to add freq. 6301.0H MHz, via power split, toward Oneida, N.Y. on azimuth 212°30'.
- 988-C1-P-74, Mountain Microwave Corporation (KC093): Sunlight Peak, 8.0 miles SSW of Glenwood Springs, Colorado. Lat. 39°25'32" N., Long. 107°22'44" W.: C.P. to add freq. 6323.3V MHz toward Vail, Colo. on azimuth 69°34', via passive reflector at Buck Creek. Lat. 39°40'43" N., Long. 106°29'19" W.
- 989-C1-P-74 Eastern Microwave, Inc. (KEM 59): Sentinel Heights, New York. Lat. 42°56'40" N., Long. 76°07'08" W.: C.P. to add freq. 10,815V MHz toward Quaker Hill, N.Y. on azimuth 51°34'.
- 990-C1-P-74, Same (WQP99): Quaker Hill, 3.0 Miles NE of Stokes, New York. Lat. 43°20'36" N., Long. 75°25'36" W.: C.P. to add freq. 11,505H MHz toward Oneida, N.Y. on azimuth 212°30'.
- 991-C1-P-74, Same (New): Penobscot #2, 3.5 Miles SE of Wilkes-Barre, Pennsylvania. Lat. 41°11'50" N., Long. 75°49'25" W.: C.P. for a new station on freq. 5945.2H MHz toward Elk Hill (KGO27), Pennsylvania, on azimuth 20°45'. (Informative: A waiver of Section 21.701(i) and Special Temporary Authority are requested by Eastern.)
- 9977-C1-P-73. (KSV0): .2 mile north of Streator, Illinois. Lat. 41°08'35" N., Long. 88°49'45" W.: C.P. to add Frequencies 11,385H MHz and 11,305 MHz toward new point of communication at Gridley, Illinois, on azimuth 180 Degrees & 22 Minutes.

MAJOR AMENDMENTS

- 9264-C1-MP-73, Tower Communications System Corp. (WPF49): Amended to change freqs. 10,975.0H, 11,135.0H, and 10,815.0H MHz to 11,015.0H, 11,175.0H, and 10,775.0H MHz toward Ball Knob, Ohio on azimuth 211°5'. (All other particulars to remain the same as reported in Public Notice #654, dated June 25, 1973.)

[FR Doc. 73-21352 Filed 10-9-73; 8:45 am]

FEDERAL MARITIME COMMISSION
PACIFIC MARITIME ASSOCIATION

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, and San Francisco, California. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before October 23, 1973. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to

adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Robert Fremlin, Esq.
Lillick, McHose, Wheat, Adams & Charles
311 California Street
San Francisco, California 94104

Agreement No. T-2858, between the members of the Pacific Maritime Association (PMA), provides for the adoption of a holiday assessment formula by the PMA membership to fulfill PMA's obligation in this respect under the June 24, 1973, Memorandum of Understanding between the PMA and the International Longshoremen's and Warehousemen's Union. The holiday assessment will be collected in accordance with the PMA manhour assessment formula now in force for vacation, welfare and pension assessments.

By order of the Federal Maritime Commission.

Dated October 3, 1973.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.73-21506 Filed 10-9-73; 8:45 am]

**SOUTH JERSEY PORT CORP. AND
RETLA STEAMSHIP CO.**

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, and San Francisco, California. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before October 23, 1973. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Robert L. Pettegrew
Executive Director
South Jersey Port Corporation
Broadway & Morgan Blvd.
Camden, New Jersey 08104

Agreement No. T-2857, between the South Jersey Port Corporation (Port) and Retla Steamship Company (Retla), is a preferential berthing and operating agreement providing for Retla's use of portions of the Port's Beckett Street and Broadway Terminals located at Camden, New Jersey. The agreement guarantees Retla the nonexclusive use of a crane and berth at all times, preferably at the Beckett Street Terminal. As compensation, the Port is to receive: (a) dockage (which will remain at the rates now assessed for the term of the agreement); (b) wharfage of \$.65 per short ton for the first 1,000 tons per vessel and \$.60 per short ton on all tonnage in excess of 1,000 tons per vessel; and (c) all applicable Port tariff charges. Tariff truck and rail carloading rates assessed by the Port, however, will not exceed the rates published by the Philadelphia Marine Terminal Association. Retla guarantees to route all of its Delaware River cargo to the Port's Camden facilities, except for cargoes shipped under Charter Party terms wherein the consignee has the right to designate the discharge terminal. Retla agrees, however, that wood products from Far East nations will not be transported under Charter Party terms.

By order of the Federal Maritime Commission.

Dated October 3, 1973.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.73-21505 Filed 10-9-73; 8:45 am]

ATOMIC ENERGY COMMISSION

URANIUM HEXAFLUORIDE

Charges, Enriching Services, Specifications and Packaging; Revisions

Correction

In FR Doc. 73-16531, appearing at page 21518 in the issue for Thursday, August 9, 1973, in Table I, Standard Table of Enriching Services, the entry "2.80 . . . 5.008 . . . 3.871", should read, "2.80 . . . 5.088 . . . 3.871".

[Docket No. 50-382]

LOUISIANA POWER AND LIGHT COMPANY

Notice of Reconstitution of Board

In the matter of Waterford Steam Electric Station, Unit 3.

Because of schedule conflicts, Sidney G. Kingsley, Esq., who was Chairman of the Atomic Safety and Licensing Board for the above proceeding, is no longer able to serve in that capacity.

Accordingly, Charles A. Haskins, Esq., is appointed Chairman of this Board. His address is Windy Hill Farm, Bluemont,

Virginia 22012. Reconstitution of the Board in this manner is in accordance with § 2.721 of the rules of practice, as amended.

Dated at Washington, D.C. this 2nd day of October 1973.

NATHANIEL H. GOODRICH,
*Chairman, Atomic Safety
and Licensing Board Panel.*

[FR Doc.73-21422 Filed 10-9-73; 8:45 am.]

FEDERAL POWER COMMISSION

[Docket No. CI73-794, et al.]

MCCULLOCH OIL CORP. ET AL.

OCTOBER 2, 1973.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates¹

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before October 29, 1973, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and Procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

¹ This notice does not provide for consolidation for hearing of the several matters covered herein.

[Docket No. RP71-119]

**PANHANDLE EASTERN PIPE LINE CO.
Petition for Extraordinary Relief**

OCTOBER 3, 1973.

On September 24, 1973, Northrup, King & Co. (N.K.) filed a petition with the Commission for extraordinary relief pursuant to section 1.7 of the Commission's Rules of Practice and Procedure requesting that its Paris, Illinois seed-drying plant be exempted from Panhandle Eastern Pipeline Company's (Panhandle) currently effective interim curtailment plan and other curtailment plans that might subsequently be approved by the Commission for that company.

N.K. purchases natural gas from Central Illinois Public Service Company (Central Illinois), which in turn is supplied by Panhandle. This gas is used by N.K.'s Paris plant for seed corn drying, a process upon which the agricultural industry is dependent. The Paris plant consumes approximately 47,000 Mcf of natural gas during the critical 60-day period prior to November 15 of each year when the seed corn must be dried. N.K. alleges in its petition that its Paris plant has historically been serviced on an interruptible basis, and that this type of service was most suitable for its needs since it required gas only between September 15th and November 15th, well in advance of the peak heating season. It, therefore, felt that it would not encounter any supply problem.

N.K. notes that even though the Panhandle system curtailed gas during the course of 1972 that its Paris plant experienced no interruptions and it had ample gas to dry its seed during the fall of that year. It further contends that it was not until August 16, 1973, that it learned from Central Illinois that its gas supply for the 1973 fall drying season was in jeopardy of being curtailed.

