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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 12—Banks and Banking CHAPTER II—FEDERAL RESERVE SYSTEM

SUBCHAPTER A—BOARD OF GOVERNORS [Reg. Y]

PART 225—BANK HOLDING COMPANIES

Nonbanking Activities of Bank Holding Companies

As an incident to the amendment to 12 CFR 125.123 (FR document 75-6558 appearing at page 11710 of the issue for Thursday, March 13, 1975), paragraphs (a) through (g) are redesignated as (a), (b), (c), (d), and (e).¹

By order of the Board of Governors,
March 20, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.75-7991 Filed 3-26-75; 8:45 am]

PART 265—RULES REGARDING DELEGATION OF AUTHORITY

Review and Determination of Appeals Under the Freedom of Information Act

The purpose of this amendment is to reflect the delegation of authority to review and make determinations with respect to an appeal of denial of access to records of the Board requested pursuant to the Freedom of Information Act and provided for in § 261.4(e) of the Board's rules regarding availability of information. To accomplish this delegation § 265.1a(b) is added as set forth below.

Section 265.1(b) is added to read as follows:

§ 265.1 Specific functions delegated to Board Members.

(b) Any Board member designated by the Chairman is authorized:

(1) Under section (a) (6) of the Freedom of Information Act (5 U.S.C. 552) and Part 261 of this Chapter (Rules Regarding Availability of Information) to review and make a determination with respect to an appeal of denial of access to records of the Board made in accordance with the procedures prescribed by the Board.

(2) The provisions of section 553 of title 5, United States Code, relating to notice and public participation and to deferred effective dates, are not followed in connection with the adoption of

¹ A copy of the entire interpretation is available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20561.

§ 265.1(b) because the rule involved therein is procedural in nature and accordingly does not constitute a substantive rule subject to the requirements of such section.

Effective date. This amendment is effective immediately.

By order of the Board of Governors,
March 19, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.75-7910 Filed 3-26-75; 8:45 am]

Title 14—Aeronautics and Space CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airworthiness Docket No. 75-WE-17-AD;
Amdt. 39-2144]

PART 39—AIRWORTHINESS DIRECTIVES AiResearch Model TFE731-2 and -3 Series Engines

Pursuant to the authority delegated to me by the Administrator (31 FR 13697), an airworthiness directive was adopted on February 28, 1975, and distributed by airmail letter dated February 28, 1975, to all known United States operators or owners of aircraft incorporating AiResearch Model TFE731-2 and -3 series engines. The directive requires: an initial and recurring inspection of the transfer gearbox bearing support; replacements, if required; and provides for termination of these inspections when an improved bearing support is installed.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impractical and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known operators of AiResearch Model TFE731-2 and -3 series engines by individual airmail letter dated February 28, 1975.

The AD, as published herein, provides for the use of later FAA-approved revisions to the Service Bulletin referenced in paragraph (B).

These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an Amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

AI RESEARCH MANUFACTURING COMPANY OF ARIZONA. Applies to AiResearch TFE731-2 and -3 series engines.

Compliance required as indicated.

To detect, prevent and correct wear of the transfer gearbox vertical bevel gear bearing support which can result in failure of the accessory drive and contamination of the

engine lubrication system, accomplish the following:

(a) Within the next 25 hours time in service after receipt of this airmail letter, unless previously accomplished, and at intervals not to exceed 50 hours time in service thereafter, inspect the lower shoulder of transfer gearbox vertical bearing support for wear and replacements as required per AiResearch Service Bulletin TFE731-72-3019, dated February 27, 1975, or later FAA-approved revisions.

(b) The inspection required by paragraph (A), above, may be discontinued when the transfer gearbox bearing support, P/N 3070217-1, is replaced with an improved bearing support, P/N 3070217-3, per AiResearch Service Bulletin TFE731-72-3020, dated February 27, 1975, [or later FAA-approved revisions], or the transfer gearbox assembly, P/N 3070093-3, is replaced with a serviceable assembly which has been modified by incorporation of change No. 2, described in the above referenced Service Bulletin. Bearing supports, P/N 3070217-1, which are removed from service shall be rendered unserviceable.

(c) Equivalent procedures may be approved by the Chief, Aircraft Engineering Division, FAA Western Region, upon submission of adequate substantiating data.

(d) Aircraft may be flown to a base for performance of maintenance required by this AD per FAR's 21.197 and 21.199.

This amendment becomes effective April 3, 1975, for all persons except those to whom it was made effective by airmail letters dated February 28, 1975.

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

Issued in Los Angeles, California, on
March 18, 1975.

ROBERT H. STANTON,
Director,
FAA Western Region.

[FR Doc.75-8041 Filed 3-26-75; 8:45 am]

[Airspace Docket No. 74-NE-59]

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

Alteration of Transition Area

On Page 4444 of the FEDERAL REGISTER dated January 30, 1975, (40 FR 4444), the Federal Aviation Administration published a notice of proposed rule making which would alter the Providence, Rhode Island, 700-foot Transition Area.

Interested parties were given thirty (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., June 19, 1975 as set forth below.

RULES AND REGULATIONS

(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 Burlington, Massachusetts, on March 13, 1975.

QUENTIN S. TAYLOR,
Director, New England Region.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Providence, Rhode Island, proposes the airspace action hereinafter set forth:

§ 71.181 [Amended]

1. Amend the description of the Providence, Rhode Island, Transition Area in § 71.181 of Part 71 of the Federal Aviation Regulations as follows:

After the words "within a 7-mile radius of the New Bedford, Massachusetts, Municipal Airport (Latitude 41°40'37" N., Longitude 70°57'34" W.), within 8 miles SE and 11 miles NW of the New Bedford ILS localizer SW course, extending from the localizer to 12 miles SW of the Om."

Add: "and within 3 miles each side of the 038° bearing from the New Bedford, Massachusetts, OM, extending from the 7-mile radius to 14.5 miles NE of the New Bedford, Massachusetts, OM, * * *"

[FR Doc.75-8044 Filed 3-26-75;8:45 am]

[Airspace Docket No. 74-NE-59]

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

Transition Area; Correction

On Page 7627 of the FEDERAL REGISTER dated February 21, 1975 (40 FR 7627), the Federal Aviation Administration published an editorial correction to the description of the Providence, Rhode Island, Transition Area by deleting all reference to "NAS Quonset Point" and inserting in lieu thereof "Quonset Point, Rhode Island, Airport." The correct reference should have been "Quonset State Airport." Accordingly, the description of the Providence, Rhode Island, Airport is hereby amended by deleting all reference to "Quonset Point, Rhode Island, Airport" and inserting in lieu thereof the words "Quonset State Airport."

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

In view of the foregoing, the description of the Providence, Rhode Island, Transition Area in § 71.181 of Part 71 of the Federal Aviation Regulations is hereby amended by deleting all reference to "Quonset Point, Rhode Island, Airport" and inserting in lieu thereof "Quonset State Airport."

(Sec. 307(a) of the Federal Aviation Act of 1958 [49 U.S.C. 1348(a)] and of sec. 6(c) of

the Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Burlington, Massachusetts, on March 13, 1975.

QUENTIN S. TAYLOR,
Director, New England Region.
[FR Doc.75-8043 Filed 3-26-75;8:45 am]

[Airspace Docket No. 75-SO-7]

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

Redesignation and Alteration of Transition Areas

On February 5, 1975, a Notice of Proposed Rule Making was published in the FEDERAL REGISTER (40 FR 5373), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would redesignate and alter the Meridian, Miss. (Key Field) and (NAS Meridian), transition areas.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. There were no comments received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., June 19, 1975, as hereinafter set forth.

§ 71.181 [Amended]

In § 71.181 (40 FR 441), the Meridian, Miss. (Key Field) and (NAS Meridian) transition areas are amended to read:

MERIDIAN, MISS.

That airspace extending upward from 700 feet above the surface within an 11-mile radius of Key Field (Lat. 32°19'58" N., Long. 88°45'05" W.); within 3 miles each side of the ILS localizer south course, extending from the 11-mile radius area to 8.5 miles south of the RBN; within 3 miles each side of the 191° bearing from Meridian RBN, extending from the 11-mile radius area to 8.5 miles south of the RBN; within 5 miles each side of Meridian VORTAC 315° radial, extending from the 11-mile radius area to 11.5 miles northwest of the VORTAC; within a 10-mile radius of NAS Meridian (Lat. 32°33'27" N., Long. 88°33'33" W.); within 3.5 miles each side of the 021° bearing from NAS Meridian UHF RBN, extending from the 10-mile radius area to 11.5 miles north of the RBN, and the airspace east, bounded on the north by the arc of a 10-mile radius circle centered on NAS Meridian, on the east by the Kewanee VORTAC 005° and 179° radials, on the south by the Meridian VORTAC 110° radial, and on the west by the arc of an 11-mile radius circle centered on Key Field.

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

Issued in East Point, Ga., on March 17, 1975.

PHILLIP M. SWATEK,
Director, Southern Region.
[FR Doc.75-7915 Filed 3-26-75;8:45 am]

[Airspace Docket No. 74-EA-96]

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

Alteration of Control Zone and Transition Area

On page 2824 of the FEDERAL REGISTER for January 16, 1975, the Federal Aviation Administration published a proposed rule which would alter the Lancaster, Pa., Control Zone (40 FR 398) and Transition Area (40 FR 525).

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 regulation is hereby adopted, effective 0901 G.m.t. June 19, 1975.

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 March 7, 1975.

DUANE W. FREER,
Director, Eastern Region.

§ 71.171 [Amended]

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

Within a 5-mile radius of the center, 40°07'16" N., 76°17'47" W. of Lancaster Airport, Lancaster, Pa.; within 3 miles each side of the Lancaster VORTAC 260° radial, extending from the VORTAC to 8.5 miles west; within 3 miles each side of the Lancaster VORTAC 128° radial, extending from the VORTAC to 8.5 miles southeast; within 2 miles each side of the Lancaster VORTAC 055° radial, extending from the VORTAC to 5 miles northeast. This control zone is effective from 0700 to 2300 hours, local time, daily.

§ 71.181 [Amended]

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

That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of the center 40°07'16" N., 76°17'47" W. of Lancaster Airport, Lancaster, Pa.; within 3 miles each side of the Lancaster VORTAC 260° radial, extending from the 7.5-mile radius area to 8.5 miles west of the VORTAC; within 9.5 miles northeast and 4.5 miles southwest of the Lancaster VORTAC 128° radial, extending from the VORTAC to 18.5 miles southeast of the VORTAC; within 3.5 miles each side of the Lancaster Airport ILS southwest localizer course, extending from the 7.5-mile radius area to 10.5 miles southwest of the OM; within 5 miles each side of the Lancaster VORTAC 055° radial, extending from the 7.5-mile radius area to 16.5 miles northeast of the VORTAC.

[FR Doc.75-7919 Filed 3-26-75;8:45 am]

[Docket No. 14454; Amdt. No. 961]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Recent Changes and Additions

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAPs) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 3139, 8260-3, 8260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 FR 5609).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Document Inspection Facility, HQ-405, 800 Independence Avenue SW., Washington, D.C. 20591 or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of \$150 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the same address may be ordered for \$30 each.

Since a situation exists that requires immediate adoption of this amendment, I find that further notice and public procedure hereon is impracticable and good cause exists for making it effective in less than 30 days.

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

§ 97.23 [Amended]

1. Section 97.23 is amended by originating, amending, or canceling the following VOR-VOR/DME SIAPs, effective May 8, 1975:

- Albert Lea, Minn.—Albert Lea Municipal Arpt., VOR Rwy 16, Amdt. 3
- Charleston, S.C.—Charleston AFB/Municipal Arpt., VOR Rwy 33, Amdt. 6
- Cheraw, S.C.—Cheraw Municipal Arpt., VOR-A, Amdt. 4
- Dallas, Tex.—Dallas Love Field, VOR/DME Rwy 13R, Amdt. 1
- Dallas, Tex.—Dallas Love Field, VOR Rwy 18, Amdt. 17
- Dallas, Tex.—Dallas Love Field, VOR Rwy 36, Amdt. 9
- Dayton, Ohio—Montgomery County Arpt., VOR-A, Amdt. 8
- Dayton, Ohio—Montgomery County Arpt., VOR Rwy 20, Amdt. 4

- Lawton, Okla.—Lawton Municipal Arpt., VOR Rwy 35, Amdt. 15
- New Orleans, La.—Lakefront Arpt., VOR/DME Rwy 35, Orig.
- Philadelphia, Pa.—Philadelphia Int'l. Arpt., VOR/DME-A, Orig.
- Philadelphia, Pa.—Philadelphia Int'l. Arpt., VOR/DME, Rwy 27R, Amdt. 3, cancelled
- Rock Springs, Wyo.—Rock Springs-Sweetwater County Arpt., VOR-B, Amdt. 1
- Rock Springs, Wyo.—Rock Springs-Sweetwater County Arpt., VOR/DME Rwy 25, Amdt. 1
- Springfield, Ohio—Springfield Municipal Arpt., VOR Rwy 5, Amdt. 2
- Springfield, Ohio—Springfield Municipal Arpt., VOR Rwy 23, Amdt. 2
- Starkville, Miss.—Oktoberfest Arpt., VOR-B, Amdt. 5

*** effective April 24, 1975:

- Aurora, Ill.—Aurora Municipal Arpt., VOR-A, Amdt. 5

*** effective March 18, 1975:

- Poughkeepsie, N.Y.—Dutchess County Arpt., VORTAC Rwy 24, Amdt. 1

§ 97.25 [Amended]

2. Section 97.25 is amended by originating, amending, or canceling the following SDF-LOC-LDA SIAPs, effective May 8, 1975:

- Brownsville, Tex.—Brownsville Int'l. Arpt., LOC (BC) Rwy 31L, Amdt. 2
- Charleston, S.C.—Charleston AFB/Municipal Arpt., LOC (BC) Rwy 33, Amdt. 5
- Dallas, Tex.—Dallas Love Field, LOC (BC) Rwy 13R, Amdt. 8
- Dallas, Tex.—Dallas Love Field, LOC (BC) Rwy 31R, Amdt. 22
- Des Moines, Iowa—Des Moines Municipal Arpt., LOC (BC) Rwy 12L, Amdt. 5
- Fort Worth, Tex.—Meacham Field, LOC (BC) Rwy 34R, Amdt. 1
- Philadelphia, Pa.—Philadelphia Int'l. Arpt., LOC Rwy 27R, Orig.
- Redding, Calif.—Redding Municipal Arpt., LOC/DME (BC) Rwy 16, Amdt. 1
- Valparaiso, Ind.—Porter County Municipal Arpt., LOC Rwy 27, Amdt. 2

*** effective March 20, 1975:

- Nashville, Tenn.—Nashville Metropolitan Arpt., LOC Rwy 31, Amdt. 1

§ 97.27 [Amended]

3. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAPs, effective May 8, 1975:

- Aiken, S.C.—Aiken Municipal Arpt., NDB-A, Amdt. 3
- Blanding, Utah—Blanding Municipal Arpt., NDB Rwy 35, Amdt. 2
- Corning, Iowa—Corning Municipal Arpt., NDB Rwy 17, Amdt. 1
- Dallas, Tex.—Dallas Love Field, NDB Rwy 13L, Amdt. 8
- Dallas, Tex.—Dallas Love Field, NDB Rwy 31R, Amdt. 11, cancelled
- Dayton, Ohio—Montgomery County Arpt., NDB Rwy 9, Orig.
- Fairview, Okla.—Fairview Municipal Arpt., NDB Rwy 17, Amdt. 1
- Fort Worth, Tex.—Meacham Field, NDB Rwy 34R, Amdt. 1
- French Lick, Ind.—French Lick Municipal Arpt., NDB Rwy 26, Amdt. 2
- Kahului, Hawaii—Kahului Arpt., NDB Rwy 20, Orig.
- Philadelphia, Pa.—Philadelphia Int'l. Arpt., NDB Rwy 27L, Amdt. 1
- Red Oak, Iowa—Red Oak Municipal Arpt., NDB Rwy 17, Amdt. 1

- Rock Springs, Wyo.—Rock Springs-Sweetwater County Arpt., NDB-A, Amdt. 1
- Springfield, Ohio—Springfield Municipal Arpt., NDB Rwy 23, Amdt. 9
- Valparaiso, Ind.—Porter County Municipal Arpt., NDB Rwy 27, Amdt. 2

*** effective April 24, 1975:

- Angola, Ind.—Tri-State Arpt., NDB Rwy 5, Orig.