N.K.'s Paris plant presently does not have any alternate fuel capability and it contends that it is now confronted with total curtailment of its gas supply. The anticipated reduction in gas service under Panhandle's interim plan presently in effect would require it to shut down its facilities at its Paris plant after October 1, 1973. It further contends that the adoption of either Panhandle's original plan or the Order 467-B schedule of priorities, as a permanent curtailment plan for Panhandle, would have similar effects. N.K. also contends that the closing of its Paris plant would have further repercussions since the productivity of the food industry would decline considerably without good hybrid seed. N.K. in its petition requests that the Commission grant its Paris, Illinois, plant extraordinary relief from Panhandle's curtailment to the extent necessary to permit the plant to receive approximately 47,000 Mcf of natural gas during the period of September 15

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
CI74-171..... (G-5325) B 9-10-73	Skelly Oil Co., P.O. Box 1650, Tulsa, Okla. 74102.	Lone Star Gas Co., Isaac Wilson Lease, Stephens County, Okla.	Depleted	-----
CI74-172..... A 9-10-73	Mobil Oil Corp., Three Greenway Plaza East, Suite 800, Houston, Tex. 77046.	Transwestern Pipeline Co., Atoka (Morrow) Field, Eddy County, N. Mex.	135.0	14.65
CI74-173..... (G-2585) B 9-10-73	O. G. McClain, P.O. Box 1336, Corpus Christi, Tex. 78403.	Natural Gas Pipeline Co. of America, Amarosa Field, Jim Wells County, Tex.	Depleted	-----
CI74-179..... (C168-1475) B 9-13-73	J. M. Huber Corp., 2000 West Loop South, Houston, Tex. 77027.	Panhandle Eastern Pipe Line Co., Kismet Northwest Field, Seward County, Kans.	(*)	-----
CI74-180..... (G-2635) B 9-10-73	Phillips Petroleum Co., Bartlesville, Okla. 74004.	Texas Eastern Transmission Corp., Henze Field, De Witt County, Tex.	Depleted	-----
CI74-182..... A 9-17-73	Atlantic Richfield Co.	Transwestern Pipeline Co., Atoka Field, Eddy County, N. Mex.	130.5	14.65

¹ Subject to upward and downward B.t.u. adjustment.

² Applicant is willing to accept a certificate conditioned to the rate determined in accordance with the Commission's Opinion No. 586.

³ Well plugged and abandoned.

⁴ Filing to request authorization to sell gas from acreage obtained after payout.

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

[FR Doc.73-21368 Filed 10-9-73;8:45 am]

[Docket Nos. RP73-7, RP73-57]

SOUTH TEXAS NATURAL GAS GATHERING CO.

Summary Cost of Service and Gathering Cost

OCTOBER 1, 1973.

Before Commissioners: John N. Nassikas, Chairman; Albert B. Brooke, Jr., Rush Moody, Jr., and William L. Springer.

On September 14, 1973, the Commission issued an order in the above dockets to which an Appendix A, Settlement Cost of Service-Wholesale Customer relevant to another order issued that date was inadvertently attached. The appropriate

Appendix A, Summary Cost of Service and Gathering Cost is attached to this order and we will order appropriate substitution thereof.

The Commission orders

(A) The Appendix A—Summary Cost of Service and Gathering Cost attached to this order is substituted for the Appendix A contained in the order issued September 14, 1973, in this docket.

(B) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

APPENDIX A

SOUTHERN TEXAS NATURAL GAS GATHERING COMPANY DOCKET NOS. RP73-7 & RP73-57

Summary Cost of Service and Gathering Cost Year Ended, June 30, 1972, As Adjusted

(Thousands of dollars)

Line No.	Particulars	Company	Adjustments	As adjusted
1	Operating expenses.....	\$18,376	¹ (\$675)	\$17,698
2	Depreciation expense.....	829	² (219)	610
3	Taxes other than income.....	150		150
4	Federal income taxes.....	1,077	67	1,144
5	Return (Company—8%, Staff 8.75%).....	1,306	84	1,390
6	Other operating revenue—Cr.....	(360)		(360)
7	Total cost of service.....	21,378	(746)	20,632
8	Cost other than purchased: Gas cost.....	5,208	³ (80)	5,119
9	Sales volumes (Mcf).....	74,949,000		72,338,000
10	Gathering cost per Mcf line 8+line 9).....cents..	6.95		7.06
11	Gathering charge proposed.....do..	6.22		6.22

¹ Reflects reduction in staff's sales volumes.

² To eliminate depreciation expense on general plant transferred to affiliated companies.

³ Net adjustments to cost other than purchased gas cost.

[FR Doc.73-21403 Filed 10-9-73;8:45 am]

through November 15, 1973, by issuing an order waiving or modifying the curtailment plan with respect to it and by requiring Panhandle to supply Central Illinois with additional volumes of gas that are to be allocated to its Paris Plant.

It appears reasonable and consistent with the public interest in this proceeding to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to protest said application, should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10) on or before October 15, 1973. The notices and petitions for intervention previously filed in this proceeding will not operate to make those parties interveners or protestants with respect to the instant filing. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene in accordance with the Commission's rules. This filing which was made with the Commission is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-21464 Filed 10-9-73;8:45 am]

FEDERAL RESERVE SYSTEM

ALPHA AGENCY, INC. AND PIERCE AGENCY, INC.

Retention of Additional Voting Shares of Bank

Alpha Agency, Inc. and Pierce Agency, Inc., both of Aztec, New Mexico have applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to retain an additional 13.97 per cent of the voting shares of Citizens Bank, Farmington, New Mexico, which shares were acquired by purchase on March 1, 1971. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than October 27, 1973.

Board of Governors of the Federal Reserve System, October 1, 1973.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.73-21428 Filed 10-9-73;8:45 am]

CAPITOL NATIONAL CORP.

Acquisition of Bank

Capital National Corporation, Houston, Texas, has applied for the Board's

approval under section 3(a)(5) of the Bank Holding Company Act (12 U.S.C. 1842(a)(5)) to merge with Federated Texas Bancorporation, Inc., San Antonio, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than October 27, 1973.

Board of Governors of the Federal Reserve System, October 1, 1973.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.73-21430 Filed 10-9-73;8:45 am]

CITIZEN'S FIDELITY CORPORATION Formation of Bank Holding Company

Citizen's Fidelity Corporation, Louisville, Kentucky, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of all voting shares (less director's qualifying shares) of the successor by merger to Citizen's Fidelity Bank and Trust Company, Louisville, Kentucky. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of St. Louis. Any person wishing to comment on the application should submit his views in writing to the Reserve Bank, to be received not later than October 27, 1973.

Board of Governors of the Federal Reserve System, October 1, 1973.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.73-21427 Filed 10-9-73;8:45 am]

NORTHWEST OHIO BANCSHARES, INC.

Acquisition of Bank

Northwest Ohio Bancshares, Inc., Toledo, Ohio, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of Cygnet Savings Bank Company, Cygnet, Ohio. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Cleveland.

Any person wishing to comment on the application should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than October 21, 1973.

Board of Governors of the Federal Reserve System, October 1, 1973.

THEODORE E. ALLISON,
Assistant Secretary of the Board.
[FR Doc.73-21429 Filed 10-9-73;8:45 am]

NATIONAL SCIENCE FOUNDATION ADVISORY COMMITTEE FOR RESEARCH

Notice of Public Meeting

Pursuant to the Federal Advisory Committee Act (P.L. 92-463), notice is hereby given that a meeting of the Advisory Committee for Research will be held at 9 a.m. on October 25 and 26, 1973, in Room 540 at 1800 G Street NW., Washington, D.C. 20550.

The purpose of this Committee is to provide advice and counsel concerning research activities and potential in the United States and to consult on problems in the administration of research support.

The agenda for this meeting shall include:

OCTOBER 25 MORNING		
9:00....	Welcome and introduction of new members.	Chairman.
9:10....	Summary of the origins of the Advisory Committee for Research, operational mode, and activity to date.	Do.
9:25....	Observations on administration of NSF research activity:	
	1. Research Applications Directorate.	Assistant Director for Research Applications.
	2. National and International Programs Directorate.	Assistant Director for National and International Programs.
	3. Research Directorate...	Assistant Director for Research.
10:15....	Break.	
10:30....	Presentation of report by Task Group No. 3.	Task Group Chairman.
12:00....	Recess for lunch.	
AFTERNOON		
1:15....	Presentation of report by Task Group No. 2.	Do.
2:45....	Break.	Do.
3:00....	Presentation of report by Task Group No. 1.	Do.
OCTOBER 26 MORNING		
9:00....	Presentation on the following topics:	NSF Director.
	1. Science Advisor role and relationship to NSF.	
	2. NSF mission in today's R&D climate.	
9:45....	Discussion of the Citation Index Study.	Chemistry Section Staff.
10:15....	Break.	
10:30....	Publications and citations as examples of research output measures.	Head, Evaluation Staff, Office of Budget, Programming, and Planning Analysis.
11:15....	Presentation of program areas for further study.	Deputy Assistant Director for Research.
11:45....	Assignment of tasks and Committee members to Task Groups.	Do.
12:00....	Recess for lunch.	

AFTERNOON

	Instructions to Task Groups	Task Group Chairman	De.
1:30	Instructions to Task Groups		
1:45	Recess of full Committee and assembly of Task Groups for consideration and selection of problem areas (room numbers to be announced).		
3:30	Reassembly of full Committee (Room 540), presentation to full Committee on problem selection.	Task Group Chairman	
3:45	Determination of date for next meeting and adjournment.	Chairman.	

This meeting shall be open to the public and attendance will be limited to a space available basis. Persons who plan to attend should notify Mr. Leonard F. Gardner, Special Assistant, Directorate for Research, by telephone (202-632-4278) or by mail (Room 320, 1800 G Street NW., Washington, D.C. 20550), not later than close of business on October 24, 1973.

Persons who require further information concerning this Committee may contact Mr. Leonard F. Gardner at the above address. Summary minutes may be obtained from the Management Analysis Office, Room K-720, 1800 G Street NW., Washington, D.C. 20550.

T. E. JENKINS,
Assistant Director
for Administration.

SEPTEMBER 28, 1973.

[FR Doc.73-21496 Filed 10-9-73;8:45 am]

ADVISORY PANELS FOR METABOLIC BIOLOGY AND PSYCHOLOGY

Notice of Meetings

Pursuant to the Federal Advisory Committee Act (P.L. 92-463), notice is hereby given of meetings of the following panels including the individuals to contact for further information respecting each panel. The purpose of each of these advisory bodies is to provide advice and recommendations as part of the review and evaluation process for specific proposals and projects.

ADVISORY PANEL FOR METABOLIC BIOLOGY

Date and time of meeting: October 25 and 26, 1973; 9 a.m.

Location of meeting: Room 338, 1800 G Street NW., Washington, D.C. 20550.

Agenda: The agenda will be devoted to the review and evaluation of research proposals.

For further information, Contact: Dr. Elijah B. Romanoff Program Director, Metabolic Biology Program, Room 323, 1800 G Street NW., Washington, D.C. 20550.

ADVISORY PANEL FOR PSYCHOBIOLOGY

Date and time of meeting: October 25 and 26, 1973; 9 a.m.

Location of meeting: Room 321, 1800 G Street NW., Washington, D.C. 20550.

Agenda: The agenda will be devoted to the review and evaluation of research proposals.

For further information, contact: Dr. Jacob Beck, Program Director, Psychobiology Program, Room 333, 1800 G Street NW., Washington, D.C. 20550

These meetings are concerned with matters which are within the exemptions

of the Freedom of Information Act, 5 U.S.C. 552(b) and will not be open to the public in accordance with the determination by the Director of the National Science Foundation dated January 15, 1973, pursuant to the provisions of section 10 (d) of the Federal Advisory Committee Act.

T. E. JENKINS,
Assistant Director
for Administration.

SEPTEMBER 28, 1973

[FR Doc.73-21497 Filed 10-9-73;8:45 am]

OVERSEAS PRIVATE INVESTMENT CORPORATION

ADVISORY COUNCIL

Notice of Meeting

The Advisory Council of the Overseas Private Investment Corporation will meet October 29 in the Atrium of the Kennedy Center, sessions scheduled for 11:30 a.m.-12:30 p.m. and 2 p.m.-4 p.m. The Council will consider terms and conditions for the establishment of an experimental private-public insurance syndicate and methods for improving communications between the business community and the Overseas Private Investment Corporation. Because of limited space in the Atrium persons who desire to observe the discussion will be admitted in the order of receipt of written application to OPIC, Washington, D.C. 20527.

Dated October 2, 1973.

MARSHALL T. MAYS,
President, Overseas Private
Investment Corporation.

[FR Doc.73-21489 Filed 10-9-73;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[812-3504]

HARTFORD EQUITY SALES CO., INC.

Notice of Application

OCTOBER 1, 1973.

Notice is hereby given that Hartford Equity Sales Company, Inc., Hartford Plaza, Hartford, CT 06110, (Applicant) has filed an application pursuant to section 9(c) of the Investment Company Act of 1940 (Act) for an order of exemption from the provisions of section 9(a) of the Act to permit it to serve as principal underwriter for variable annuity contracts issued with respect to the Hartford Variable Life Insurance Company Separate Account (Separate Account), a registered investment company, or in the alternative for an order of temporary exemption to permit it to so serve until after a final decision on a June 20, 1972 application pursuant to section 9(c) of the Act by International Telephone & Telegraph Corporation (ITT) and two of its subsidiaries, Hartford Variable Annuity Life Insurance Company (HVA) and Hamilton Management Corp. (HMC) (Administrative Proceeding File No. 3-3842) and pending final disposition

of the present application. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Applicant, a Connecticut corporation organized on July 3, 1973, is a wholly owned subsidiary of Hartford Fire Insurance Company. ITT owns 99.9 percent of the outstanding voting stock of Hartford Fire Insurance Company. Applicant filed an application on August 27, 1973 to register as a broker-dealer with the Commission and has been proposed to replace HVA as principal underwriter for the Separate Account. HVA also serves as investment adviser for the Separate Account and is engaged in the business of issuing fixed annuity contracts. Applicant asserts its replacement of HVA as principal underwriter for the Separate Account is necessitated by the effect on HVA's net capital position of obligations and expenses incurred primarily in connection with HVA's fixed annuity business. These obligations and expenses are attributable to the fixed annuity reserve obligation, the minimum death benefit and full refund reserve obligations, and the expense drain during the initial contract years.

On June 20, 1972, the United States District Court for the Southern District of New York entered a Final Judgment of Permanent Injunction in SEC v. ITT, et al. (72 Civil Action No. 2561). The judgment, among other things, enjoins ITT and certain of its officers from violation of sections 5 and 17a of the Securities Act of 1933 and section 10(b) of the Securities Exchange Act of 1934 and Rule 10(b)(5) promulgated thereunder. On the same day, the Commission noted the filing of the application pursuant to section 9(c) of the Act by ITT, HVA and HMC supra, and issued an order temporarily exempting HVA and HMC from the provisions of section 9(a) of the Act (Investment Company Act Release No. 5435). The Commission ordered a hearing on the application for permanent exemption on January 10, 1973 (Investment Company Act Release No. 7615). The hearing was completed in July 1973 and the matter is awaiting the decision of the administrative law judge.