*** effective March 19, 1975:

- Mt. Vernon, Ill.—Mt. Vernon-Outland Arpt., NDB Rwy 23, Amdt. 2, cancelled

*** effective March 18, 1975:

- McRae, Ga.—Telfair-Wheeler Arpt., NDB Rwy 20, Amdt. 3

§ 97.29 [Amended]

4. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAPs, effective May 8, 1975:

- Dallas, Tex.—Dallas Love Field, ILS Rwy 13L, Amdt. 22
- Dallas, Tex.—Dallas Love Field, ILS Rwy 31L, Amdt. 10
- Lawton, Okla.—Lawton Municipal Arpt., ILS Rwy 35, Amdt. 1
- Orlando, Fla.—McCoy AFB, ILS Rwy 36L, Amdt. 3
- Philadelphia, Pa.—Philadelphia Int'l. Arpt., ILS Rwy 27R, Amdt. 2, cancelled
- Rock Springs, Wyo.—Rock Springs-Sweetwater County Arpt., ILS Rwy 25, Amdt. 18

*** effective April 3, 1975:

- Buffalo, N.Y.—Greater Buffalo Int'l. Arpt., ILS Rwy 23, Amdt. 23

*** effective March 12, 1975:

- Washington, D.C.—Dulles Int'l. Arpt., ILS Rwy 19L, Amdt. 4
- Washington, D.C.—Dulles Int'l. Arpt., ILS Rwy 19R, Amdt. 13

§ 97.31 [Amended]

5. Section 97.31 is amended by originating, amending, or canceling the following RADAR SIAPs, effective May 8, 1975:

- Baton Rouge, La.—Ryan Arpt., RADAR-1, Amdt. 2
- Charleston, S.C.—Charleston AFB/Municipal Arpt., RADAR-1, Amdt. 8
- Columbia, S.C.—Columbia Metropolitan Arpt., RADAR-1, Amdt. 1
- Dallas, Tex.—Dallas Love Field, RADAR-1, Amdt. 20

6. Section 97.33 is amended by originating, amending, or canceling the following RNAV SIAPs, effective May 8, 1975:

- Columbia, Mo.—Columbia Regional Arpt., RNAV Rwy 20, Orig.
- Hastings, Neb.—Hastings Municipal Arpt., RNAV Rwy 14, Orig.

*** effective April 24, 1975:

- Aurora, Ill.—Aurora Municipal Arpt., RNAV Rwy 9, Amdt. 2

*** effective March 12, 1975:

- Washington, D.C.—Dulles Int'l. Arpt., RNAV Rwy 12, Amdt. 3
- Washington, D.C.—Dulles Int'l. Arpt., RNAV Rwy 19R, Amdt. 2

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1958; (49 U.S.C. 1438, 1854, 1421, 1510), sec. 6(c) Department of Transportation Act, (49 U.S.C. 1655(c)) and (5 U.S.C. 552(a)(1)).)

Issued in Washington, D.C., on March 20, 1975.

JAMES M. VINES,
Chief,
Aircraft Programs Division.

NOTE.—Incorporation by reference provisions in §§ 97.10 and 97.20 approved by the Director of the Federal Register on May 12, 1969 (35 FR 5610).

[FR Doc. 75-8042 Filed 3-26-75; 8:45 am]

Title 16—Commercial Practices
CHAPTER I—FEDERAL TRADE
COMMISSION

[Docket C-2608]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

American Credit Bureau, Inc., et al.

Subpart—Coercing and intimidating: § 13.356¹ *Delinquent debtors*. Subpart—Corrective actions and/or requirements: § 13.533 *Corrective actions and/or requirements*: § 13.533-20 *Disclosures*. Subpart—Enforcing dealings or payments wrongfully: § 13.1045 *Enforcing dealings or payments wrongfully*. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1390 *Concealed subsidiary, fictitious collection agency, etc.*; § 13.1440 *Identity*; § 13.1490 *Nature*; § 13.1500 *Official connections*; § 13.1520 *Personnel or staff*. Subpart—Securing information by subterfuge: § 13.2168 *Securing information by subterfuge*. Subpart—Threatening suits, not in good faith: § 13.2264 *Delinquent debt collection*.

(Sec. 6, 38 Stat. 721; (15 U.S.C. 46). Interprets or applies sec. 5, 38 Stat. 719, as amended; (15 U.S.C. 45))

In the Matter of American Credit Bureau, Inc., American Credit Bureau of Nevada, Inc., American Credit Bureau of Tucson, Inc., American Creditors Bureau of Dallas, Inc., American Creditors Bureau of Houston, Inc., American Creditors Bureau of Philadelphia, Inc., American Creditors Bureau of Colorado, Inc., American Collections, Inc., American Collections, Inc. of Georgia, Doctors' Business Bureau, Lusk Collection Agency, Affiliated Creditors Bureau, Inc., all Corporations, and Jemama Investment Company, Inc., a Corporation, Also Trading as American Creditors Bureau of San Diego, American Creditors Bureau of Los Angeles, and American Creditors Bureau of San Francisco, and Jerry Raker, Jerry Middleman and Jack J. Schwartz, Individually and as Officers of Said Corporations

Consent order requiring thirteen debt collection agencies, among other things to cease misrepresenting the nature of their business; misrepresenting that legal actions have been instituted against debtors; misrepresenting the remedies available to respondents or defenses available to debtors; harrasing debtors; and misrepresenting the position or function of respondents' agents or employees.

The Decision and Order, including further order requiring report of compliance therewith, is as follows: *

ORDER

It is ordered, That respondents American Credit Bureau, Inc., American Credit Bureau of Nevada, Inc., American Credit Bureau of Tucson, Inc., American Creditors Bureau of Dallas, Inc., American Creditors Bureau of Houston, Inc., American Creditors Bureau of Philadelphia, Inc., American Creditors Bureau of Colorado, Inc., American Collections, Inc., American Collections, Inc. of Georgia, Doctors' Business Bureau, Lusk Collection Agency, Affiliated Creditors Bureau, Inc., all corporations, and Jemama Investment Company, Inc., a corporation, also trading as American Creditors Bureau of San Diego, American Creditors Bureau of Los Angeles, and American Creditors Bureau of San Francisco, their successors and assigns, and Jerry Raker, Jerry Middleman and Jack J. Schwartz, individually and as officers of said corporations, and respondents' officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the collection of, or attempt to collect, accounts in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing directly or by implication, contrary to fact through the use of the terms "credit," "credit bureau" or "creditor's bureau," or any other terms of similar meaning or import, that the corporate respondents are credit reporting agencies or maintain general files concerning the credit worthiness of members of the public unless respondents clearly and conspicuously disclose in all communications, both oral and written, to alleged debtors from whom respondents seek to collect past due accounts, the true nature of their business operation by using the phrase "collection agency" in close conjunction with the name under which they are doing business.

2. Representing, directly or by implication, orally or in writing, contrary to fact, that legal action has been, is being or will be taken against a debtor.

3. Representing, directly or by implication, orally or in writing, contrary to fact or law, that failure by any debtor to pay amounts requested will result in garnishment of wages or attachment of property of the debtor; or misrepresenting, in any way, the remedies available to the respondents or to creditors or the defenses available to debtors in the jurisdiction in which collection is sought.

4. Representing, directly or by implication, orally or in writing, that failure by debtors serving in the U.S. Armed Forces to pay amounts requested will result in disciplinary action or unfavorable information in military personnel files unless such representations are ex-

pressly permitted by official directives or policy statements of the Department of Defense or the Department of Army, Navy or Air Force; or misrepresenting, in any manner, the consequences of refusal by debtors serving in the U.S. Armed Forces to pay amounts requested.

5. Representing, directly or by implication, orally or in writing, that failure by debtors to pay the amounts requested will result in criminal action by law enforcement authorities.

6. Placing telephone calls to any alleged debtor at his place of employment or appearing in person at any alleged debtor's place of employment; *Provided, however*, That nothing herein shall prohibit any contact with the debtor at his place of employment before such debtor has requested, orally or in writing, that no telephone calls or personal visits be made to him at his place of employment, where respondents have been totally unable, after having exercised available lawful means, to a reasonable extent, to contact an alleged debtor by telephone or in person at his residence or elsewhere.

7. Representing, directly or by implication, orally or in writing, that any of respondents' employees are government officials, law enforcement officers or agents of businesses other than debt collection; or misrepresenting to any debtor, in any manner, the position or function of any of respondents' agents or employees.

8. Placing of any telephone call to any debtor between the hours, in the time zone of the debtor, of 9 p.m. and 8 a.m. on weekdays, including Saturdays, and between the hours of 9 p.m. and 11 a.m. on Sundays, without first receiving permission from such debtor to call during those hours.

It is further ordered, That respondents, their successors and assigns, with respect to communications to persons other than the alleged debtor, cease and desist from:

a. Communicating or threatening to communicate, or implying the fact or existence of any debt to a debtor's employer prior to any judgment, unless specifically called for by or necessary to a procedure prescribed by statutes.

b. Communicating with or threatening to communicate, or implying the fact or existence of any debt to any other third parties, including former employers, other than one who might be reasonably expected to be liable therefor, except with the written permission of the debtor.

c. Reporting a debt or an alleged debt to a credit bureau unless respondents also promptly report to said credit bureau the subsequent payment of said debt or alleged debt, or the resolution of any dispute concerning said debt, or alleged debt, or any change of status favorable to the debtor.

d. Using any language or symbol, other than the identification of respondents as a collection agency, on envelopes or the contents thereof indicating that the communication relates to the collection of a debt.

* Copies of the Complaint, Decision and Order, filed with the original document.

Provided, however, nothing herein shall prohibit any contact in an effort solely to locate a debtor, whose whereabouts are unknown, and where the fact or existence of a debt or alleged debt is not disclosed in any manner, directly or indirectly, except that respondents may identify themselves as a collection agency.

It is further ordered, That respondents, their successors and assigns, shall, within thirty (30) days after this order becomes final, serve by mail or otherwise cause to be served on its creditor clients or assignors of claims:

- (a) A copy of this Consent Order; and
- (b) A copy of the letter attached hereto as Appendix A signed by the President of the appropriate respondent.

It is further ordered, That: (a) The respondent corporations, their successors and assigns, shall distribute a copy of this order to each of their operating divisions.

(b) Respondents, their successors and assigns, shall deliver a copy of this order to all present and future personnel engaged in collection procedures and secure a signed statement acknowledging receipt of said order from each such person. Furthermore, respondents shall instruct said employees or agents that the practices prohibited by this order are against respondents' business policy and that engagement in said practices will result in dismissal.

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

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

APPENDIX A

(RESPONDENTS' LETTERHEAD)

(Date)

DEAR CLIENT: We have entered into a consent agreement with the Federal Trade Commission which requires certain standards of collection practices. Our agreement with the Commission is for settlement purposes only and does not constitute an admission by us that the law has been violated. We are enclosing a copy of the Order for your information.

Very truly yours,

(President)

Enclosure.

The Decision and Order was issued by the Commission December 4, 1974.

[SEAL] CHARLES A. TOBIN,
Secretary.
[FR Doc.75-7901 Filed 3-26-75;8:45 am]

[Docket C-2610]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

A. R. Knitwear Co., Inc., et al.

SUBPART—Corrective actions and/or requirements: § 13.533 *Corrective actions and/or requirements*; § 13.533-20 *Disclosures*; § 13.533-53 *Recall of merchandise, advertising material, etc.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1844 *Care labeling of textile wearing apparel*; § 13.1895 *Scientific or other relevant facts.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

In the Matter of A. R. Knitwear Co., Inc., a Corporation, and Abe Rosenbluth, and Rose Rosenbluth, Individually and as Officers of Said Corporation.

Consent order requiring a New York City manufacturer and distributor of textile fiber products, among other things to cease failing to affix labels containing disclosures as to the proper care and washing instructions for its wearing apparel.

The Decision and Order, including further order requiring report of compliance therewith, is as follows: ¹

ORDER

It is ordered, That respondents A. R. Knitwear Co., Inc., a corporation, its successors and assigns, and its officers, and Abe Rosenbluth and Rose Rosenbluth, individually and as officers of said corporation and respondents' representatives, agents and employees, directly or through any corporation, subsidiary, division, or other device, in connection with the manufacturing, offering for sale, sale or distribution of any textile product in the form of a finished article of wearing apparel, as the terms "textile product" and "finished article of wearing apparel" are defined in the Federal Trade Commission's Trade Regulation Rule relating to the Care Labeling of Textile Wearing Apparel (16 CFR 423), in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Failing to provide, for any said article of wearing apparel, care instructions which when followed prevent excessive shrinkage of the article.
2. Failing to include the phrase "wash separately" in care instructions for the machine or hand washing of any said

¹ New.
² Copies of the Complaint, Decision and Order filed with the original document.

apparel whose dye would "run" or "bleed" onto, or stain other articles washed with said apparel.

3. Failing to provide instructions on a permanently affixed label which fully inform purchasers how to effect the regular care and maintenance of said apparel.

It is further ordered, That respondents notify by registered mail all of their customers who have purchased, or to whom have been delivered, the finished articles of wearing apparel which gave rise to this complaint of the excessive shrinkage and staining capacity of said products, and effect the recall of the products from the customers.

It is further ordered, That the respondents herein relabel said articles of wearing apparel to bring them into conformance with the requirements of the Federal Trade Commission's Trade Regulation Rule relating to the Care Labeling of Textile Wearing Apparel (16 CFR Part 423).

It is further ordered, That in addition to the notification to customers required above, the respondents serve a copy of this order by registered mail, return receipt requested, on each customer who purchased the products which gave rise to this complaint.

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

It is further ordered, That the individual respondents herein promptly notify the Commission of the discontinuance of their present business or employment and of their affiliation with a new business or employment. Such notice shall include respondents' current business and address, the nature of the business or employment in which they are engaged as well as a description of their duties and responsibilities.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

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

The Decision and Order was issued by the Commission December 9, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-7906 Filed 3-26-75;8:45 am]

[Docket C-2609]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS**Beatrice Maggie Edwards t/a New Faces**

Subpart—Advertising falsely or misleadingly; § 13.10 *Advertising falsely or misleadingly*; § 13.15 *Business status, advantages or connections*; § 13.15-225 *Personnel or staff*; § 13.15-250 *Qualifications and abilities*; § 13.135 *Nature of product or service*; § 13.170 *Qualities or properties of product or service*; § 13.170-24 *Cosmetic or beautifying*; § 13.170-30 *Durability or permanence*; § 13.170-63 *Non-toxic*; § 13.170-78 *Renewing, restoring*; § 13.190 *Results*; § 13.195 *Safety*; § 13.205 *Scientific or other relevant facts*; § 13.200 *Unique nature or advantages*. Subpart—Contracting for sale any evidence of indebtedness prior to specified time; § 13.527 *Contracting for sale any evidence of indebtedness prior to specified time*. Subpart—Corrective actions and/or requirements; § 13.533 *Corrective actions and/or requirements*; § 13.533-10 *Corrective advertising*; § 13.533-20 *Disclosures*; § 13.533-45 *Maintain records*; § 13.533-45(k) *Records, in general*; § 13.533-53 *Recall of merchandise, advertising material, etc.*; § 13.533-55 *Refunds, rebates, and/or credits*. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections; § 13.1520. *Personnel or staff*; § 13.1535 *Qualifications—Goods*; § 13.1685 *Nature*; § 13.1710 *Qualities or properties*; § 13.1730 *Results*; § 13.1740 *Scientific or other relevant facts*; § 13.1760 *Terms and conditions*; § 13.1760-50 *Sales contract*; § 13.1770 *Unique nature or advantages*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure; § 13.1870 *Nature*; § 13.1885 *Qualities or properties*; § 13.1890 *Safety*; § 13.1892 *Sales contract, right-to-cancel provision*; § 13.1895 *Scientific or other relevant facts*; § 13.1905 *Terms and conditions*; § 13.1905-50 *Sales contract*. Subpart—Offering unfair, improper and deceptive inducements to purchase or deal; § 13.2063 *Scientific or other relevant facts*.