Section 9(a) of the Act, insofar as is pertinent here, makes it unlawful for any person, or any company with which such person is affiliated, to act in the capacity of employee, officer, director, member of an advisory board, investment adviser, principal underwriter or depositor of any registered investment company if such person is by reason of any misconduct enjoined by any court of competent jurisdiction from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security.

Section 9(c) provides that upon application the Commission shall 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) as ap-

plied to the applicant 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 such application.

Applicant asserts that the granting of an exemption from the provisions of section 9(a) to permit it to serve as principal underwriter of the variable annuity contracts issued with respect to the Separate Account is appropriate, in the public interest, and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act for the following reasons:

1. Neither Applicant nor any of its officers, directors or employees was named as a party in SEC v. ITT, et al. supra.

2. To grant Applicant the relief requested—even if only on a temporary basis—will permit Applicant to qualify as principal underwriter for the variable annuity contracts issued by HVA with respect to the Separate Account in lieu of HVA, thus permitting HVA to terminate its registration as a broker-dealer and thereby eliminating any chance for HVA to violate the Commission's net capital rule.

3. To permit the bar of section 9(a) to remain in effect as to Applicant—a party innocent of any wrongdoing—would be unduly harsh and disproportionately severe.

Notice is further given that any interested person may not later than October 26, 1973, 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 a request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address set forth above. Proof of such service (by affidavit or in the case of an attorney at law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided in 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 this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.73-21439 Filed 10-9-73;8:45 am]

[70-5393]
MONONGAHELA POWER CO.
Proposed Issue and Sale of Stock

OCTOBER 1, 1973.

Notice is hereby given that Monongahela Power Company (Monogahela), 1310 Fairmont Ave., Fairmont, W. Va. 26554, a registered holding company and a wholly-owned electric utility subsidiary company of Allegheny Power System, Inc., also 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(a) and 7 thereof 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.

Monongahela proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, 100,000 shares of its \$— Cumulative Preferred Stock, Series I, par value \$100 per share. The dividend rate of the preferred shares (which will be a multiple of \$0.04) and the price (exclusive of accrued dividends) to be paid Monongahela for the preferred stock (which will not be less than \$100 nor more than \$102.75 per share) will be determined by the competitive bidding. The terms of the preferred stock include a provision against redeeming the preferred stock prior to November 1, 1978, directly or indirectly, with funds derived from the issue of debt securities at a lower effective interest cost or preferred stock at a lower effective dividend cost.

The net proceeds from the sale of the preferred stock will be used to finance in part the construction program of Monongahela and its subsidiary company (including payment of approximately \$7,000,000 of short-term notes issued and sold therefor) and for other corporate purposes. Construction expenditures of Monongahela and its subsidiary company for the years 1973 and 1974 are estimated to aggregate \$95,000,000.

It is stated that The Public Utilities Commission of Ohio has jurisdiction over the issue and sale of the preferred stock and that no other state commission or federal commission, other than this Commission, has jurisdiction over the proposed transaction.

The fees and expenses to be paid in connection with the proposed transaction are estimated at \$62,000, including accountants' fees of \$21,000 and legal fees of \$10,000. The fees of counsel for the underwriters, to be paid by the successful bidders, will be supplied by amendment.

Notice is further given that any interested person may, not later than October 26, 1973, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any

such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.73-21440 Filed 10-9-73;8:45 am]

[File No. 7-4501]

CHESSIE SYSTEM, INC

Application for Unlisted Trading Privileges and of Opportunity for Hearing

OCTOBER 2, 1973.

In the matter of application of the Boston Stock Exchange, for unlisted trading privileges in a certain security.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f) (1) (B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchange: CHESSIE SYSTEM, INC., File No. 7-4501.

Upon receipt of a request, on or before October 18, 1973, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.73-21450 Filed 10-9-73;8:45 am]

[File No. 500-1]

CONSOLIDATED MEDICAL INDUSTRIES, INC.

Notice of Suspension of Trading

SEPTEMBER 27, 1973.

In the matter of trading in securities of Consolidated Medical Industries, Inc.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Consolidated Medical Industries, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 2 p.m. (e.d.t.) September 27, 1973, through October 6, 1973.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.73-21444 Filed 10-9-73;8:45 am]

[File No. 24A-2146]

DATE-A-SUPERGIRL, INC.

Order Temporarily Suspending Exemption and Opportunity for Hearing

OCTOBER 2, 1973.

I. Date-A-Supergirl, Inc., 1666 Kennedy Causeway, North Bay Village, Florida 33141 (Issuer), a Florida corporation, filed with the Commission on October 10, 1972, a notification, offering circular and supporting exhibits relating to a proposed offering of 50,000 shares of its \$.01 par value common stock at \$1.50 per share for an aggregate of \$75,000 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to section 3(b) thereof and Regulation A promulgated thereunder. A commencing date for the offering has not been established. H. E. Simpson & Co., 40 Exchange Place, New York City, New York, was named as underwriter.

II. The Commission has reasonable cause to believe, on the basis of information reported to it by its staff that:

A. The notification and offering circular contain untrue statements of material facts and omit to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, particularly in that:

1. The notification and offering circular fail to adequately disclose securities sold or to be sold to the underwriter;

2. The offering circular fails to state that the lump sum payment due in con-

nection with the sale of its first and only franchise had been extended over a three-year period; and

3. The offering circular names H. E. Simpson & Co. as underwriter for the offering; no amendment having been filed to disclose that H. E. Simpson & Co. withdrew as underwriter on November 10, 1972.

B. The terms and conditions of Regulation A have not been met in that:

1. The notification does not adequately disclose the jurisdictions in which the securities are to be offered;

2. The Issuer failed to disclose in the notification the proposed offerings of securities to the underwriter and Marketing Systems of America, Inc.;

3. The issuer failed to include financial statements of the predecessor partnership as required by paragraph 11 of Schedule I;

4. The issuer failed to adequately and accurately disclose in the offering circular the percentage of the issuer's common stock to be held by its officers, directors and promoters and the percentage to be held by the public investors assuming all shares offered are sold as required by paragraph 9(d) of Schedule I; and

5. The issuer failed adequately and accurately to disclose in the offering circular the present annual remuneration to each of the issuer's three highest paid officers and the aggregate annual remuneration to all officers and directors as a group, as required by paragraph 9(b) of Schedule I.

C. The issuer has failed to cooperate with the Commission in that the issuer and its officers have failed or refused to reply to a comment letter and two follow-up requests from the Commission's staff with respect to the amending of the notification and offering circular.

D. The offering, if allowed to commence, would operate as a fraud and deceit upon purchasers in violation of Section 17(a) of the Securities Act of 1933, as amended.

III. It, appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of Date-A-Supergirl, Inc. under Regulation A be temporarily suspended;

It is ordered, Pursuant to Rule 261(a) of the General Rules and Regulations under the Securities Act of 1933, that the exemption under Regulation A be and hereby is temporarily suspended.

It is further ordered, Pursuant to Rule 7 of the Commission's Rules of Practice, that the Issuer file an answer to the allegations contained in this order within thirty (30) days of the entry thereof.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for a hearing within thirty (30) days after the entry of this order; that within twenty (20) days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should

be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission. If no hearing is requested and none is ordered by the Commission, this order shall become permanent on the thirtieth day after its entry and shall remain in effect unless it is modified or vacated by the Commission.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.73-21448 Filed 10-9-73;8:45 am]

[File No. 7-4457]

DUN & BRADSTREET CO., INC.

Application for Unlisted Trading Privileges and of Opportunity for Hearing

OCTOBER 2, 1973.

In the matter of application of the Boston Stock Exchange. For Unlisted Trading Privileges in a Certain Security.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchange: Dun & Bradstreet Companies, Inc., File No. 7-4457.

Upon receipt of a request, on or before October 18, 1973, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposed to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts hearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official filed of the Commission pertaining thereto.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.73-21451 Filed 10-9-73;8:54 am]

[File No. 500-1]

ELDRIDGE & CO., INC.

Notice of Suspension of Trading

SEPTEMBER 27, 1973.

In the matter of trading in securities of Eldredge & Co., Inc.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Eldredge & Co., Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 2 p.m., e.d.t., September 27, 1973, through October 6, 1973.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.73-21446 Filed 10-9-73;8:45 am]

[File No. 24D-3253]

FABRI-GLAS, INC.

Order Temporarily Suspending Exemption and Opportunity for Hearing

SEPTEMBER 27, 1973.

I. Fabri-Glas, Inc., 758 West 14th North Salt Lake City, Utah 84116 (Issuer), a Utah corporation, located at 758 West 14th North, Salt Lake City, Utah 84116, filed a notification and offering circular on Form 1-A on July 13, 1972, covering a proposed public offer and sale of its 1-cent par value common stock at \$2 per share for an aggregate offering price of \$500,000. The filing was cleared on January 10, 1973, and the offering commenced January 11, 1973. On March 21, 1973, and April 2, 1973, Fabri-Glas, Inc., filed amendments to the notification and offering circular which were cleared on April 6, 1973.

The underwriter for the Fabri-Glas, Inc. offering, Gregersen & Co., Inc., located at Suite 500 Continental Bank Building, 200 South Main, Salt Lake City, Utah 84101, is registered with the Commission pursuant to Section 15(b) of the Securities Exchange Act of 1934, as amended.

II. Based upon information reported by the staff, the Commission has reason to believe that:

A. The offering circular contains untrue statements of material facts and omits to state material facts necessary to make the statements made, in the light of the circumstances under which they were made, not misleading, particularly with respect to:

(1) The failure to disclose that customers' funds would not be transmitted within three business days to the escrow agent pursuant to the terms of the offering;

(2) The failure to disclose that funds other than customers' funds would be used to close the escrow prior to the required number of shares being sold; and,

(3) The failure to disclose that a bona-fide distribution would not be made.

B. The terms and conditions of Regulation A were not complied with, in that:

(1) The amendments to the notification and offering circular reflecting material changes in the underwriting agreement, the amount of funds required to be expended by the company and the number of options to be issued were not on file the required waiting period prior to the offering and sale of the securities to numerous persons.

C. The offering was made in violation of section 17(a) of the Securities Act of 1933, as amended, by reason of the activities described above.

III. It, appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of Fabri-Glas, Inc. under Regulation A to be temporarily suspended;

It is ordered, Pursuant to Rule 261(a) of the General Rules and Regulations under the Securities Act of 1933, that the exemption under Regulation A be, and hereby is, temporarily suspended.

It is further ordered, Pursuant to Rule 7 of the Commission's Rules of Practice, that the Issuer file an answer to the allegations contained in this order within thirty days of the entry hereof.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within thirty days after the entry of this order; that within twenty days after the receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place of said hearing will be promptly given by the Commission. If no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall remain in effect unless it is modified or vacated by the Commission.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.73-21442 Filed 10-9-73;8:45 am]

[File No. 500-1]

FIRST LEISURE CORP.

Notice of Suspension of Trading

OCTOBER 3, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of First Leisure Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from October 3, 1973, through October 12, 1973.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.73-21452 Filed 10-9-73;8:45 am]

[File No. 500-1]

GREATER CONTINENTAL CORP.

Notice of Suspension of Trading

SEPTEMBER 27, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Greater Continental Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 2 p.m. (e.d.t.) September 27, 1973, through October 6, 1973.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.73-21447 Filed 10-9-73;8:45 am]

[File No. 500-1]

HOME-STAKE PRODUCTION CO.

Notice of Suspension of Trading

SEPTEMBER 26, 1973.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Home-Stake Production Company being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from September 27, 1973, through October 6, 1973.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.73-21445 Filed 10-9-73;8:45 am]

[File No. 7-4502]

KANSAS GAS AND ELECTRIC CO.
(KANSAS)

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

OCTOBER 2, 1973.

In the matter of application of the Boston Stock Exchange. For unlisted

trading privileges in a certain security.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchange: Kansas Gas and Electric Company (Kansas), File No. 7-4502.

Upon receipt of a request, on or before October 18, 1973, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.73-21453 Filed 10-9-73;8:45 am]

[70-5338]

OHIO POWER COMPANY AND AMERICAN ELECTRIC POWER COMPANY, INC.

Notice of Post-Effective Amendment Regarding Issue and Sale by Subsidiary Company of Common Stock and Acquisition Thereof by Holding Company

Notice is hereby given that American Electric Power Company, Inc. (AEP), a registered holding company, and its electric utility subsidiary company, Ohio Power Company (Ohio), 2 Broadway, New York, New York 10004, have filed with this Commission a post-effective amendment to the application-declaration in this proceeding pursuant to sections 6(a), 7, 9(a), and 10 of the Public Utility Holding Company Act of 1935 (Act). All interested persons are referred to the amended application-declaration, which is summarized below, for a complete statement of the proposed transactions.

By order in this proceeding dated June 29, 1973 (Holding Company Act Release No. 18013), the Commission, among other things, authorized AEP to make capital contributions from time to time prior to December 31, 1974, to Ohio in the aggregate amount of \$85,000,000. It is now proposed that American make investments in the equity of Ohio in the form of the purchase from time to time prior to December 31, 1974, of a total of 2,300,000 shares of the common stock, no par value, of Ohio for a considera-

tion of \$15 a share, or a total consideration of \$34,500,000. The purchase of such common stock would be in lieu of the making of \$34,500,000 in cash capital contributions to Ohio.

AEP recently acquired 3,000,000 shares of Ohio's common stock for a total consideration of \$45,000,000 as authorized by the Commission in another proceeding (Holding Company Act Release No. 18032 (July 13, 1973)). It is stated that the remaining balance of the \$85,000,000 of the equity investment in Ohio previously authorized by the Commission in this matter, or \$5,500,000, will be made in the form of cash capital contributions.

The filing states that the proposed issuance and sale of common stock by Ohio are subject to the jurisdiction of the Public Utilities Commission of Ohio and that no other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than October 25, 1973, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said post-effective amendment to the 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 now amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.73-21438 Filed 10-9-73;8:45 am]

[File No. 2-40886, 22-8750; 2-30132, 22-5198]

PEPSICO, INC.

Notice of Application and Opportunity for Hearing

OCTOBER 2, 1973.

Notice is hereby given that PepsiCo, Inc. (PepsiCo) has filed an application

under clause (ii) of section 310(b)(1) of the Trust Indenture Act of 1939 (the Act) for a finding that the trusteeship of the First National City Bank (Bank) under two indentures of PepsiCo is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify the Bank from acting as trustee under either of such indentures.

Section 310(b) of the Act provides in part that if a Trustee under an indenture qualified under the Act has or shall acquire any conflicting interest (as defined in the Section), it shall within ninety days after ascertaining that it has such conflicting interest, either eliminate such conflicting interest or resign. Subsection (1) of this section provides, in effect, with certain exceptions, that a trustee under an indenture shall be deemed to have a conflicting interest if such trustee is trustee under another indenture under which any other securities, or certificates of interest or participation in any other securities, of the same issuer are outstanding. However, under clause (ii) of section (1), there may be excluded from the operation of this provision another indenture or indentures under which other securities of the issuer are outstanding, if the issuer shall have sustained the burden of proving, on application to the Commission and after opportunity for hearing thereon, that trusteeship under both indentures is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify such trustee from acting as trustee under one of such indentures.