(Sec. 6, 38 Stat. 721; (15 U.S.C. 46). Interpret or applies sec. 5, 38 Stat. 719, as amended; (15 U.S.C. 45, 52)) [Cease and desist order, Beatrice Maggie Edwards t/a New Faces, Atlanta, Ga., Docket C-2609, Dec. 9, 1974.]

In the matter of Beatrice Maggie Edwards, an individual trading and doing business as New Faces.

Consent order requiring an Atlanta, Ga., promoter of a medical process involving the use of certain caustic chemical solutions on the face or body for the removal of wrinkles and blemishes, among other things to cease misrepresenting the nature, safety and results of its skin peeling process. Further, respondent is required to have prospective customers consult a physician prior to signing any contracts, 48 hours in which to cancel the contract with full refund rights. Further, respondent must devote

15 percent of its advertising and oral sales presentations to disclosures of the inherent dangers and other material facts involved with the treatment.

The Decision and Order, including further order requiring report of compliance therewith, is as follows:¹

I

It is ordered, That respondent Beatrice Maggie Edwards, an individual trading and doing business as New Faces, her successors or assigns and respondent's agents, representatives, and employees, either directly or through any corporate or other device, or through any franchisees or licensees, in connection with the advertising, offering for sale, sale, or dispensing of the New Faces treatment (hereinafter sometimes referred to as respondent's treatment) or any similar cosmetic chemosurgical process of face lifting or skin peeling, which involves the topical application of a caustic chemical solution containing carbolic acid (also known as phenol) or other substances on the face, neck, arms, hands or other parts of the human body for the purpose of inducing superficial skin burns, the result of which is the peeling or removal of the outer layers of skin. in commerce, as "commerce" is defined in the Federal Trade Commission Act, or by the United States mails within the meaning of section 12(a) (1) of the Federal Trade Commission Act, do forthwith cease and desist from:

A. Representing directly or by implication that:

1. Respondent's treatment or process is solely a cosmetic process, not a medical process, or does not involve chemical surgery.

2. Respondent's treatment or process is painless or involves no abrasives or caustic chemicals.

3. The potential discomfort possibly resulting from the application of respondent's treatment or process is no more severe than that normally associated with a sunburn.

4. Respondent's treatment is safe or free from possible serious side effects or complications.

5. Respondent's treatment or process will remove or significantly reduce acne scars, big pores, deep lines, deep wrinkles, or sagging, redundant folds of skin.

6. Respondent's treatment will produce or result in new, soft, fresh, clear, healthy, fine textured skin.

7. Respondent's process can be clinically recommended to or safely or successfully performed on men, young people, elderly people, or dark-skinned people.

8. Respondent is competently trained and qualified to: (a) examine, advise, and mentally prepare patients to undergo the treatment; (b) determine whether each patient is a proper subject for treatment; (c) administer or perform treatment without direction and supervision of a licensed medical practitioner;

¹ Copies of the Complaint, Decision and Order, filed with the original document.

and (d) provide post-operative advice and care for patients.

9. Respondent's treatment is complete within any specified period of time.

10. Respondent's treatment will cause clients to appear any specified number of years younger than their actual chronological age.

11. Respondent's process is unique, new or special in the following or other ways:

(a) That it involves a secret formula or secret solution;

(b) That it or similar processes are only available through respondent;

(c) That it is not available through qualified plastic surgeons under more closely controlled hospital conditions in metropolitan areas across the country at a substantially lower cost.

B. Failing or refusing to make clear and conspicuous disclosures in all advertising and in all oral sale presentations, that:

1. The treatment is chemical skin-peeling, a serious medical procedure known as chemosurgery.

2. The treatment involves the application of an acid called phenol to the skin, causing a second-degree burn which peels off the outer layers of the skin and produces a change in skin appearance solely by the body's own wound-healing reactions.

3. The pain associated with the treatment can be very severe; thus patients are sedated or anesthetized during the application of acid. This pain, as well as other discomforts, such as burning, itching, and swollen shut eyes, may persist for days or weeks afterward, requiring medication to control.

4. The treatment has a number of known inherent dangers, including: (a) Poisoning of a person's entire system by the acid absorbed through the skin, which can be a serious, even fatal illness; (b) infection; (c) blindness, if the acid gets into a patient's eyes; (d) permanent scarring; and (e) other complications resulting from the traumatic nature of the procedure or the medications used.

5. A number of undesirable changes in the skin result from chemical skin-peeling, necessitating the continual use of cosmetics or medical techniques to protect, treat, or camouflage the skin. These may include: (a) Permanent scarring; (b) changes in overall color of the treated area; (c) mottling; (d) a line of demarcation at the edge of the treated area; (e) extreme redness; (f) abnormal sensitivity of sunlight; (g) and other traumatic skin reactions.

6. The most common sign of aging in the neck area, which is a stringy or "turkey-neck" condition of the skin and underlying tissues, is not improved by chemical skin-peeling.

7. Almost all plastic surgeons refuse to perform chemical skin-peeling on the neck because the neck is not likely to be improved by the process and is more likely to be worsened since the risks of undesirable side effects and skin changes described above are greater.

8. Only minor aspects of skin appearance, such as fine wrinkles and some skin blemishes, can be treated by the process.

9. Acne scars, big pores, deep lines, deep wrinkles, and sagging or redundant folds of skin are not removed or significantly reduced by the process, yet some of these conditions may be improved by other techniques of plastic surgery, such as dermabrasion or surgical face-lift.

10. Most men are not advised to undergo the process because of difficulties associated with beard growth and the necessity for continual use of cosmetics.

11. A young person whose skin has not matured should not undergo the process, because of the risk of permanent skin damage.

12. Dark-skinned persons should not undergo the process because of the probability of drastic pigmentation changes.

13. Only certain kinds of people with certain types of skin have a reasonable chance of receiving favorable results and avoiding adverse effects from chemical skin-peeling, and only a licensed medical practitioner familiar with such techniques of plastic surgery and able to evaluate complex physical, mental and emotional factors is qualified to examine, diagnose, advise, select, or mentally prepare patients for chemical skin-peeling, and only such a professional person can provide post-operative advice and care for patients.

14. Although a treatment of this serious nature is usually performed in a hospital, respondent only maintains space in her office for each patient's treatment and recuperation.

15. It may be weeks or months after the treatment before the skin is healed, during which time a treated person has an extremely red face, may suffer various discomforts, and must restrict public activities, avoid direct or reflected sunlight and use heavy cosmetics and sun screens.

16. If a more youthful appearance is achieved through the treatment, the result may not last more than a year or two, since part of the benefit is due to temporary swelling and since the natural aging processes begin all over again after treatment.

17. Chemical skin-peeling is available from qualified plastic surgeons under closely controlled hospital conditions in metropolitan areas across the country at substantially lower cost.

Respondent shall set forth the above disclosures separately and conspicuously from the balance of each advertisement and each presentation used in connection with the advertising, offering for sale, sale, or dispensing of respondent's cosmetic process, and shall devote no less than fifteen percent of each advertisement or presentation to such disclosures. *Provided however,* That in advertisements which consist of less than forty-eight column inches in newspapers or periodicals, and in radio or television advertisements with a run-

ning time of two minutes or less, respondent may substitute the following statement, in lieu of the above requirements:

WARNING: This is a medical procedure—basically a chemical burn which peels skin away. It is extremely painful, takes a long time to heal, and exposes a person to risks of poisoning, infection, permanent scarring, and other medical complications. If performed on the neck, the process may make it look worse. Many signs of aging are not improved by this process, and the benefit, if any, is mainly temporary. Only certain kinds of people can benefit from this process, and they should be diagnosed, selected, treated, and continually cared for by a qualified doctor under closely controlled medical conditions. (Statement required by order of the Federal Trade Commission.)

Respondent shall set forth the above disclosure separately and conspicuously from the balance of each advertisement, stating nothing to the contrary or in mitigation thereof, and shall devote no less than fifteen percent of each advertisement to such disclosure, and if such disclosure is made in print, it shall be in at least eleven-point type.

II

It is further ordered, That respondent:

1. Recall and retrieve, from each and every licensee and sales representative, all advertisements and material upon which advertisements or oral sales presentations are based, which contain any of the representations prohibited by Paragraph I(A) of this order or which fail to make the disclosures required by Paragraph I(B).

2. Deliver a copy of this order to each present and future franchisee, licensee, and sales representative, and to each licensed medical practitioner associated with respondent or her licensees; and obtain a written acknowledgement from each of the receipt thereof.

3. Obtain from each present and future franchisee, licensee, or sales representative an agreement in writing (a) to abide by the terms of this order, and (b) to the cancellation of their license or franchise for failure to do so; and that respondent cancel the license or franchise of any licensee or franchisee that fails to abide by the terms of this order.

III

It is further ordered, That respondent:

1. Provide prospective and present patients, as soon as possible after initial sales contact is made with such person and before such person signs any document relating to respondent's process, an information sheet which shall be furnished to the prospective patient and which contains nothing but the disclosures, numbered 1 to 17, set forth in Paragraph I(B). Respondent shall allow these persons ample, uninterrupted opportunity to read and consider the contents of this information sheet. Respondent shall retain a copy of this information sheet, after it is signed and dated by the person, for a period of two years.

2. Require that each such prospective patient, after receipt of the information

sheet described above and before he or she signs any contract for respondent's treatment, consult with a licensed physician, who is not in any way associated with or recommended by the respondent, regarding the nature of chemical skin-peeling, its dangers, discomforts, limitations, and alternatives. Respondent shall obtain from each prospective patient a certificate, signed by the physician who was thus consulted, specifying that the physician:

a. Understands what respondent's treatment is and the conditions under which it will be performed;

b. Has explained to the prospective patient the nature of the treatment, its dangers, discomforts, limitations, and alternatives;

c. Has conducted or has examined the results of tests appropriate to determine prospective patient's physical fitness to undergo respondent's treatment and has discussed these results with the prospective patient; and

d. Has reviewed appropriate aspects of the prospective patient's medical history and has discussed these aspects with the prospective patient.

This certificate shall specify the date and approximately time of the consultation, and respondent shall retain all such certificates for three years.

IV

It is further ordered That no contract for respondent's process shall become binding on the patient prior to forty-eight hours after the patient has consulted with the physician who will direct and supervise the performing of the treatment and inspected and approved the treatment and recuperation facilities, and that:

1. Respondent shall clearly and conspicuously disclose, orally prior to the time of sale, and in writing on any contract, promissory note or other instrument signed by the patient, that the purchaser may rescind or cancel any obligation incurred, with return of all monies paid, by mailing or delivering a notice of cancellation to the respondent's place of business prior to the end of this period.

2. Respondent shall provide a separate and clearly understandable form which the purchaser may use as a notice of cancellation.

3. Respondent shall return to such patient, within forty-eight hours after receipt of notice of cancellation, all monies paid.

4. Respondent shall not negotiate any contract, promissory note, or other instrument of indebtedness to a finance company or other third party prior to the time the patient is treated.

V

It is further ordered, That respondent cease and desist from the following unfair practice:

Failing or refusing to use a licensed medical practitioner, who is familiar with such techniques of plastic surgery, who is operating within the limits of his or her profession, and who is qualified to evaluate complex physical, mental and

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emotional factors, to examine, diagnose, advise, select, or mentally prepare all prospective patients for chemical skin-peeling, to supervise and direct all administrations or applications of the treatment, and to provide post-operative advice or care for all such patients.

VI

It is further ordered, That respondent maintain at all times in the future, for a period of not less than three (3) years, complete business records relative to the manner and form of her continuing compliance with the above terms and provisions of this order.

VII

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

VIII

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

IX

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

X

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

The Decision and Order was issued by the Commission December 9, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-7904 Filed 3-26-75; 8:45 am]

[Docket C-2611]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Bel-Mor Knitwear, Inc., et al.

Subpart—Corrective actions and/or requirements: § 13.533 *Corrective actions and/or requirements*: § 13.533-20 *Disclosures*; § 13.533-53 *Recall of merchandise, advertising material, etc.* Subpart—Neglecting, unfairly or deceptively,

to make material disclosure: § 13.1844¹ *Care labeling of textile wearing apparel*; § 13.1895 *Scientific or other relevant facts*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

In the Matter of Bel-Mor Knitwear, Inc., a Corporation, and Aaron Genicoff, Individually and as an Officer of Said Corporation

Consent order requiring a New York City manufacturer and distributor of textile products among other things to cease failing to provide instructions on a permanently affixed label which inform purchasers how to effect regular care and maintenance of respondents wearing apparel.

The Decision and Order, including further order requiring report of compliance therewith, is as follows:

ORDER

It is ordered, That respondents Bel-Mor Knitwear, Inc., a corporation, its successors and assigns, and its officers, and Aaron Genicoff, individually and as an officer of said corporation and respondents' representatives, agents and employees, directly or through any corporation, subsidiary, division, or other device, in connection with the manufacturing, offering for sale, sale or distribution of any textile product in the form of a finished article of wearing apparel, as the terms "textile product" and "finished article of wearing apparel" are defined in the Federal Trade Commission's Trade Regulation Rule relating to the Care Labeling of Textile Wearing Apparel (16 CFR 423), in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Failing to provide, for any said article of wearing apparel, care instructions which when followed prevent excessive shrinkage of the article.

2. Failing to include the phrase "wash separately" in care instructions for the machine or hand washing of any said apparel whose dye would "run" or "bleed" onto, or stain other articles washed with said apparel.

3. Failing to provide instructions on a permanently affixed label which fully inform purchasers how to effect the regular care and maintenance of said apparel.

It is further ordered, That respondents notify by registered mail all of their customers who have purchased, or to whom have been delivered, the finished articles of wearing apparel which gave rise to this complaint of the excessive shrinkage and staining nature of said products, and effect the recall of said products from such customers.

It is further ordered, That the respondents herein relabel said articles of wearing apparel to bring them into conformance with the requirements of the

¹ New.

² Copies of the Complaint, Decision and Order filed with the original document.

Federal Trade Commission's Trade Regulation Rule relating to the Care Labeling of Textile Wearing Apparel (16 CFR Part 423).

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

It is further ordered, That the individual respondents herein promptly notify the Commission of the discontinuance of their present business or employment and of their affiliation with a new business or employment. Such notice shall include respondents' current business and address, the nature of the business or employment in which they are engaged as well as a description of their duties and responsibilities.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

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

The Decision and Order was issued by the Commission, December 9, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-7995 Filed 3-26-75; 8:45 am]

[Docket C-2615]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

C & C Distributing Co., Inc., et al.