The Corporation alleges that:

(1) On December 22, 1972, Wilson Sporting Goods Co. (Wilson), a Delaware corporation, was merged into PepsiCo, a Delaware corporation, the applicant herein, pursuant to a Certificate of Ownership and Merger dated December 20, 1972.

(2) PepsiCo has issued and outstanding \$50,000,000 principal amount of 4¾ percent Convertible Subordinated Debentures due 1996 under an Indenture (the Indenture), dated as of August 1, 1971, between PepsiCo and the Bank, as Trustee.

(3) At the time of the merger Wilson had issued and outstanding \$4,731,000 principal amount of 6½ percent Subordinated Debentures due 1988 under an Indenture (the Wilson Indenture) dated as of October 15, 1968, between Wilson and the Bank as Trustee.

(4) Both such Indentures were qualified under the Act. Upon the effectiveness of the said merger, PepsiCo assumed all of Wilson's obligations under the Wilson Indenture, pursuant to a First Supplemental Indenture dated December 22, 1972, between PepsiCo and the Bank, as Trustee. Accordingly, PepsiCo has become the successor obligor under the Wilson Indenture and is the obligor under the PepsiCo Indenture. The Bank is the Trustee under both such Indentures. As used herein, "Wilson Indenture" means such indenture as so supplemented.

(5) The PepsiCo Indenture and the Wilson Indenture are wholly unsecured and the PepsiCo Debentures and the Wilson Debentures are general obligations of PepsiCo, of equal rank and without priority or preference of either one over the other. PepsiCo is not in default under either the Indenture or the Wilson Indenture.

(6) That a default under one Indenture will constitute a default under the other Indenture.

(7) The differences between the PepsiCo and Wilson Indentures are not so likely to involve the Bank, as Trustees under such Indentures, in a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify the Bank from acting as Trustee under the PepsiCo Indenture and under the Wilson Indenture.

(8) PepsiCo waives notice of hearing, and waives hearing, in connection with this matter.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to such application which is a public document on file in the offices of The Commission at 500 North Capitol Street, Washington, D.C. 20549.

Notice is further given that any interested person may, not later than October 29, 1973, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application 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. At any time after said date, the Commission may issue an order granting the application, upon terms and conditions as the Commission may deem necessary or appropriate in the public interest and the interest of investors, unless a hearing is ordered by the Commission.

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.73-21443 Filed 10-9-73;8:45 am]

[File No. 7-4456]

SOUTHERN NATURAL RESOURCES, INC.
Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

OCTOBER 2, 1973.

In the matter of application of the Boston Stock Exchange. For Unlisted Trading Privileges in a Certain Security.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f) (1) (B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchange: Southern Natural Resources, Inc., File No. 7-4456.

Upon receipt of a request, on or before October 18, 1973, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.73-21449 Filed 10-9-73;8:45 am]

[File No. 7-4503]

SOUTHERN NATURAL RESOURCES, INC.
Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

OCTOBER 2, 1973.

In the matter of application of the PBW Stock Exchange, Inc., for unlisted Trading Privileges in a Certain Security.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to Section 12(f) (1) (B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchange: Southern Natural Resources, Inc., File No. 7-4503.

Upon receipt of a request, on or before October 18, 1973, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.73-21454 Filed 10-9-73;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Application No. 51 (Amendment No. 1)]

INDIANA MOTOR RATE AND TARIFF BUREAU, INC.—AGREEMENT

OCTOBER 4, 1973.

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

Filed September 6, 1973 by:

Louis I. Webster, Attorney-In-Fact, Indiana Motor Rate and Tariff Bureau, Inc., 2165 South High School Road, Indianapolis, IN 46241.

The amendments involve: Substantive revisions of the Bylaws of Indiana Motor Rate and Tariff Bureau, Inc., relating to, among other things, termination of membership, dues, organizational structure, meetings, quorums, and voting, and of the procedures governing independent action proposals of member carriers.

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

Any person desiring to protest and participate in this proceeding shall notify the Commission in writing on or before October 30, 1973. As provided by the general rules of practice of the Commission, persons other than applicants should fully disclose their interest, and the position they intend to take with respect to the application. Otherwise, the Commission, in its discretion, may proceed to investigation and determine the matters involved, without public hearing.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc.73-21498 Filed 10-9-73;8:45 am]

[No. AB-10 (Sub-No. 4)]

NORFOLK AND WESTERN RAILWAY COMPANY SEWELLS POINT BRANCH, NORFOLK, VIRGINIA

OCTOBER 4, 1973.

The Interstate Commerce Commission hereby gives notice that by order dated October 4, 1973, it has been determined that the proposed abandonment by the Norfolk and Western Railway Company in the above-entitled proceeding of a line of railroad extending from railroad milepost 7.3 in a generally westerly direction to railroad milepost 9.4, a distance of 2.1 miles, in the City of Norfolk, Va., if approved by the Commission, would not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA) 42 U.S.C. sections 4331 et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that should the proposed abandonment be permitted, it would enable the consummation of the compromise settlement in lieu of condemnation agreement, dated September 5, 1972, between the United States of America and the Norfolk and

Western Railway Company, whereby, the approximately 495-acre tract of land (owned by the Norfolk and Western Railway Company) which the line to be abandoned traverses, will be conveyed to the United States Navy and thereby permit the commencement of the planned expansion of the Naval Air Station at Norfolk. Flight safety at the air station will be improved through a planned runway extension and availability of an over-flight zone, while two coal trains to and from Sewells Point would be rerouted directly to Lambert's Point and thereby relieve traffic congestion at several railroad grade crossings. The determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available for public inspection upon request.

Interested persons may comment on this matter by the submission of representations to the Interstate Commerce Commission, Washington, D.C. 20423, on or before October 25, 1973.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available for public inspection upon request; and

It appearing, That no environmental impact statement need be issued in this proceeding, because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. §§ 4331 et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in the City of Norfolk, Va., and certify to this Commission that this has been accomplished.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by forwarding a copy to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 4th day of October 1973.

By the Commission, Commissioner Tuggle.

[SEAL] ROBERT L. OSWALD,
Secretary.
[FR Doc.73-21499 Filed 10-9-73;8:45 am]

[Notice No. 358]

ASSIGNMENT OF HEARINGS

OCTOBER 4, 1973.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be

made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after October 10, 1973.

NO. 35717, Southern Railway Company-V-Union Pacific Railroad Company and the Denver and Rio Grande Western Railroad Company, and No. 35717 Sub 1, Louisville and Nashville Railroad Company-V-Union Pacific Railroad Company and the Denver and Rio Grande Western Railroad Company, continued to November 20, 1973, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 130175, E. E. & G. Inc., d.b.a. Shakespeare Travel Centre, now being assigned hearing November 26, 1973 (2 days), at Hartford, Conn., in a hearing room to be later designated.

MC 12426 Sub 2, Groups Unlimited, Inc., now being assigned hearing November 28, 1973 (3 days), at New York, N.Y., in a hearing room to be later designated.

MC 105045 Sub 40, R. L. Jeffries Trucking Co., Inc., now assigned October 15, 1973, at Chicago, Ill., is cancelled and the application is dismissed.

MC 135524 Sub 11, G. F. Trucking Co., now being assigned hearing November 26, 1973 (1 day), at Columbus, Ohio in a hearing room to be later designated.

MC 14702 Sub 50, Ohio Fast Freight, Inc., now being assigned hearing November 27, 1973 (1 day), at Columbus, Ohio, in a hearing room to be later designated.

MC-F-11921, Dart Transit Company—Purchase—Chicago Freight Lines, Inc., now being assigned hearing November 28, 1973 (3 days), at Columbus, Ohio, in a hearing room to be later designated.

MC 2202 Sub 447, Roadway Express, Inc., now being assigned hearing December 3, 1973 (1 week), at Cleveland, Ohio, in a hearing room to be later designated.

FF-C-53, Down-East Shippers, Inc., And Trailer Train, Inc.—Investigation of Operations, now being assigned November 26, 1973, at Boston, Mass., in a hearing room to be later designated.

MC 128343 Sub 23, C-Line, Inc., now being assigned November 28, 1973, at Boston, Mass., in a hearing room to be later designated.

MC-111812 Sub 489, Midwest Coast Transport, Inc., now being assigned hearing November 29, 1973 (2 days), at Boston, Mass., in a hearing room to be later designated.

MC-67200 Sub 39 & 40, The Furniture Transport Co., Inc., now being assigned hearing December 3, 1973 (1 week), at Boston, Mass., in a hearing room to be later designated.

MC-C-8132, Leonard Bros. Trucking Co., Inc.—Investigation and Revocation of Certificates, now being assigned hearing December 3, 1973 (2 days), at Miami, Fla., in a hearing room to be later designated.

MC-C-8040, AG Carriers, Inc.—Investigation of Operations and Practices, now being assigned hearing December 5, 1973 (1 day), at Miami, Fla., in a hearing room to be later designated.

FF-C-50, Sunshine State Shippers and Receivers Association, Inc., Harry De Montmollin, and Florida All State Consolidators, Inc., Jacksonville, Florida—Investigation of Operations—now being assigned hearing December 7, 1973 (1 day), at Jacksonville, Fla., in Room 765, 400 West Bay St.

MC-F-11786, Continental Van Lines, Inc.—Purchase—Delcher Brothers Storage Company, now being assigned hearing Decem-

ber 10, 1973 (1 week), in Room 765, 400 West Bay Street, Jacksonville, Fla.
MC-C-8101, Belknap Van & Storage of San Antonio, Inc., Belknap Warehouse Corp., Burnham Van Service, Inc., and U.S. Van Lines, Inc.—Investigation of Operations—now assigned October 23, 1973, at Dallas, Tex., is cancelled.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-21503 Filed 10-9-73;8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

OCTOBER 4, 1973.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1100.40) and filed on or before October 25, 1973.

FSA No. 42755—Woodpulp from Fort Frances, Ontario, Canada. Filed by Western Trunk Line Committee, Agent (No. A-2691), for interested rail carriers. Rates on woodpulp, not powdered, NOIBN, in box cars only, as described in the application, from Fort Frances, Ontario, Canada, to points in western trunk-line territory, Illinois, Indiana, and Kentucky.

Grounds for relief—Market competition, short-line distance formula and grouping.

Tariff—Supplement 201 to Western Trunk Line Committee, Agent, tariff W-2000-J, I.C.C. No. A-4669. Rates are published to become effective on November 10, 1973.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-21501 Filed 10-9-73;8:45 am]

[Notice No. 369]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings.

Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon

by petitioners must be specified in their petitions with particularity.

No. MC-FC-74482. By order of September 20, 1973, the Motor Carrier Board approved the transfer to Southern California Motor Delivery, Inc., Montebello, Calif., of a portion of the operating rights set forth in Certificate No. MC-23939 (Sub-No. 1), issued June 9, 1972, to Asbury Transportation Co., A Corporation, Los Angeles, Calif., authorizing the transportation of general commodities, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk, between points in the Los Angeles, Calif., and Los Angeles Harbor Commercial Zone, as defined by the Commission. Donald Murchison, Suite 400, 9454 Wilshire Blvd., Beverly Hills, Calif. 90212. Attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-21504 Filed 10-9-73;8:45 am]

[Notice No. 135]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 3, 1973.

The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

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

MOTOR CARRIERS OF PROPERTY

No. MC 102616 (Sub-No. 880 TA), filed September 26, 1973. Applicant: COASTAL TANK LINES, INC., 215 East Waterloo Road, P.O. Box 7211 (box zip 44319), Akron, Ohio 44306. Applicant's representative: James Annand (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dis-*

tillate fuel oils, in bulk, in tank vehicles, from Vienna, Md., to Tasley, Va., for 180 days. SUPPORTING SHIPPER: Delmarva Power & Light Co. (D.P. & L. Co.), Salisbury, Md. 21801. SEND PROTESTS TO: Franklin D. Ball, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Bldg., 1240 East Ninth Street, Cleveland, Ohio 44199.

No. MC 111729 (Sub-No. 401 TA), filed September 26, 1973. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success (NHP-PO) N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Biological laboratory samples, blood specimens, serum specimens, and other clinical laboratory specimens, business papers, records, audit, and accounting media*, between Grand Rapids, Mich., on the one hand, and, on the other, points in Illinois, Indiana, and Ohio, for 180 days. SUPPORTING SHIPPER: Continental Bio-Clinical Laboratory, 2823 Clydon SW., Grand Rapids, Mich. 49509. SEND PROTESTS TO: Anthony D. Giaimo, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 116519 (Sub-No. 20 TA), filed September 25, 1973. Applicant: FREDERICK TRANSPORT LIMITED, R.R. 6, Chatham, Ontario, Canada. Applicant's representative: S. Harrison Kahn, Suite 733 Investment Bldg., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery and agricultural implements, and parts and attachments thereto* when transported in mixed shipments with agricultural machinery and agricultural implements, from South Bend and LaPorte, Ind., to ports of entry on the United States-Canada boundary line located in New York and Michigan, for 90 days. SUPPORTING SHIPPER: White-Cockshutt Farm Equipment, Traffic Manager, Douglas W. Haney, Brantford, Ontario, Canada. SEND PROTESTS TO: Melvin F. Kirsch, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1110 Broderick Tower, 10 Witherell Street, Detroit, Mich. 48226.

No. MC 118431 (Sub-No. 14 TA), filed September 25, 1973. Applicant: DENVER SOUTHWEST EXPRESS, INC., 8716 L Street, Omaha, Nebr. 68127. Applicant's representative: David R. Parker, 605 So. 14 Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the plantsites and facilities utilized by Kitchens of Sara Lee located at or near Deerfield and Chicago, Ill., to points in Oklahoma and Texas, for 180 days. SUPPORTING SHIPPER: Kitchens of Sara Lee, Charles G. Sladek, Traffic Services Supervisor, 500 Wau-

kegan Road, Deerfield, Ill. 60015. SEND PROTESTS TO: District Supervisor Carroll Russell, Interstate Commerce Commission, Bureau of Operations, Suite 620, Union Pacific Plaza Bldg., 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 119493 (Sub-No. 105 TA), filed September 24, 1973. Applicant: MONKEM COMPANY, INC., P.O. Box 1196, West 20th St. Road, Joplin, Mo. 64801. Applicant's representative: Ray F. Kempt (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Waste and mixed corrugated paper, waste rags, sawdust, and wood chips*, from points in Nebraska, Iowa, and Illinois, to the plantsite of Tamko Products, Co., Joplin, Mo., for 180 days. SUPPORTING SHIPPER: Tamko Asphalt Products, Inc., P.O. Box 1404, Joplin, Mo. 64801. SEND PROTESTS TO: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operation, 600 Federal Office Bldg., 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 125023 (Sub-No. 18 TA), filed September 25, 1973. Applicant: SIGMA-4 EXPRESS, INC., 3825 Beech Avenue, Erie, Pa. 16508. Applicant's representative: Richard G. McCurdy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverage* in containers, from Milwaukee, Wis., to Vandergrift, Pa., for 180 days. SUPPORTING SHIPPER: Spaniel Beer Distributing Company, 77 Washington Avenue, Vandergrift, Pa. 15690. SEND PROTESTS TO: District Supervisor John J. England, Interstate Commerce Commission, Bureau of Operations, 2111 Federal Bldg., 1000 Liberty Avenue, Pittsburgh, Pa. 15222.