Subpart—Advertising Falsely or misleadingly: § 13.10 *Advertising falsely or misleadingly*; § 13.15 *Business status, advantages or connections*; § 13.15-225 *Personnel or staff*; § 13.15-250 *Qualifications and abilities*; § 13.50 *Dealer or seller assistance*; § 13.60 *Earnings and profits*; § 13.135 *Nature of product or service*; § 13.143 *Opportunities*; § 13.160 *Promotional sales plans*; § 13.175 *Quality of product or service*; § 13.195 *Safety*; § 13.195-30 *Investment*; § 13.205 *Scientific or other relevant facts*; § 13.250 *Success, use or standing*. Subpart—Corrective actions and/or requirements: § 13.533 *Corrective actions and/or requirements*; § 13.533-20 *Disclosures*. Subpart—Delaying or withholding corrections, adjustments or action owed: § 13.675 *Delaying or withholding corrections, adjustments or action owed*. Subpart—Failing to maintain records: § 13.1051 *Failing to maintain records*; § 13.1051-10 *Accurate*; § 13.1051-30 *Formal regulatory and statutory requirements*. Subpart—Misrepresenting oneself and goods—Business status, advantages or

connections: § 13.1490 *Nature*; § 13.1520 *Personnel or staff*; § 13.1535 *Qualifications*; § 13.1540 *Reputation, success or standing*.—Goods: § 13.1608 *Dealer or seller assistance*; § 13.1615 *Earnings and profits*; § 13.1685 *Nature*; § 13.1697 *Opportunities in product or service*; § 13.1740 *Scientific or other relevant facts*; § 13.1755 *Success, use, or standing*.—Promotional sales plans: § 13.1830 *Promotional sales plans*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1855 *Identity*; § 13.1870 *Nature*; § 13.1889 *Risk of loss*; § 13.1892 *Sales contract, right-to-cancel provision*; § 13.1895 *Scientific or other relevant facts*; § 13.1905 *Terms and conditions*; § 13.1905-50 *Sales contract*. Subpart—Offering unfair, improper and deceptive inducements to purchase or deal: § 13.1935 *Earnings and profits*; § 13.1985 *Individual's special selection or situation*; § 13.2015 *Opportunities in product or service*; § 13.2045 *Sales assistance*; § 13.2063 *Scientific or other relevant facts*.

(Sec. 6, 38 Stat. 721; (15 U.S.C. 46). Interprets or applies sec. 5, 38 Stat. 719, as amended; (15 U.S.C. 45))

In the Matter of C & C Distributing Co., Inc., a Corporation, and William Thomas Hall, Individually and as an Officer of Said Corporation.

Consent order requiring a Terrell, Texas, seller and distributor of ladies' cologne and franchises in relation thereto, among other things to cease misrepresenting the nature of its franchises or distributorships; misrepresenting the risks involved in the investment; misrepresenting earnings and profits; failing to maintain accurate records substantiating representations made; failing to make certain disclosures as to the background and experience of respondent and the success of the franchises sold by respondent. Respondent is further required to allow future purchasers a 10-day cooling-off period in which to cancel the contract.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:¹

It is ordered, That respondents C & C Distributing Company, Inc., a corporation, and its officers, and William Thomas Hall, individually and as an officer of said corporation and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of perfume and ladies cologne and routes, licenses and franchises in relation thereto, or any other route, franchise, license, product, or service, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

A. Representing, directly or by implication, orally, in writing, or visually, that:

1. Exclusive franchises or distributorships for established retail and super-market accounts are offered, or misrepresenting in any manner the nature of the franchises or distributorships.

2. Any amount invested is secured by inventory worth the amount invested and there is no risk of losing the money so invested or misrepresenting, in any manner, the amount of security provided by the inventory or the risk of losing all or any part of the investment.

3. Profitable accounts and routes are established. New accounts and routes, when the original location is not profitable are obtained, or misrepresenting in any manner, the establishing or quality of the accounts and routes.

4. Persons who purchase any such products or services and engage in business can or will derive any stated amount of sales, profits or earnings, or representing directly or by implication, the past or present sales, profits or earnings of purchasers of any such products or services, routes, licenses, franchises or distributorships unless in fact the past sales, or the profits and earnings represented, are those of a substantial number of purchasers and accurately reflect the average sales, profits or earnings of such purchases under circumstances similar to those of the franchisee or distributor or the prospective franchisee or distributor to whom the representation is made or misrepresenting, in any manner, the past, present, or future sales, profits or earnings from the engagement in business and resale of any such products or services.

5. Persons who purchase any such products or services and engage in business must have special qualifications or be specially selected to qualify for purchases of any such products or services and engage in business.

6. Continuing assistance and advice to their distributors or franchisees is offered, or misrepresenting, in any manner, the type and duration of assistance and advice offered.

B. Failing to maintain accurate records which substantiate that any past or present sales, profits or earnings represented are accurate and are those of a substantial number of franchisees or distributors and accurately reflect the average sales, profits or earnings, of such franchisees or distributors under circumstances similar to those of the franchisee or distributor or prospective franchisee or distributor to whom the representation is being made.

C. Failing to furnish any prospective franchisee with all of the following information, in a clear, permanent, and straight-forward form, at the time when contact is first established between such prospective franchisee and respondents or their representatives:

1. A factual description of the franchise offered or to be sold.

2. The business experience, stated individually, of each of the franchisor's directors, stockholders owning more than ten percent of the stock, and the chief executive officers for the past ten years;

and biographical data concerning all such persons.

3. The business experience of the franchisor, including the length of time the franchisor has conducted a business of the type to be operated by the franchisee; has granted franchises for such business; and has granted franchises in other lines of business.

4. Where such is the case, a statement that the franchisor or any of its directors, stockholders owning more than ten percent of the stock, or chief executive officers:

a. Have been held liable in a civil action, convicted of a felony, or pleaded nolo contendere to a felony charge in any case involving fraud, embezzlement, fraudulent conversion, or misappropriation of property;

b. Are subject to any currently effective injunctive or restrictive order or ruling relating to business activity as a result of action by any public agency or department; or

c. Have filed bankruptcy or been associated with management of any company that has been involved in bankruptcy or reorganization proceedings; or

d. Are, or have been, a party to any cause of action brought by franchisees against the franchisor.

Such statement shall set forth the identity and location of the court, date of conviction or judgment, any penalty imposed or damages assessed, and the date, nature, and issuer of each such order or ruling.

5. The financial history of the franchisor, including balance sheets and profit and loss statements for the most recent five-year period; and a statement of any material changes in the financial condition of the franchisor since the date of such financial statements.

6. A description of the franchise fee; and a statement indicating whether all or part of the franchise fee may be returned to the franchisee and the conditions under which the fee will be refunded.

7. The formula by which the amount of such franchise fee is determined if the fee is not the same in all cases.

8. A statement of the number of franchises presently operating and the number proposed to be sold, indicating which existing franchises, if any, are company-owned and their addresses.

9. A statement of the number of franchises, if any, that operated at a loss during the previous year.

10. A statement of the conditions under which the franchise agreement may be terminated or renewal refused, or repurchased at the option of the franchisor, and a statement of the number of franchisees that fell into each of these categories during the past 12 months.

11. A statement of the conditions and terms under which the franchisor allows the franchisee to sell, lease, assign, or otherwise transfer his franchise, or any interest therein.

12. A statement of the conditions under which the franchisee agreement

¹ Copies of the complaint and decision and order filed with the original document.

may be terminated or renewal refused or repurchased at the option of the franchisor, and a statement of the number of franchisees that fell into each of these categories during the past 12 months.

13. A statement of the conditions and terms under which the franchisor allows the franchisee to sell, lease, assign or otherwise transfer his franchise, or any interest therein.

14. A statement of the terms and conditions of any financing arrangements offered directly or indirectly by the franchisor or affiliated persons, and a description of any payments received by the franchisor from any persons for the placement of financing with such persons.

15. A list of at least ten representative operating franchisees with addresses and telephone numbers, similarly situated to the franchise offered and located in the same geographic area, if possible.

16. A statement of the average length of service of personnel who are responsible for assisting the franchisee at his location, and the average number of hours such personnel spent during the past year with each franchisee that was in business for less than one year.

17. If the franchisor informs the prospective franchisee that it intends to provide him with training, the franchisor must state the number of hours of instruction and furnish the prospective franchisee with a brief biography of the instructors who will conduct the training.

All of the foregoing information 1. to 17. is to be contained in a single disclosure statement, which shall not contain any promotional claims or other information not required by this order. The statement shall carry a distinctive and conspicuous cover sheet with the following notice (and no other) imprinted thereon in bold face type of not less than 10 point size:

**INFORMATION FOR PROSPECTIVE FRANCHISEES
REQUIRED BY FEDERAL TRADE COMMISSION
DECISION AND ORDER**

This information is provided for your own protection. It is in your best interest to study it carefully before making any commitment. If you do sign a contract, you may cancel it, and obtain a full refund of any money paid, for any reason, within ten business days after either signing such contract or receiving this disclosure statement, whichever occurs later. Details appear on the contract itself.

It is further ordered, That respondents shall cease and desist from making any claim:

1. In any advertising, promotional material, or disclosure statement, or in any oral sales presentation, solicitation, or discussion between a franchisor's representative and prospective franchisees for which the franchisor does not have substantiation in its possession, which substantiation shall be made available to prospective franchisees upon demand. This provision applies, but is not limited, to statements concerning the experience or qualifications, or lack of experience or qualifications, needed for success as a franchisee.

2. In any advertising or promotional material, or in any oral sales presentation, solicitation, or discussion between a franchisor's representatives and prospective franchisees, which (directly or by implication) contradicts or exceeds any of the statements required to be disclosed by para. (B) of this order.

It is further ordered, That respondents herein cease and desist from:

(a) Failing to include immediately above and on the same page as the franchisee's signature line of any contract establishing or confirming a franchise agreement, the following statement in bold face print at least 50 percent larger than any other print in the body of such contract, or in bold face print of a contrasting color:

NOTICE: YOU ARE ENTITLED TO CERTAIN IMPORTANT INFORMATION CONCERNING THIS TRANSACTION ENTITLED, "INFORMATION FOR PROSPECTIVE FRANCHISEES REQUIRED BY FEDERAL TRADE COMMISSION DECISION AND ORDER." IT IS IN YOUR BEST INTEREST TO DEMAND AND STUDY SUCH INFORMATION. YOU MAY CANCEL THIS CONTRACT FOR ANY REASON WITHIN TEN BUSINESS DAYS AFTER EITHER SIGNING THIS CONTRACT OR RECEIVING THE REQUIRED INFORMATION, WHICHEVER OCCURS LATER. If you do choose to cancel, you will be entitled to receive a full refund within ten business days after franchisor receives notice of your cancellation. You may use any reasonable method to notify franchisor of your cancellation within the grace period. For your protection you may wish to use certified mail with return receipt requested, or a telegram, either of which should be sent to the address below. (Franchisor will insert here the address and telephone number to which such notices should be sent.)

(b) Failing to cancel any contract for which a notice of cancellation was sent by any reasonable means within ten business days after either the contract's execution, or the franchisee's receipt of all required information, whichever occurs later, or to refund any money paid by franchisee within ten business days after the date of receipt of such notice of cancellation.

(c) Failing to furnish the prospective franchisee upon request at any time, and in the absence of any request, before consummation of any agreement, with a copy of the franchise agreement proposed to be used.

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

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

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

It is further ordered, That respondents deliver a copy of this order to cease and desist to all of their present and future personnel engaged in the offering for sale, or sale of franchises, services, or any other products or services, or in any aspect of preparation, creation, or placing of advertising, and that respondents secure a signed statement acknowledging receipt of said order from each such person.

The Decision and Order was issued by the Commission, December 17, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-7903 Filed 3-26-75; 8:45 am]

[Docket C-2618]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Credit Bureau of Greater Syracuse, Inc., et al.

Subpart—Collecting, assembling, furnishing or utilizing consumer reports: § 13.382 Collecting, assembling, furnishing or utilizing consumer reports: § 13.382-1 Confidentiality, accuracy, relevancy, and proper utilization: § 13.382-1(a) Fair Credit Reporting Act; § 13.382-5 Formal regulatory and/or statutory requirements: § 13.382-5(a) Fair Credit Reporting Act.

(Sec. 6, 38 Stat. 721; (15 U.S.C. 46). Interpret or apply sec. 5, 38 Stat. 719, as amended; 62 Stat. 146, 147, 84 Stat. 1127-36; (15 U.S.C. 1601), et seq.)

In the Matter of Credit Bureau of Greater Syracuse, Inc., a Corporation, and Richard W. Viale, Individually and as an Officer of Said Corporation

Consent order requiring a Syracuse, N.Y., credit bureau, among other things to cease furnishing credit reports on consumers to persons it had no reason to believe intended to use the information for a permissible purpose; failing to disclose to properly identified consumers information in their files; failing to reinvestigate disputed information within a reasonable period of time; and imposing fees for making required disclosures or when conducting a reinvestigation.

The Decision and Order, including further order requiring report of compliance therewith, is as follows:¹

¹ Copies of the Complaint, Decision and Order, filed with the original document.

It is ordered, That respondent Credit Bureau of Greater Syracuse, Inc., a corporation, its successors and assigns, and its officer Richard W. Viale, individually and as an officer of said corporation, and respondents' agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the collecting, assembling or furnishing of consumer reports, as "consumer report" is defined in section 603(d) of the Fair Credit Reporting Act (Pub. L. 91-508, 15 U.S.C. 1601 et seq.), shall forthwith cease and desist from:

1. Submitting consumer report information to persons whom respondents have no reason to believe intend to use the information for a permissible purpose as set out in section 604 of the Act.

2. Failing to disclose to any consumer, upon request and proper identification, the nature and substance of all information (including claims information, but excluding medical information) in respondents' files on the consumer at the time of the request, in accordance with section 609(a) of the Fair Credit Reporting Act.

3. Failing to make the disclosures required by section 609 of the Fair Credit Reporting Act by telephone as required by section 610 of the Act, or discouraging such disclosures.

4. Failing within ten working days to:
(a) Reinvestigate any item of information, the completeness or accuracy of which is disputed by the consumer and record the current status of the information unless they have reasonable grounds to believe the dispute is frivolous or irrelevant, as required by section 611(a) of the Act.

(b) Delete any information which is found to be inaccurate or can no longer be verified, as required by section 611(a) of the Act.

5. Failing to provide notification that an item of information has been deleted or corrected to recipients of previous reports (within the past two years for employment purposes and the past six months for any other purpose) when specifically requested to do so by the consumer, as required by section 611(d) of the Act.

6. Imposing a charge on consumers for making disclosures pursuant to section 609, and when furnishing consumer reports pursuant to section 611(d), when requested by consumers within 30 days after receipt of a notification pursuant to section 615 of some adverse action, in accordance with the requirements of section 612 of the Fair Credit Reporting Act.

7. Imposing a charge on consumers when conducting a reinvestigation of disputed information in a consumer's files as required by section 611(a) of the Fair Credit Reporting Act.

It is further ordered, That respondents herein shall deliver a copy of this order to cease and desist to all present and future personnel, including employees and representatives, engaged in the preparation of reports including consumer reports, and engaged in the dis-

closure and reinvestigation of all information in said reports, and that respondents secure a signed statement acknowledging receipt of said order from each such person.

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

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

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

The Decision and Order was issued by the Commission December 24, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-7902 Filed 3-26-75;8:45 am]

[Docket C-2612]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Leon Birnbaum t/a Jolie Knitwear

Subpart—Corrective actions and/or requirements: § 13.533 *Corrective actions and/or requirements*; § 13.533-20 *Disclosures*; § 13.533-53 *Recall of merchandise, advertising material, etc.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1844 *Care labeling of textile wearing apparel*;¹ § 13.1895 *Scientific or other relevant facts.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Leon Birnbaum t/a Jolie Knitwear, New York City, Docket C-2612, Dec. 9, 1974.]

In the Matter of Leon Birnbaum, an Individual Trading as Jolie Knitwear.

Consent order requiring a New York City manufacturer of textile fiber products, among other things to cease failing to label its merchandise with information relative to proper care and washing instructions of its wearing apparel.

The Decision and Order, including further order requiring report of compliance therewith, is as follows:²

¹ New.

² Copies of the Complaint, Decision and Order, filed with the original document.

It is ordered, That respondent, Leon Birnbaum, individually and trading as Jolie Knitwear or trading under any other name, his successors and assigns, and respondent's representatives, agents and employees, directly or through any corporation, subsidiary, division, or other device, in connection with the manufacturing, offering for sale, sale or distribution of any textile product in the form of a finished article of wearing apparel, as the terms "textile product" and "finished article of wearing apparel" are defined in the Federal Trade Commission's Trade Regulation Rule relating to the Care Labeling of Textile Wearing Apparel (16 CFR Part 423), in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Failing to provide, for any said article of wearing apparel, care instructions which when followed prevent excessive shrinkage of the article.