No. MC 125433 (Sub-No. 47 TA), filed September 26, 1973. Applicant: F-B TRUCK LINE COMPANY, 1891 West 2100 South, Salt Lake City, Utah 84119. Applicant's representative: David J. Lister (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed car bodies, scrap auto engine blocks, and transmission*, (1) from points in Arizona, Colorado, Idaho, Montana, New Mexico, and Nevada, to Salt Lake City, Utah, and (2) from points in Arizona, Colorado, Idaho, Montana, New Mexico, and Nevada, to Seattle, Wash. for 180 days. SUPPORTING SHIPPER: Auto Recyclers Corp., 202 South Jasmine St., Denver, Colo. 80222. SEND PROTESTS TO: District Supervisor Lyle D. Helfer, Bureau of Operations, Interstate Commerce Commission, 5239 Federal Building, 125 South State Street, Salt Lake City, Utah 84138.

No. MC 133119 (Sub-No. 28 TA), filed September 26, 1973. Applicant: HEYL TRUCK LINES, INC., 235 Mill Street, P.O. Box 206, Akron, Iowa 51001. Applicant's representative: A. J. Swanson, 521 So. 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate

as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potatoes*, frozen and *potato products*, from Grand Forks, N. Dak., to points in Arkansas, Oklahoma, and Texas, for 180 days. SUPPORTING SHIPPER: Mr. Don Morris, Traffic Manager, Western Potato Service, Inc., P.O. Box 1391, Grand Forks, N. Dak. 58201. SEND PROTESTS TO: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Suite 620, Union Pacific Plaza Bldg., 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 136627 (Sub-No. 1 TA), filed September 26, 1973. Applicant: HENRY B. DENNEY, doing business as STEAM-RACK SERVICE, 1000 Cunningham Drive, P.O. Box 2305, Sioux City, Iowa 51107. Applicant's representative: George L. Hirschbach, 309 Badgerow Bldg., Sioux City, Iowa 51101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* as described in "Descriptions in Motor Carrier Certificates," 61 M.C.C. 209, between Sioux City Iowa, and Elk Point, S. Dak., for 180 days. RESTRICTION: The operation authorized herein is restricted to the transportation of traffic having a prior or subsequent movement by rail. SUPPORTING SHIPPER: Victor G. Etem, Vice President, Elk Point Operations, CMI/Load King Division, Elk Point, S. Dak. 57025. SEND PROTESTS TO: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Suite 620, Union Pacific Plaza Bldg., 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 136786 (Sub-No. 32 TA), filed September 25, 1973. Applicant: ROBCO TRANSPORTATION, INC., 3033 Excelsior Boulevard, Rm. 205, Minneapolis, Minn. 55416. Applicant's representative: K. O. Petrick (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen potatoes and potato products*, from the plantsite and storage facilities utilized by J. S. Industries, Inc., at Presque Isle and Caribou, Maine, to points in Texas, Louisiana, Arkansas, Mississippi, Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, Kentucky, Virginia, West Virginia, Ohio, Indiana, Illinois, Michigan, Missouri, Iowa, Wisconsin, and Minnesota, for 150 days. SUPPORTING SHIPPER: Potato Service Inc., P.O. Box 809, Presque Isle, Maine 04769. SEND PROTESTS TO: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building & U.S. Court House, 110 S. 4th Street, Minneapolis, Minn. 55401.

No. MC 136898 (Sub-No. 1 TA), filed September 26, 1973. Applicant: BAKER

TRANSPORT, INC., P.O. Box 870, Hartselle, Ala. 35640. Applicant's representative: Robert E. Tate, P.O. Box 517, Evergreen, Ala. 36401. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wire, cable, rod, conduit, reels, aluminum and aluminum products, copper and copper products, and plastic compounds* (except in bulk), from Hawesville, Ky. and Carrollton, Ga., to points in the United States in and east of North Dakota, South Dakota, Nebraska, Oklahoma, Kansas, and Texas and (2) *materials and supplies* used in the manufacture of wire, cable, rod, conduit, reels, aluminum and aluminum products, copper and copper products, and plastic compound (except in bulk), from points in the United States in and east of North Dakota, South Dakota, Nebraska, Oklahoma, Kansas, and Texas, to Hawesville, Ky., and Carrollton, Ga., for 180 days. SUPPORTING SHIPPER: Southwire Company, Fertilla Street, Carrollton, Ga. 30117. SEND PROTESTS TO: Clifford W. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 814, 2121 Building, Birmingham, Ala. 35203.

No. MC 139118 TA, filed September 26, 1973. Applicant: GENERAL MOVERS CORPORATION, Lakewood Industrial Park, Building 16, P.O. Box 3383, Tacoma, Wash. 98499. Applicant's representative: George R. La Bissoniere, 130 Andover Park East, Suite 101, Seattle, Wash. 98188. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in King, Pierce, Snohomish, Kitsap, Skagit, Island, Thurston, and Yakima Counties, Wash., for 180 days. Restriction: Used household goods as defined by the Commission is restricted to the transportation of traffic having a prior or subsequent movement beyond said points in containers and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating and decontainerization of such traffic. Supporting shippers: Davidson Forwarding Company, 698 Fairmount Ave., Baltimore, Md. 21204; National Carloading Corporation, 1269 Barclay Circle SE., Marietta, Ga. 30062; Northwest Consolidators Inc., P.O. Box 55010, North City Station, Seattle, Wash. 98155; and Richardson Transfer & Storage Co., 992 East Artesia Blvd., Long Beach, Calif. 90805. Send protests to: L. D. Boone, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 6049 Federal Office Building, Seattle, Wash. 98104.

No. MC 139119 TA, filed September 26, 1973. Applicant: ROBERT P. HINSON,

doing business as KNIGHTWOOD ENTERPRISES, 3903 North Monroe, Hutchinson, Kans. 67501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, in flatbed trallers, between points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Nebraska, New Mexico, Ohio, Oklahoma, Pennsylvania, Tennessee, and Texas, for 180 days. SUPPORTING SHIPPER: Azcon Corporation, Brown-Strauss Division, 14th & Osage Streets, Kansas City, Kans. 66119. SEND PROTESTS TO: M. E. Taylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 501 Petroleum Building, Wichita, Kans. 67202.

No. MC 139120 TA, filed September 26, 1973. Applicant: P & M TRANSPORT, INC., 13835 NE 205th, Woodinville, Wash. 98072. Applicant's representative: George R. Karglans, 2120 Pacific Building, Seattle, Wash. 98104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Distillate heating oil, fuel, and gasoline*, between points in Washington, Oregon, and Idaho, for 180 days. SUPPORTING SHIPPER: F. O. Fletcher, Inc., d.b.a. Fletcher Oil, P.O. Box 2115, Tacoma, Wash. 98401. SEND PROTESTS TO: L. D. Boone, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 6049 Federal Office Bldg., Seattle, Wash. 98104.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-21500 Filed 10-9-73;8:45 am]

[Notice No. 370]

MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 4, 1973.

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-74765. By application filed September 28, 1973, ICL TRUCK LINE, INC., 2732 Felix St., St. Joseph, MO 64501, seeks temporary authority to lease the operating rights of INDUSTRIAL CITY LINES, INC., 814 North 3d St., St. Joseph, MO 64501, under section 210a(b). The transfer to ICL TRUCK LINE, INC., of the operating rights of INDUSTRIAL CITY LINES, INC., is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.73-21502 Filed 10-9-73;8:45 am]

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