2. Failing to include the phrase "wash separately" in care instructions for the machine or hand washing of any said apparel whose dye would "run" or "bleed" onto, or stain other articles washed with said apparel.

3. Failing to provide instructions on a permanently affixed label which fully inform purchasers how to effect the regular care and maintenance of said apparel.

It is further ordered, That respondent notify by registered mail all of his customers who have purchased, or to whom have been delivered, the finished articles of wearing apparel which gave rise to this complaint of the excessive shrinkage and staining nature of said products, and effect the recall of said products from such customers.

It is further ordered, That the respondent herein relabel said articles of wearing apparel to bring them into conformance with the requirements of the Federal Trade Commission's Trade Regulation Rule relating to the Care Labeling of Textile Wearing Apparel (16 CFR Part 423).

It is further ordered, That in addition to the notification to customers required above, the respondent serve a copy of this order by registered mail, return receipt requested, on each customer who purchased the products which gave rise to this complaint.

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

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

The Decision and Order was issued by the Commission, December 9, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-7994 Filed 3-26-75;8:45 am]

[Docket No. C-2134]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Plaza Club, Inc., et al.

Codification under Part 13 appears at 37 FR 4249, March 1, 1972.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Modified order to cease and desist, Plaza Club, Inc., et al., Docket C-2134, Dec. 17, 1974]

In the Matter of Plaza Club, Inc., a Corporation, and Health Spa, Inc., a Corporation, and European Health Spa, Inc., a Corporation, and James R. Booker, Individually and as an Officer of Said Corporations, and George E. Shore, Individually and as a Stockholder of Said Corporations, and European Health Spa & Country Club, Inc., a Corporation, and James R. Booker and George E. Shore, Individually and as Officers of Said Corporation.

Order modifying subparagraph (J) of Paragraph I of a consent order issued against respondents, 80 F.T.C. 62, to except the use of negotiable instruments in consumer credit transactions in the State of Kansas.¹

The ordering reopening proceedings and modifying order to cease and desist is as follows:

This matter is before the Commission upon a motion captioned "Petition to Reopen Docket," received October 29, 1974, filed by Spa Fitness Centers, Inc., Carl Lane, Kenneth Melby and Scott Rice, successors in interest to the above-captioned respondents. The Bureau of Consumer Protection has filed an answer dated November 26, 1974.

Petitioners point out that the law of Kansas, in which they transact business, now forbids the use of negotiable instruments in those consumer credit transactions in which they engage, and the law further preserves all defenses of a consumer against a third party to whom an instrument of indebtedness may have been negotiated in violation of the law. Therefore, the disclosure required by paragraph I (J) of the order in this matter is no longer necessary, and indeed may be misleading with respect to contracts governed by Kansas law. Respondents seek exemption from the requirement for their operations in Kansas, and the Bureau of Consumer Protection does not object.

The Commission has considered the arguments of the parties and has determined, in the exercise of its discretion, to grant the petition to reopen, and

to modify the order as provided hereinafter:

It is ordered, That the proceedings in this matter be reopened and that subparagraph (J) of paragraph I of the Order to Cease and Desist issued against respondents on January 14, 1972, be modified to read as follows:

With the exception of contracts executed in the State of Kansas and to be performed in the State of Kansas, failing to incorporate the following statement on the face of all contracts executed by respondents' customers with such conspicuousness and clarity as is likely to be observed, read, and understood by the purchaser:

IMPORTANT NOTICE

If you are obtaining credit in connection with this contract, you will be required to sign a promissory note. This note may be purchased by a bank, finance company or other third party. If it is purchased by another party, you will be required to make your payments to the purchaser of the note. You should be aware that if this happens you may have to pay the note in full to the new owner of the note even if this contract is not fulfilled.

The order reopening proceedings and modifying order to cease and desist was issued by the Commission December 17, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-7998 Filed 3-26-75;8:45 am]

[Docket 8827-o]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Standard Oil Company of California, et al.

Subpart—Advertising falsely or misleadingly; § 13.10 *Advertising falsely or misleadingly*; § 13.20 *Comparative data or merits*; § 13.160 *Promotional sales plans*; § 13.170 *Qualities or properties of product or service*; § 13.170-16 *Cleansing, purifying*; § 13.205 *Scientific or other relevant facts*; § 13.265 *Tests and investigations*. Subpart—Misrepresenting oneself and goods—Goods: § 13.1575 *Comparative data or merits*; § 13.1710 *Qualities or properties*; § 13.1730 *Results*; § 13.1740 *Scientific or other relevant facts*; § 13.1762 *Tests, purported*. —Promotional sales plans: § 13.1830 *Promotional sales plans*. Subpart—Offering unfair, improper and deceptive inducements to purchase or deal: § 13.2063 *Scientific or other relevant facts*; § 13.2075 *Television "mock ups," etc.* Subpart—Using deceptive techniques in advertising: § 13.2275 *Using deceptive techniques in advertising*; § 13.2275-70 *Television depictions*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Final Order, Standard Oil Company of California, et al., San Francisco, Calif., Docket 8827-o, Nov. 26, 1974]

In the Matter of Standard Oil Company of California, a Corporation, and Batten, Barton, Durstine & Osborn, Inc., a Corporation

Consent order requiring a San Francisco, Calif., distributor of gasoline and other petroleum products and its New York City advertising agency, among other things to cease misrepresenting that the F-310 additive in its Chevron gasoline will produce pollution-free exhaust. The order further dismisses certain subparagraphs of Paragraphs five and six of the complaint.

The Final Order, including further order requiring report of compliance therewith, is as follows:¹

This matter is before the Commission on the appeal of complaint counsel from the Administrative Law Judge's Initial Decision filed April 25, 1973. The Commission has received written briefs, heard oral arguments and considered the record in this matter, and has determined that complaint counsel's appeal should be granted in part. The Commission also has determined that, except as otherwise ordered herein, the Initial Decision should be set aside, and the findings and conclusions contained in the accompanying opinion should be adopted as the findings of fact and conclusions of law of the Commission, and that the cease-and-desist order contained herein should issue. After the October 15, 1973 oral argument on this appeal, three motions were filed with the Commission by parties hereto. Said motions shall be acted upon in the manner and for the reasons set forth herein. Accordingly,

It is ordered, That respondent Standard Oil Company of California's Motion to Strike Portions of Complaint Counsel's Briefs in this Docket and in Docket No. 8851 (Crown Central) filed on October 23, 1973 is denied for the reason that it is not improper for parties to adjudicative proceedings before the Commission to cite to Initial Decisions of Administrative Law Judges in other such proceedings in briefs on appeal to the Commission. Such citations have no evidentiary value and are considered by the Commission only as references to pre-existing adjudicative conclusions which may serve as precedents or guides to future decisions when similar or related issues are before the Commission for resolution. In addition, no prejudice has been shown as a result of the challenged references to the Initial Decision in question.

It is further ordered, That the Joint Motion to Correct the Record of Oral Argument filed by counsel for all the parties hereto on March 1, 1974 is granted and that a copy of said Motion shall be attached to the official copy of the transcript of the oral argument to provide a record of the agreed changes.

It is further ordered, That respondent Batten, Barton, Durstine & Osborn,

¹ Copy of the Order Reopening Proceedings and Modifying Order to Cease and Desist filed with the original document.

¹ Copies of the complaint, Initial Decision, final order and opinion filed with the original document.

Inc.'s Motion to Correct the Record filed February 25, 1974 is denied for the failure of the Motion to state persuasive reasons for a change on the grounds alleged. However, said Motion shall be considered a statement by said respondent in explanation of its counsel's remarks about its abilities to sell gasoline chemistry recorded at page 67 of the transcript of the oral argument.

It is further ordered, That only the following portions of the Administrative Law Judge's Initial Decision in this case are adopted as findings and conclusions of the Commission:

The lists of witnesses; the first two paragraphs following the witness lists; findings 1-6; all but the first full sentence of finding 7; finding 11; finding 15; paragraphs 1, 2, 5, 6 and 8 of finding 16; paragraphs 1, 2, 4 and 5 of finding 17; paragraph 2 of finding 18, all of finding 19 except the second and third sentences of paragraph 2; paragraph 1 of finding 20; paragraph 3 of finding 25; paragraph 1, all but the fifth sentence in paragraph 2, the first full sentence of paragraph 3 and paragraphs 5 and 6 of finding 26; finding 27; paragraph 3, the last two sentences of paragraph 5; all but the last sentence of paragraph 6 and the first two sentences of paragraph 7 of finding 28; paragraph 2 of finding 29; paragraph 2 of finding 30; paragraphs 1 and 2 and the first four sentences of paragraph 3 of finding 31; paragraphs 2 and 3 and the first two sentences of paragraph 4 of finding 32; and both paragraphs under the heading *The Oral Argument*.

All other findings and conclusions of the Initial Decision are hereby set aside, and the conclusions contained in the accompanying opinion are established together with the above listed sections of the Initial Decision and the Appendix to the opinion, as the findings of fact and conclusions of law of the Commission in this case.

It is further ordered, That the following cease and desist order shall be and it hereby is entered:

I. *It is ordered,* That respondent Standard Oil Company of California, a corporation, its successors and assigns, its officers, representatives, agents, employees directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of Chevron gasolines, or the additive F-310, or any other product in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing directly or by implication that any such product:
 - (a) Will produce or result in motor vehicle exhaust which is pollution free or generally pollution free; or
 - (b) Will eliminate or reduce air pollution caused by motor vehicles; or
 - (c) Will eliminate or reduce emissions from all or any number or group of motor vehicles in which it is used; or that:
 - (d) Any gasoline or gasoline additive product has any other quality, performance ability or other characteristic; or

(e) Tests, demonstrations, research or experiments have been conducted which prove or substantiate any of said representations;

Unless and only to the extent that each and every such representation is true and has been fully and completely substantiated by competent scientific tests. The results of said tests, the original data collected in the course thereof and a detailed description of how said tests were performed shall be kept, available in written form for at least three years following the final use of the representation.

2. Representing directly or by implication that:
 - (a) Automotive exhaust has certain observable or measurable characteristics in all or any number or group of motor vehicles when such is not the fact; or
 - (b) Any machines, measuring devices or technical instruments have particular characteristics or capacities when such is not the fact; or
 - (c) Any product has any effectiveness in reducing air pollution or any air pollutant or air pollutants without at the same time, in the same advertisement or other form of communication, conspicuously disclosing that not all of the harmful pollutants in automotive exhaust are affected by said product; or
 - (d) Any product will reduce any emissions of pollutants from automobile exhaust by any percentage or numerical quantity unless in connection therewith there is a clear, accurate and conspicuous disclosure of the type of vehicle which can expect to achieve reductions of such magnitude and the approximate percentage of such vehicles in the general car population.

II. *It is ordered,* That respondent Standard Oil Company of California, a corporation, its successor and assigns, its officers, representatives, agents, employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale, or distribution of Chevron gasolines, or the additive F-310 or any other product in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist directly or indirectly from:

1. Advertising by or through the use of or in conjunction with any test, experiment, or demonstration, or the result thereof, or any other information or evidence that appears or purports to confirm or prove, or is offered as confirmation, evidence, or proof of any fact, product characteristic or the truth of any representation, which does not accurately demonstrate, prove, or confirm such fact, product characteristic, or representation.
2. Using any pictorial or other visual means of communication with or without an accompanying verbal text which directly or by implication creates a misleading impression in the minds of viewers as to the true state of material facts which are the subject of said pictures or other visual means of communication.
3. Misrepresenting in any manner or by any means any characteristic, prop-

erty, quality, or the result of use of any gasoline or gasoline additive product.

III. *It is ordered,* That respondent Batten, Barton, Durstine & Osborn, Inc., a corporation, its successors and assigns, its officers, representatives, agents, employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of Chevron gasolines, or the additive F-310, or any other product in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing directly or by implication that any such product:
 - (a) Will produce or result in motor vehicle exhaust which is pollution free or generally pollution free; or
 - (b) Will eliminate or reduce air pollution caused by motor vehicles; or
 - (c) Will eliminate or reduce emissions from all or any number or group of motor vehicles in which it is used; or that:
 - (d) Any gasoline or gasoline additive product has any other quality, performance ability or other characteristic; or
 - (e) Tests, demonstrations, research or experiments have been conducted which prove or substantiate any of said representations;

Unless and only to the extent that respondent has a reasonable basis for such representation based upon competent scientific tests by it or its client. The results of said tests and the data collected in the course thereof relied upon by respondent shall be kept available in written form for at least three years following the final use of the representation.

2. Representing directly or by implication that:
 - (a) Automotive exhaust has certain observable or measurable characteristics in all or any number or group of motor vehicles when such is not the fact; or
 - (b) Any machines, measuring devices or technical instruments have particular characteristics or capacities when such is not the fact; or
 - (c) Any product has any effectiveness in reducing air pollution or any air pollutant or air pollutants without at the same time, in the same advertisement or other form of communication, conspicuously disclosing that not all of the harmful pollutants in automotive exhaust are affected by said product; or
 - (d) Any product will reduce any emissions of pollutants from automobile exhaust by any percentage or numerical quantity unless in connection therewith there is a clear, accurate and conspicuous disclosure of the type of vehicle which can expect to achieve reductions of such magnitude and the approximate percentage of such vehicles in the general car population.

IV. *It is ordered,* That respondent Batten, Barton, Durstine & Osborn, Inc., a corporation, its successors and assigns, its officers, representatives, agents, employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale,

RULES AND REGULATIONS

Final order issued by the Commission,
November 26, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-7993 Filed 3-26-75; 8:45 am]

[Docket C-2607]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Statewide Interiors, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods*: § 13.30-75 *Textile Fiber Products Identification Act*; § 13.73 *Formal regulatory and statutory requirements*: § 13.73-90 *Textile Fiber Products Identification Act*. Subpart—Misbranding or Mislabeled: § 13.1185 *Composition*: § 13.1185-80 *Textile Fiber Products Identification Act*; § 13.1212 *Formal regulatory and statutory requirements*: § 13.1212-80 *Textile Fiber Products Identification Act*. Misrepresenting oneself and goods—Goods: § 13.1590 *Composition*: § 13.1590-70 *Textile Fiber Products Identification Act*; § 13.1623 *Formal regulatory and statutory requirements*: § 13.1623-80 *Textile Fiber Products Identification Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition*: § 13.1845-70 *Textile Fiber Products Identification Act*; § 13.1852 *Formal regulatory and statutory requirements*: § 13.1852-70 *Textile Fiber Products Identification Act*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 72 Stat. 1717; 15 U.S.C. 45, 70)

In the Matter of Statewide Interiors, Inc., a Nevada Corporation, Statewide Interiors, Inc., an Idaho Corporation, and Alfred F. Allen, Individually and as an Officer of Said Corporations

Consent order requiring two Nevada and Idaho distributors and retailers of upholstery fabrics, draperies and floor coverings, among other things to cease misbranding its textile fiber products.

The Decision and Order, including further order requiring report of compliance therewith, is as follows:¹

ORDER

It is ordered, That respondents Statewide Interiors, Inc., a Nevada corporation, and Statewide Interiors, Inc., an Idaho corporation, their successors and assigns, and their officers, and Alfred F. Allen, individually and as an officer of said corporations, and respondents' agents, representatives, and employees, directly or through any corporate, subsidiary, division or other device (hereinafter in this and other paragraphs of this order, referred to as "respondents"), in connection with the introduction,

¹ Copies of the Complaint, Decision and Order, filed with the original document.

or distribution of Chevron gasoline, the additive F-310, or any other product in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist directly or indirectly from:

1. Advertising by or through the use of or in conjunction with any test, experiment, or demonstration, or the result thereof, or any other information or evidence that appears or purports to confirm or prove or is offered as confirmation, evidence or proof of any fact, product characteristic, or of the truth of any representation which does not accurately demonstrate, prove, or confirm such fact, product characteristic, or representation unless the respondent can establish it neither knew, nor had reason to know, nor upon reasonable inquiry could have known that such was the case.

2. Using any pictorial or other visual means of communication with or without an accompanying verbal text which directly or by implication creates a misleading impression in the minds of viewers as to the true state of material facts which are the subject of said pictures or other visual means of communication unless the respondent can establish it neither knew nor had reason to know nor upon reasonable inquiry could have known the true facts.

3. Misrepresenting in any manner or by any means any characteristic, property, quality, or the result of the use of any gasoline or gasoline additive product unless the respondent can establish it neither knew nor had reason to know nor upon reasonable inquiry could have known that such representations are false.

It is further ordered, That subparagraphs 1, 3, 4, 5, 7, 8, 9, 10(b), 10(c), and 11 of Paragraphs five and six of the complaint be, and they hereby are dismissed.

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

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

It is further ordered, That respondents shall, within sixty (60) days after service of the order upon them, file with the Commission a written report, signed by the respondents, setting forth in detail the manner and form of their compliance with the order to cease and desist.

Commissioners Hanford and Nye did not participate since oral argument was heard prior to their assumption of Office.

delivery for introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported in commerce of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation or causing to be transported, of any textile fiber product which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

1. Misbranding textile fiber products by failing to affix a stamp, tag, label or other means of identification to each such textile fiber product showing in a clear, legible, conspicuous manner each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act; or as an alternative to the foregoing, where properly labeled samples, swatches, or specimens are used to effect the sale of articles of wearing apparel or other household textile articles which are manufactured specifically for a particular customer after the sale is consummated, and the articles of wearing apparel or other household textile articles are of the same fiber content as the samples, swatches or specimens from which the sale was effected, failing to provide an invoice or other paper to accompany them showing the information otherwise required to appear on the label, as allowed by Rule 21(b) of the rules and regulations under the Textile Fiber Products Identification Act, effective March 3, 1960, as amended.

2. Misbranding textile fiber products by failing to affix a stamp, tag, label or other means of identification to samples, swatches or specimens used to effect the sale of a textile product as required by Rule 21(a) of the rules and regulations under the Textile Fiber Products Identification Act, effective March 3, 1960, as amended.

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

It is further ordered, That the respondents shall forthwith distribute a copy of this order to all present and future personnel of respondents engaged in the offering for sale, or sale, of any floor covering or any other merchandise offered for sale by respondents, and that respondents secure a signed statement acknowledging receipt of said order from each such person.

It is further ordered, That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondents such as dissolution, assignment or sale resulting in the emergence of a successor corporation,

the creation or dissolution of subsidiaries or any other change in the corporations which may affect compliance obligations arising out of the order.

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

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

The Decision and Order was issued by the Commission December 4, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc. 75-7997 Filed 3-26-75; 8:45 am]

[Docket C-2619]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Tomorrow's Heritage, Inc., t/a Heritage, et al.

Subpart—Advertising falsely or misleadingly: § 13.10 *Advertising falsely or misleadingly*; § 13.15 *Business status, advantages, or connections*; § 13.15-30 *Connections or arrangements with other*; § 13.15-80 *Government connection*; § 13.70 *Fictitious or misleading guarantees*; § 13.75 *Free goods or services*; § 13.105 *Individual's special selection or situation*; § 13.135 *Nature of product or service*; § 13.155 *Prices*; § 13.155-5 *Additional charges unmentioned*; § 13.155-35 *Discount savings*; § 13.155-40 *Exaggerated as regular and customary*; § 13.155-70 *Percentage savings*; § 13.155-100 *Usual as reduced, special, etc.*; § 13.160 *Promotional sales plans*; § 13.175 *Quality of product or service*; § 13.185 *Refunds, repairs, and replacements*; § 13.200 *Sample, offer or order conformance*; § 13.205 *Scientific or other relevant facts*; § 13.240 *Special or limited offers*. Subpart—Contracting for sale any evidence of indebtedness prior to specified time: § 13.527 *Contracting for any evidence of indebtedness prior to specified time*.

Subpart—Corrective actions and/or requirements: § 13.533 *Corrective actions and/or requirements*; § 13.533-20 *Disclosures*; § 13.533-55 *Refunds, rebates, and/or credits*. Subpart—Delaying or withholding corrections, adjustments or action owed: § 13.675 *Delaying or withholding corrections, adjustments or action owed*; § 13.677 *Delaying or failing to deliver goods or provide services or facilities*. Subpart—Enforcing dealings or payments wrongfully: § 13.1045 *Enforcing dealings or payments wrongfully*.

Subpart—Failing to maintain records: § 13.1051 *Failing to maintain records*; § 13.1051-20 *Adequate*. Subpart—Misrepresenting oneself and goods—Business status, advantages or connection: § 13.1395 *Connections and arrangements with others*; —Goods: § 13.1625 *Free goods or services*; § 13.1647 *Guarantees*; § 13.1663 *Individual's special selection or situation*; § 13.1685 *Nature*; § 13.1715 *Quality*; § 13.1725 *Refunds*; § 13.1740 *Scientific or other relevant facts*; § 13.1747 *Special or limited offers*; § 13.1760 *Terms and conditions*; § 13.1760-50 *Sales contract*; —Prices: § 13.1778 *Additional costs unmentioned*; § 13.1805 *Exaggerated as regular and customary*; § 13.1825 *Usual as reduced or to be increased*; —Promotional sales plans: § 13.1830 *Promotional sales plans*; —Services: § 13.1835 *Cost*; § 13.1843 *Terms and conditions*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1855 *Identity*; § 13.1870 *Nature*; § 13.1882 *Prices*; § 13.1882-10 *Additional costs unmentioned*; § 13.1886 *Quality, grade or type*; § 13.1892 *Sales contract, right-to-cancel*; § 13.1895 *Scientific or other relevant facts*; § 13.1905 *Terms and conditions*; § 13.1905-50 *Sales contract*. Subpart—Offering, unfair, improper and deceptive inducements to purchase or deal: § 13.1980 *Guarantee, in general*; § 13.1985 *Individual's special selection or situation*; § 13.2010 *Money back guarantee*; § 13.2063 *Scientific or other relevant facts*. Subpart—Securing orders by deception: § 13.2170 *Securing orders by deception*. Subpart—Securing signatures wrongfully: § 13.2175 *Securing signatures wrongfully*. Subpart—Substituting product inferior to offer: § 13.2263 *Substituting product inferior to offer*. Subpart—Threatening suits, not in good faith: § 13.2264 *Delinquent debt collection*.

(Sec. 6, 38 Stat. 721, 15 U.S.C. 46, Interprets or applies sec. 5, 38 Stat. 619, as amended; 15 U.S.C. 45)

In the Matter of Tomorrow's Heritage, Inc., a Corporation, Doing Business as Heritage and Ben H. Garfinkel, and Robert R. Silvers, Individually and as Officers of Said Corporation
Consent order requiring a Beverly Hills, Calif., seller and distributor of photograph albums, coupon books and certificates, sold in connection with photo enlargement and studio portrait plans, among other things to cease misrepresenting the business relationship between respondents and others; misrepresenting the usual and customary prices for its products or services; failing to maintain adequate records; misrepresenting special or limited offers; misrepresenting guarantees and failing to make refunds on a money-back guarantee.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:¹

¹ Copies of the Complaint, Decision and Order, filed with the original document.

ORDER

It is ordered, That respondents Tomorrow's Heritage, Inc., a corporation, doing business as Heritage, or under any other name, its successors and assigns, and Ben H. Garfinkel and Robert R. Silvers, individually and as officers of said corporation, and respondents' officers, agents, representatives, and employees, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, offering for sale, sale or distribution of photograph albums, photograph enlargement plans, studio portrait plans, or any other type of photography plan, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or indirectly, orally or in writing, that respondents have a business relationship with Eastman Kodak Company apart from the purchase or use of Eastman Kodak Company products; or misrepresenting, in any manner, the business relationship between respondents and any company, firm, organization, or individual.

2. Representing, directly or indirectly, orally or in writing, that any amount is the usual and customary retail price for products or services, whether purchased from respondents or elsewhere, unless such amount is the price at which the products or services have been usually and customarily sold at retail by respondents, or any other person or persons, for a substantial period of time in the recent and regular course of business; or misrepresenting in any manner, the value of products or services sold by respondents.

3. Failing to keep adequate records:
(a) Which disclose the facts upon which any retail price claims, comparative value claims, or other representations of the type described in Subparagraph 2 of this Order are based; and
(b) From which the validity of any retail price claims, comparative value claims, or other representations of the type described in Subparagraph 2 of this Order can be determined.

4. Representing, directly or indirectly, orally or in writing, that the \$1.00 charge, accompanying each enlargement request, covers only the cost of "postage and handling;" or misrepresenting in any manner the purpose or use of any charges exacted for products or services.

5. Representing, directly or indirectly, orally or in writing, that enlargements can and will be made from any clear negative under the terms of any agreement with respondent or respondents' representatives in cases where respondents or respondents' agents, cannot or will not, make such enlargements under the terms of the agreement; or misrepresenting, in any manner, the services provided by respondents' enlargement plan.

6. Failing to disclose, in a clear and conspicuous manner, both in the written sales agreement entered into with purchasers and any and all written or oral communications describing the services

provided by the respondents' enlargement plan, any and all conditions, qualifications, limitations or terms which would affect full use and enjoyment of the enlargement service by any purchaser entering into written agreement with respondents or respondents' representatives, including, but not limited to, the unavailability of enlargement services for certain types of camera and negatives.

7. Representing, directly or indirectly, orally or in writing, that respondents make no profit on the sale of the enlargement plan; or misrepresenting, in any manner, the business reason for any offer made by respondent, or its representatives.

8. Failing to reveal, clearly and unqualifiedly, at the outset of the initial and all subsequent contacts or solicitations of purchasers or prospective purchasers that the purpose of such contact or solicitation is to make a sales presentation to the prospective purchaser with regard to the sale of products or services.

9. Failing to disclose any and all charges or costs to customers in the purchase of any product or service whenever respondents, or respondents' representatives, discuss any charges, costs or savings in the purchase of products or services; or misrepresenting, in any manner, the amount of savings available to purchasers of respondents' products or services.

10. Failing, clearly, conspicuously and unqualifiedly, to disclose in respondents' sales contract used in connection with the sale of their photograph enlargement plan, that any charges, in addition to the amount being financed by the customer required to obtain full use and enjoyment of the program, are not included in the credit disclosure portion of the contract and represent an additional cost over and above the "cash price" of the plan.

11. Representing, directly or indirectly, orally or in writing, that the studio portrait plan entitles the customer to color portraits unless, in fact, such studio designated by respondents offers color portraits without additional charge or expense to the customer.

12. Representing, directly or indirectly, orally or in writing, that the studio designated to perform respondents' obligations under the contract will not exact a sitting fee, service charge, or any other charge, unless, in fact, the contract for service is performed without cost or obligation whatsoever to the customer.

13. Substituting a means of performance, in cases where, due to no fault of the customer, respondents or their agents cannot perform their original obligation according to the original terms of the agreement, unless such substitute or alternative performance on the part of respondents is freely and voluntarily consented to by the customer at the time the substituted performance is to be made. Respondents or their agents will not be deemed to be unable to perform their obligations to a customer in those situations where the customer unilaterally and by his own decision changes his

position or circumstances making performance by respondents of their original contractual obligations to the customer impossible.

14. Failing, in cases where respondents or their agents cannot perform their obligations to a customer, due to no fault of the customer, to refund pro rata, an amount equal to the unperformed portion of the contract, unless the customer freely and voluntarily elects to accept a substitute means of performance in lieu of the original contract. Such proportion used to determine the amount of refund shall be derived by dividing the unused portraits to which the customer is entitled by the total number of portraits specified in the contract, without regard to any other products or materials received by the customer. Respondents or their agents will not be deemed to be unable to perform their obligations to a customer in those situations where the customer unilaterally and by his own decision changes his position or circumstances making performance by respondents of their original contractual obligations to the customer impossible.

15. Representing, directly or indirectly, orally or in writing, that any offer to sell said products or services is being made only to specially selected persons, or is not available, on the same terms, to all persons; or misrepresenting, in any manner, the persons, or class of persons, afforded the opportunity of purchasing respondents' products or services.

16. Representing, directly or indirectly, orally or in writing, that any price of a product or service is promotional or reduced, unless such price is below the amount at which such product or service has been sold by respondents for a reasonably substantial period of time in the recent and regular course of their business.

17. Representing, directly or indirectly, orally or in writing, that the offer being made is a special, or one-time offer, or that the offer is for a limited duration; or misrepresenting, in any manner, the duration or availability of any offer.

18. Representing, directly or indirectly, orally or in writing, that any person will receive a free gift, unless respondents actually tender such a gift at the time the representation is made, and make clear that there is no condition or obligation upon the customer or prospective customer for acceptance of such item.

19. Representing, directly or indirectly, orally or in writing, that any product or service is a prize, gift, or bonus, or is being offered at a reduced cost, in connection with the purchase of, or agreement to purchase any product or service, or combination of products or services, unless this stated price of the product or service, or combination thereof, required to be purchased in order to obtain such prize, gift, bonus, or reduced cost is the same as or less than, the customary and usual price at which such product or service, or combination thereof, required to be purchased, has been sold separately from such prize, gift, bonus, or reduced cost item, for a substantial

number of sales, at the stated price, for a substantial period of time in the trade area where the representation is made.

20. Failing to make a complete refund to any customers, upon request, who have received, directly or indirectly, orally or in writing, a money-back satisfaction guarantee from respondents or their representatives.

21. Representing that respondents' agents or representatives are from, or connected with, the "Newlywed Game;" or misrepresenting, in any manner, the connection between respondents and any other television or radio program.

22. Representing, directly or indirectly, orally or in writing, that respondents' agents or representatives are considering persons for participation in the Newlywed Game television program; or misrepresenting, in any manner, the purpose of respondents' agents or representatives contact with any prospective customer.

23. Representing, directly or indirectly, orally or in writing, that customers are being given a money-back guarantee, unless such guarantee is honored according to its terms, which must be clearly and conspicuously disclosed in writing, and is limited by no more than the following conditions:

(a) The guarantee be exercisable immediately and valid for not less than a one year period following receipt of all initial parts of the purchased package;

(b) Respondents may demand return of consideration given by them.

II. *It is further ordered.* That respondents Tomorrow's Heritage, Inc., a corporation, doing business as Heritage, or under any other name, its successors and assigns, and Ben H. Garfinkel and Robert R. Silvers, individually, and as officers of said corporation, and respondents' officers, agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the collection or attempted collection of any allegedly delinquent accounts in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or indirectly, orally or in writing, that any account or alleged debt is being, or has been, transferred to any attorney with instructions to institute suit or to take any other legal step involving court process, unless respondents are able to establish by adequate records that a prior determination had been made in good faith to institute such legal action.

2. Instituting, or threatening to institute, suits except in the county where defendant resides at the commencement of the action, or in the county where the defendant signed the contract sued upon. This provision shall not preempt any rule of law which further limits choice of forum or which requires, in actions involving real property or fixtures attached to real property, that suit be instituted in a particular county.

3. Using forms, or any other items of printed or written matter, which mislead, or have the tendency to mislead,

the recipient to believe that such form was sent by a government body or public agency.

4. Using forms, or any other items of printed or written matter, which mislead, or have the tendency to mislead, the recipient to believe that he is obligated or instructed to appear at any place in connection with the account or alleged debt, or waive any claims he may have against respondents.

III. *It is further ordered*, That respondents Tomorrow's Heritage, Inc., a corporation, doing business as Heritage, or under any other name, its successors and assigns, and Ben H. Garfinkel and Robert R. Silvers, individually and as officers of said corporation, and respondents' agents, representatives, and employees directly or through any corporation, subsidiary, division or other device, in connection with the advertising, offering for sale, sale or distribution of photograph albums, photograph enlargement plans, studio portrait plans, or any other type of photography plan, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Failing to furnish the buyer with a fully completed receipt or copy of any contract pertaining to such sale at the time of its execution, which is in the same language, e.g., Spanish, as that principally used in the oral sales presentation and which shows the date of the transaction and contains the name and address of the seller, and in immediate proximity to the space reserved in the contract for the signature of the buyer or on the front page of the receipt if a contract is not used and in bold face type of a minimum size of 10 points, a statement in substantially the following form:

You, the buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. See the attached notice of cancellation form for an explanation of this right.

2. Failing to furnish each buyer, at the time he signs the door-to-door sales contract or otherwise agrees to buy consumer goods or services from the seller, a completed form in duplicate, captioned "Notice of Cancellation", which shall be attached to the contract or receipt and easily detachable, and which shall contain in 10 point bold face type the following information and statements in the same language, e.g., Spanish, as that used in the contract

NOTICE OF CANCELLATION
(enter date of transaction)
date

You may cancel this transaction without any penalty or obligation within 3 business days from the above date.

If you cancel, any property traded in, any payments made by you under the contract or sale, and any negotiable instrument executed by you will be returned within 10 business days following receipt by the seller of your cancellation notice, and any security interest arising out of the transaction will be cancelled.

If you cancel, you must make available to the seller at your residence, in substantially as good condition as when received, any goods delivered to you under this contract or sale; or you may, if you wish, comply with the instructions of the seller regarding the return shipment of the goods at the seller's expense and risk.

If you do make the goods available to the seller and the seller does not pick them up within 30 days of the date of your notice of cancellation, you may retain or dispose of the goods without any further obligation. If you fail to make the goods available to the seller, or if you agree to return the goods to the seller and fail to do so, then you remain liable for performance of all obligations under the contract.

To cancel this transaction, mail or deliver a signed and dated copy of this cancellation notice or any other written notice, or send a telegram, to _____
(name of seller)

at _____
(address of seller's place of business)
not later than midnight of _____
(date)

I hereby cancel this transaction.

(date) _____
(buyer's signature)

3. Failing, before furnishing copies of the "Notice of Cancellation" to the buyer, to complete both copies by entering the name of the seller, the address of the seller's place of business, the date of the transaction, and the date, not earlier than the third business day following the date of the transaction, by which the buyer may give notice of cancellation.

4. Including in any door-to-door contract or receipt a waiver of any of the rights to which the buyer is entitled under this Section including specifically his right to cancel the sale in accordance with the provisions of this section. Respondents further agree not to include in any door-to-door contract or receipt any confession of judgment.

5. Failing to inform each buyer orally, at the time he signs the contract or purchases the goods or services, of his right to cancel.

6. Misrepresenting in any manner the buyer's right to cancel.

7. Failing or refusing to honor any valid notice of cancellation by a buyer and within 10 business days after the receipt of such notice, to: (a) Refund all payments made under the contract or sale; (b) return any goods or property traded in, in substantially as good condition as when received by the seller; (c) cancel and return any negotiable instrument executed by the buyer in connection with the contract or sale and take any action necessary or appropriate to terminate promptly any security interest created in the transaction.

8. Negotiating, transferring, selling, or assigning any note or other evidence of indebtedness to a finance company or other third party prior to midnight of the fifth business day following the day the contract was signed or the goods or services were purchased.

9. Failing, within 10 business days of receipt of the buyer's notice of cancellation, to notify him whether the seller in-

tends to repossess or to abandon any shipped or delivered goods.

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

It is further ordered, That respondents shall:

a. Provide each of their present and future branch managers, and other supervisory personnel engaged in the sale or supervision of persons engaged in the sale of respondents' products or services, written instructions with respect to the provisions of this Order which are applicable to the functions of each such person;

b. Require each person so described in paragraph (a) above to clearly and fully explain the applicable provisions of this Order to all sales agents, representatives and other persons engaged in the sale of the respondents' products or services;

c. Provide each person so described in paragraphs (a) and (b) above with a form returnable to the respondents clearly stating his intention to be bound by, and to conform his business practices to, the applicable provisions of this Order, retain said statement during the period said persons is so engaged and make said statement available to the Commission's staff for inspection and copying upon request;

d. Inform each person described in paragraphs (a) and (b) above that respondents shall not use any third party, or the services of any third party, if such third party will not agree to so file and does not file notice with the respondents that such third party will be bound by the applicable provisions of this Order;

e. If such third party will not agree to so file notice with respondents and be bound by the applicable provisions of the Order, not use such third party, or the services of such third party, to sell respondents' products or services;

f. Inform the persons described in paragraphs (a) and (b) above that respondents are obligated by this Order to discontinue dealing with those persons who continue on their own the deceptive acts or practices prohibited by this Order;

g. Institute a reasonable program of surveillance or investigation to ascertain whether the business operations of each said person described in paragraphs (a) and (b) above comply with the applicable provisions of this Order;

h. Discontinue dealing with the persons so engaged, revealed by the aforesaid program of surveillance, who continue on their own the deceptive acts or practices prohibited by the applicable provisions of this Order;

i. Upon receiving information or knowledge from any source concerning two or more bona fide complaints prohibited by the applicable provisions of this Order against any of their sales agents or representatives during any one-month period, be responsible for either ending said practices or securing the termination of the employment of the offending sales agent or representative;

j. Submit to the Commission a detailed report every six (6) months for a period of three years from the effective date of this Order demonstrating the effectiveness of the steps or actions taken with regard to the aforesaid surveillance program.

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

It is further ordered, That the individual respondents named herein promptly notify the Commission of the discontinuance of their present business or employment and of their affiliation with a new business or employment. Such notice shall include respondents' current business and employment name and address, as well as a description of their duties and responsibilities.

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

The Decision and Order was issued by the Commission December 31, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-7992 Filed 3-26-75;8:45 am]

[Docket C-2617]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Victor H. Graber, et al.

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

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 712, as amended, 82 Stat. 146, 147; (15 U.S.C. 45, 1601-1605))

In the matter of Victor H. Graber, Jewelers Distributing Co., Kelly Graber Co., Steven Jewelry Co., Vissala Corp., Barkell, Inc., Milbourn, Corp., Reyla Jewelry Co., Lisa Corp., Vicgray Corp., Market Corp., Corporations, Each Also Known as Crescent Jewelers Company, and Victor H. Graber, Individually and as an Officer of Said Corporations.

Consent order requiring 11 California corporations, all of which are also known

under the common name of Crescent Jewelers Company, retelling jewelry, appliances and related products, among other things to cease violating the Truth in Lending Act by failing to disclose to consumers, in connection with the extension of consumer credit, such information as required by Regulation Z of the said Act.

The Decision and Order, including further order requiring report of compliance therewith, is as follows:¹

ORDER

It is ordered, That respondent corporations, their successors and assigns, and their officers, and Victor H. Graber, individually and as an officer of said corporations, and respondents' agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with any advertisement to aid, promote or assist directly or indirectly any extension of consumer credit, as "consumer credit," and "advertisement" are defined in Regulation Z (12 CFR 226) of the Truth in Lending Act (Pub. L. 90-321, 15 U.S.C. 1601 et seq.), do forthwith cease and desist from:

1. Representing, directly or by implication, in any advertisement to promote the sale of jewelry, appliances, and related products, as "advertisement" is defined in Regulation Z the amount of the downpayment required or that no downpayment is required, the amount of any installment payment, the dollar amount of any finance charge, the number of installments or the period of repayment, or that there is no charge for credit, unless all of the following items are stated in terminology prescribed under § 226.8 of Regulation Z, as required by § 226.10 (d) (2) thereof:

a. The cash price;
b. The amount of the downpayment required or that no downpayment is required, as applicable;
c. The number, amount, and due dates or period of payments scheduled to repay the indebtedness if the credit is extended;
d. The amount of the finance charge expressed as an annual percentage rate;
e. The deferred payment price.

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

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

It is further ordered, That respondents notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondents such as

¹ Copies of the Complaint, Decision and Order, filed with the original document.

dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporations which may affect compliance obligations arising out of the order.

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

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

The Decision and Order was issued by the Commission December 23, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-7905 Filed 3-26-75;8:45 am]

Title 21—Food and Drugs

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

Recodification Editorial and Transfer Amendments

The Food and Drug Administration is in the process of recodifying all of Chapter I of Title 21 of the Code of Federal Regulations, for the purposes of providing orderly development of such regulations, furnishing ample room for expansion in the years ahead, and providing the public and affected industries with regulations that are easy to find, read and understand.

The eighth and ninth in a series of recodification documents, which reorganize and recodify regulations on animal drugs and drugs having general applicability, are published elsewhere in this issue of the FEDERAL REGISTER. These regulations now appear in Subchapter C—Drugs: General, and Subchapter E—Animal Drugs, Feeds, and Related Products.

To provide uniformity and continuity during the recodification, the Commissioner concludes that the references to the recodified material should be amended at this time.

Due to the complexity and volume of cross references involved in the recodification of these regulations, if necessary, supplemental documents will be issued at a later date.

Therefore, Chapter I of Title 21 of the Code of Federal Regulations is amended as follows:

SUBCHAPTER A—GENERAL

PART 1—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT AND THE FAIR PACKAGING AND LABELING ACT

§ 1.1 [Amended]

1. Section 1.1(c) is amended by changing the references to "§§ 1.7, 1.101a,

and 701.10", "§§ 1.8b(f), 1.102d(e), and 701.13(f)", "§§ 1.8b(i), 1.102(h), and 701.13(i)", "§§ 1.8b(j) and (m), 1.102d(i) and (k), and 701.13(j) and (m)", "§§ 1.102d(m) and 701.13(o)", "§§ 1.102d(n) and 701.13(p)", "§§ 1.8b(o), 1.102d(o), and 701.13(q)" to read "§§ 1.7, 201.60 and 701.10 of this chapter", "§§ 1.8b(f), 201.62(e), and 701.13(f) of this chapter", "§§ 1.8b(i), 201.1(h), and 701.13(i) of this chapter", "§§ 1.8b(j) and (m), 201.62(i) and (k), and 701.13(j) and (m) of this chapter", "§§ 201.62(m) and 701.13(o) of this chapter", "§§ 201.62(n) and 701.13(p) of this chapter", "§§ 1.8b(o), 201.62(o), and 701.13(q) of this chapter", respectively.

§ 1.1c [Amended]

2. Section 1.1c(b)(1) is amended by changing the references to "§ 1.102d (b), (i), and (j)" and "§ 1.102d(i)" to read "§ 201.62 (b), (i), and (j) of this chapter" and "§ 201.62(i) of this chapter" respectively.

PART 2—ADMINISTRATIVE FUNCTIONS, PRACTICES AND PROCEDURES

§ 2.121 [Amended]

3. Section 2.121(u)(3) is amended by changing the reference to "§ 135.3" to read "§ 511.1".

PART 4—PUBLIC INFORMATION

§ 4.100 [Amended]

4. Section 4.100 is amended as follows:
 a. In paragraph (c)(9) the reference to "§ 132.9" is changed to read "§ 207.37".
 b. In paragraph (c)(10) the reference to "§ 135.33" is changed to read "§ 514.12".
 c. In paragraph (c)(11) the reference to "§ 135.33a" is changed to read "§ 514.10".
 d. In paragraph (c)(12) the reference to "§ 146.16" is changed to read "§ 514.10".

§ 4.116 [Amended]

5. Section 4.116 is amended by changing the reference to "§ 132.9" to read "§ 207.37".

SUBCHAPTER B—FOOD AND FOOD PRODUCTS
PART 121—FOOD ADDITIVES

§ 121.10 [Amended]

6. Section 121.10 is amended by changing the reference to "§ 3.27" to read "§ 250.203".

§ 121.75 [Amended]

7. Section 121.75(b) is amended by changing the reference to "§ 135.3" to read "§ 511.1".

§ 121.208 [Amended]

8. Section 121.208 is amended as follows:

a. In paragraph (d), Table 1, item 16 the reference in the "Limitations" column to "sponsor No. 004, see § 135.501

(c)" is changed to read "No. 010042, see § 510.600(c)".

b. In paragraph (d), Table 1, item 17, the references in the "Limitations" and "Indications for use" columns to "§ 135e.66(f) table items 3, 4, and 5" are changed to read "§ 558.515(f)".

§ 121.210 [Amended]

9. Section 121.210 is amended as follows:

a. In paragraph (c), Table 1, item 7.1, a.7.1, the references in the "Limitations" column to "Code No. 028 in § 135.501(c)" and "firm No. 023 as identified in § 135.501(c)" are changed to read "No. 000794 in § 510.600(c)" and "No. 000006 as identified in § 510.600(c)".

b. In paragraph (c), Table 1, item 7.1, b.7.1, the references in the "Limitations" column to "code No. 031 in § 135.501(c)" and "firm No. 023 as identified in § 135.501(c)" are changed to read "No. 017210 in § 510.600(c)" and "No. 000006 as identified in § 510.600(c)".

c. In paragraph (c), Table 1, item 9.1, the references in the "Limitations" column to "code No. 023 in § 135.501(c)", "code No. 028 in § 135.501(c)", "code No. 031 in § 135.501(c)", and "firm No. 023 as identified in § 135.501(c)" are changed to read "No. 000006 in § 510.600(c)", "No. 000794 in § 510.600(c)", "No. 017210 in § 510.600(c)", and "No. 000006 as identified in § 510.600(c)".

§ 121.251 [Amended]

10. Section 121.251(d), Table 1, item 13 is amended by changing the reference in the "Limitations" column to "code No. 030 in § 135.501(c)" to read "No. 000069 in § 510.600(c)".

§ 121.262 [Amended]

11. Section 121.262 is amended as follows:

a. In paragraph (c), Table 1, item 1.18, 1.1.11 the reference in the "Limitations" column to "code No. 009 in § 135.501(c)" is changed to read "No. 012769 in § 510.600(c)".

b. In paragraph (c), Table 1, item 1.19, the reference in the "Limitations" column to "sponsor No. 067, see § 135.501(c)" is changed to read "No. 000947 in § 510.600(c)".

c. In paragraph (c), Table 1, item 1.23, the references in the "Limitations" column to "code No. 031, § 135.501(c)", "code No. 014, § 135.501(c)", "code No. 037, § 135.501(c)", "firm No. 037 as identified in § 135.501(c)" are changed to read "No. 017210 in § 510.600(c)", "No. 000986 in § 510.600(c)", "No. 000009 in § 510.600(c)", "No. 000009 as identified in § 510.600(c)".

d. In paragraph (c), Table 1, item 1.24, the reference in the "Limitations" column to "sponsor No. 031; see § 135.501(c)" is changed to read No. 017210 in § 510.600(c)".

e. In paragraph (e) the reference to "code No. 019 in § 135.501(c)" is changed to read "No. 011801 in § 510.600(c)".

SUBCHAPTER C—DRUGS¹

PART 141c—CHLORTETRACYCLINE (OR TETRACYCLINE) AND CHLORTETRACYCLINE- (OR TETRACYCLINE-) CONTAINING DRUGS FOR VETERINARY USE; TESTS AND METHODS OF ASSAY.

§§ 141c.201 and 141c.218 [Revoked]

12. § 141c.201 Chlortetracycline hydrochloride, veterinary, and § 141c.218 Tetracycline hydrochloride, veterinary are revoked.

PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS FOR VETERINARY USE

§§ 146a.61 and 146a.68 [Revoked]

13. § 146a.61 Potassium phenoxymethyl penicillin (potassium phenoxymethyl penicillin salt) veterinary and § 146a.68 Benzathine penicillin G (benzathine penicillin G salt), veterinary are revoked.

PART 146b—CERTIFICATION OF STREPTOMYCIN (OR DIHYDROSTREPTOMYCIN) AND STREPTOMYCIN- (OR DIHYDROSTREPTOMYCIN-) CONTAINING DRUGS FOR VETERINARY USE

§ 146b.101 [Revoked]

14. § 146b.101 Streptomycin sulfate veterinary; streptomycin hydrochloride veterinary; streptomycin phosphate veterinary; streptomycin trihydrochloride calcium chloride (streptomycin calcium chloride complex) veterinary is revoked.

PART 146c—CERTIFICATION OF CHLORTETRACYCLINE (OR TETRACYCLINE) AND CHLORTETRACYCLINE- (OR TETRACYCLINE-) CONTAINING DRUGS FOR VETERINARY USE

§§ 146c.201, 146c.218, 146c.220, and 146c.232 [Revoked]

15. § 146c.201 Chlortetracycline hydrochloride (chlortetracycline hydrochloride salt), veterinary, § 146c.218 Tetracycline hydrochloride, veterinary, § 146c.220 Tetracycline, veterinary, and § 146c.232 Tetracycline phosphate complex veterinary are revoked.

PART 146e—CERTIFICATION OF BACITRACIN AND BACITRACIN-CONTAINING DRUGS FOR VETERINARY USE

§ 146e.401 [Revoked].

16. § 146e.401 Bacitracin, veterinary is revoked.

SUBCHAPTER D—DRUGS FOR HUMAN USE

17. Part 300—General is established and former § 3.86 is transferred to § 300.50 in Subpart B—Combination Drugs as set forth below:

¹ Now Subchapter C—Drugs: General, recodified elsewhere in this issue of the FEDERAL REGISTER.

PART 300—GENERAL**Subpart A [Reserved]****Subpart B—Combination Drugs**

AUTHORITY: Sec. 701, 52 Stat. 1055-1056 as amended; (21 U.S.C. 371), unless otherwise noted.

§ 300.50 Fixed-combination prescription drugs for humans.

The Food and Drug Administration's policy in administering the new-drug, antibiotic, and other regulatory provisions of the Federal Food, Drug, and Cosmetic Act regarding fixed combination dosage form prescription drugs for humans is as follows:

(a) Two or more drugs may be combined in a single dosage form when each component makes a contribution to the claimed effects and the dosage of each component (amount, frequency, duration) is such that the combination is safe and effective for a significant patient population requiring such concurrent therapy as defined in the labeling for the drug. Special cases of this general rule are where a component is added:

(1) To enhance the safety or effectiveness of the principal active component

(2) To minimize the potential for abuse of the principal active component

(b) If a combination drug presently the subject of an approved new-drug application or antibiotic monograph has not been recognized as effective by the Commissioner of Food and Drugs based on his evaluation of the appropriate National Academy of Sciences-National Research Council panel report, or if substantial evidence of effectiveness has not otherwise been presented for it, then formulation, labeling, or dosage changes may be proposed and any resulting formulation may meet the appropriate criteria listed in paragraph (a) of this section.

(c) A fixed-combination prescription drug for humans that has been determined to be effective for labeled indications by the Food and Drug Administration, based on evaluation of the NAS-NRC report on the combination, is considered to be in compliance with the requirements of this section.

(Secs. 502, 505, 507, 52 Stat. 1050-53, as amended, 59 Stat. 463, as amended; 21 U.S.C. 352, 355, 357)

PART 314—NEW DRUG APPLICATIONS**§ 314.1 [Amended]**

18. Section 314.1(c) (2) is amended by changing the reference in Form FD-356H to "§ 1.106(b) (21 CFR 1.106(b))" to read "§ 201.100 (21 CFR 201.100)".

§ 314.3 [Amended]

19. Section 314.3(d) (4) is amended by changing the reference to "§ 3.81" to read "§ 201.200".

§ 314.9 [Amended]

20. Section 314.9(a) (1) and (3) is amended by changing the references to "§ 1.106 (b) or (c)" to read "§§ 201.100 or 201.105".

PART 328—IN VITRO DIAGNOSTIC PRODUCTS FOR HUMAN USE**§ 328.10 [Amended]**

21. Section 328.10 is amended as follows:

a. In paragraph (a) (5) the reference to "§ 133.13" is changed to read "§ 211.60".

b. In paragraph (b) (5) (iv) the reference to "§ 133.13" is changed to read "§ 211.60".

c. In paragraph (c) (4) the reference to "§ 132.5" is changed to read "§ 207.25".

(d) In paragraph (d) (1) (v) the reference to "§ 133.13" is changed to read "§ 211.60".

§ 328.20 [Amended]

22. Section 328.20 is amended as follows:

a. In paragraph (a) the reference to "Part 132" is changed to read "Part 207".

b. In paragraph (b) the phrase "Part 133 of this chapter, 'Drugs; Current Good Manufacturing Practice in Manufacture, Processing, Packing, or Holding,' should be followed as a guideline" is changed to read "Parts 210, 211, 225, 226 and 229 of this chapter should be followed as a guideline".

PART 329—HABIT-FORMING DRUGS**§ 329.10 [Amended]**

23. Section 329.10 is amended by changing the reference in the cross-reference note to "§ 1.108" to read "§§ 201.16(b)".

PART 330—OVER-THE-COUNTER (OTC) HUMAN DRUGS WHICH ARE GENERALLY RECOGNIZED AS SAFE AND EFFECTIVE AND NOT MISBRANDED**§ 330.1 [Amended]**

24. Section 330.1 is amended as follows:

a. In paragraph (a) the reference to "Part 133" is changed to read "Parts 210, 211, 225, 226 and 229".

b. In paragraph (b) the references to "Part 132" are changed to read "Part 207".

c. In paragraph (c) the references to "§ 1.100" and "§ 1.102a(b)" are changed to read "Subchapter C" and "§ 20.61(b)".

d. In paragraph (f) the reference to "§ 133.9" is changed to read "§ 211.55".

PART 369—INTERPRETATIVE STATEMENTS RE WARNINGS ON DRUGS AND DEVICES FOR OVER-THE-COUNTER**§ 369.4 [Amended]**

25. Section 369.4 is amended by changing the reference to "Part 3" to read "Subchapter C".

§ 369.20 [Amended]

26. Section 369.20 is amended as follows:

a. The parenthetical sentence following the heading "ACETOPHENETIDIN-CONTAINING PREPARATIONS" is amended by changing the reference "§ 3.37" to read "§ 201.309".

b. The parenthetical sentence following the heading "ANTIHISTAMINICS, ORAL" is amended by changing the reference "§ 3.29" to read "§ 201.307".

c. The parenthetical sentence following the heading "COBALT PREPARATIONS" is amended by changing the reference "§ 3.48" to read "§ 250.106".

d. The parenthetical sentence following the heading "MINERAL OIL LAXATIVES" is amended by changing the reference to "§ 3.4" to read "§ 201.302".

e. The parenthetical sentence following the heading "OPHTHALMIC PREPARATIONS" is amended by changing the reference "§ 3.28" to read "§ 200.50".

f. The parenthetical sentence following the heading "POTASSIUM PERMANGANATE AQUEOUS SOLUTIONS (CONTAINING NOT MORE THAN 0.04 PERCENT POTASSIUM PERMANGANATE)" is amended by changing the reference "§ 3.7" to read "§ 250.108".

g. The parenthetical sentence following the heading "SALICYLATES, INCLUDING ASPIRIN AND SALICYLAMIDE (EXCEPT METHYL SALICYLATE, EFFERVESCENT SALICYLATE PREPARATIONS, AND PREPARATIONS OF AMINOSALICYLIC ACID AND ITS SALTS)" is amended by changing the reference "§ 3.509" to read "§ 201.314".

h. The parenthetical sentence following the heading "SALICYLATES: METHYL SALICYLATE (WINTER-GREEN OIL)" is amended by changing the reference "§§ 3.35 and 3.509" to read "§§ 201.303 and 201.314".

i. The parenthetical sentence following the heading, "THROAT PREPARATIONS FOR TEMPORARY RELIEF OF MINOR SORE THROAT: LOZENGES, TROCHES, WASHES, GARGLES, ETC." is amended by changing the reference "§ 3.510" to read "§ 201.315".

§ 369.21 [Amended]

27. Section 369.21 is amended as follows:

a. The parenthetical sentence following the heading "ANTIHISTAMINICS, ORAL (PHENYLTOLOXAMINE DIHYDROGEN CITRATE, MECLIZINE HYDROCHLORIDE DOXYLAMINE SUCCINATE, CHLOROTHEN CITRATE, CYCLIZINE HYDROCHLORIDE, AND CHLORCYCLIZINE HYDROCHLORIDE PREPARATIONS)" is amended by changing the reference "§ 3.29" to read "§ 201.307".

b. The parenthetical sentence following the heading "BACITRACIN-CONTAINING OINTMENTS" is amended by changing the reference "§ 146e.402" to read "§ 548.313b".

c. The parenthetical sentence following the heading "BACITRACIN (ZINC BACITRACIN)-POLYMYXIN OINTMENT; BACITRACIN-POLYMYXIN-NEOMYCIN OINTMENT" is amended by changing the reference "§ 146e.422" to read "§ 448.510e(a)".

d. The parenthetical sentence following the heading "IPECAC SYRUP IN ONE-FLUID OUNCE CONTAINERS FOR EMERGENCY TREATMENT OF POISONING, TO INDUCE VOMITING"

is amended by changing the reference “§ 3.30” to read “§ 201.308”.

e. The parenthetical sentence following “SODIUM GENTISATE” is amended by changing the reference “§ 3.509” to read “§ 201.314”.

PART 429—DRUGS COMPOSED WHOLLY OR PARTLY OF INSULIN

28. Part 429 is amended in the cross reference note of the table of contents by changing the reference “§§ 1.115, 3.506, and 3.507” to read “§§ 200.11, 200.15, and 201.17”.

§ 429.11 [Amended]

29. The footnote for § 429.11(h) (1) is amended by changing the reference to “§ 1.108” to read “§§ 201.16(a) and 290.6”.

PART 431—CERTIFICATION OF ANTIBIOTIC DRUGS

§ 431.16 [Amended]

30. Section 431.16 is amended as follows:

a. In paragraph (a) the reference to “§ 3.81” is changed to read “§ 201.200”.

b. In paragraph (b) the reference to “§ 1.106(b)” is changed to read “§ 201.100”.

§ 431.51 [Amended]

31. Section 431.51(e) is amended by changing the reference to “Part 133” to read “Parts 210, 211, 225, 226, and 229”.

§ 431.53 [Amended]

32. Section 431.53(g) is amended by changing the reference to “§ 144.26” to read “§ 510.515”.

PART 432—PACKAGING AND LABELING OF ANTIBIOTIC DRUGS

33. Part 432 is amended in the cross reference note in the table of contents by changing the reference “§ 1.107” to read “§ 201.150”.

§ 432.5 [Amended]

34. Section 432.5(a) (1) is amended by changing the reference to “§ 1.106(b)” to read “§ 201.100”.

PART 433—EXEMPTIONS FROM ANTIBIOTIC CERTIFICATION AND LABELING REQUIREMENTS

§ 433.17 [Amended]

35. Section 433.17 is amended by changing the references to “§ 135.3” to read “§ 511.1”.

PART 436—TESTS AND METHODS OF ASSAY OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

§ 436.504 [Amended]

36. Section 436.504(a) (1) is amended by changing the reference to “§ 141a.8 (a)” to read “§ 540.380a(b) (1)”.

§ 436.505 [Amended]

37. Section 436.505(a) (1) is amended by changing the reference to “§ 141a.35 (a)” to read “§ 536.501(a)”.

§ 436.509 [Amended]

38. Section 436.509 is amended as follows:

a. In paragraph (a) (1) the reference to “§ 141a.8(a)” is changed to read “§ 540.380a(b) (1)”.

b. In paragraph (a) (2) the reference to “§ 141b.129(a) (1)” is changed to read “§ 544.373c(b) (1) (i)”.

§ 436.510 [Amended]

39. Section 436.510(a) (1) is amended by changing the reference to “§ 141a.35 (a) (1)” to read “§ 536.501(a) (1)”.

§ 436.511 [Amended]

40. Section 436.511 is amended as follows:

a. In paragraph (a) (1) the reference to “§ 141a.8(a)” is changed to read “§ 540.380a(b) (1)”.

b. In paragraph (a) (2) of this chapter” is changed to read “§ 436.105”.

c. In paragraph (a) (3) of this chapter” is changed to read “§ 436.105”.

d. In paragraph (a) (5) of this chapter” is changed to read “§ 436.105”.

§ 436.514 [Amended]

41. Section 436.514(b) is amended by changing the reference to “§ 141b.117 (c)” to read “§ 536.513(c)”.

§ 436.516 [Amended]

42. Section 436.516(c) is amended by changing the reference to “§ 141b.117 (c)” to read “§ 536.513(c)”.

PART 440—PENICILLIN ANTIBIOTIC DRUGS

§ 440.80a [Amended]

43. Section 440.80a(a) (3) (1) is amended by changing the reference to “§ 1.106(b)” to read “§ 201.100”.

§ 440.153 [Amended]

44. Section 440.153(a) (3) is amended by changing the reference to “§ 1.106 (b)” to read “§ 201.100”.

§ 440.155c [Amended]

45. Section 440.155c(a) (3) is amended by changing the reference to “§ 1.106 (b)” to read “§ 201.100”.

§ 440.160 [Amended]

46. Section 440.160(a) (3) is amended by changing the reference to “§ 1.106 (b)” to read “§ 201.100”.

§ 440.166 [Amended]

47. Section 440.166(a) (3) is amended by changing the reference to “§ 1.106 (b)” to read “§ 201.100”.

§ 440.171b [Amended]

48. Section 440.171b(a) (3) is amended by changing the reference to “§ 1.106 (b)” to read “§ 201.100”.

§ 440.174 [Amended]

49. Section 440.174(a) (3) is amended by changing the reference to “§ 1.106(b)” to read “§ 201.100”.

§ 440.180a [Amended]

50. Section 440.180a(a) (3) is amended by changing the reference to “§ 1.106(b)” to read “§ 201.100”.

§ 440.180b [Amended]

51. Section 440.180b is amended as follows:

a. In paragraph (b) (1) (ii) the reference to “§ 141a.36(a) (2)” is changed to read “§ 536.502(a) (2)”.

b. In paragraph (b) (1) (iii) the reference to “§ 141a.36(a) (3)” is changed to read “§ 536.502(a) (3)”.

§ 440.180e [Amended]

52. Section 440.180e(a) (3) is amended by changing the reference to “§ 1.106(b)” to read “§ 201.100”.

§ 440.180f [Amended]

53. Section 440.180f(a) (3) is amended by changing the reference to “§ 1.106(b)” to read “§ 201.100”.

§ 440.253 [Amended]

54. Section 440.253(a) (3) is amended by changing the reference to “§ 1.106(b)” to read “§ 201.100”.

§ 440.255b [Amended]

55. Section 440.255b(a) (3) is amended by changing the reference to “§ 1.106(b)” to read “§ 201.100”.

§ 440.259 [Amended]

56. Section 440.259(a) (3) is amended by changing the reference to “§ 1.106(b)” to read “§ 201.100”.

§ 440.261 [Amended]

57. Section 440.261(a) (3) is amended by changing the reference to “§ 1.106(b)” to read “§ 201.100”.

§ 440.265a [Amended]

58. Section 440.265a(a) (3) is amended by changing the reference to “§ 1.106(b)” to read “§ 201.100”.

§ 440.265b [Amended]

59. Section 440.265b(a) (3) is amended by changing the reference to “§ 1.106(b)” to read “§ 201.100”.

§ 440.274a [Amended]

60. Section 440.274a(a) (3) is amended by changing the reference to “§ 1.106(b)” to read “§ 201.100”.

§ 440.274b [Amended]

61. Section 440.274b(a) (3) is amended by changing the reference to “§ 1.106(b)” to read “§ 201.100”.

§ 440.280c [Amended]

62. Section 440.280c(a) (3) (1) is amended by changing the reference to “§ 1.106(b)” to read “§ 201.100”.

§ 440.280d [Amended]

63. Section 440.280d(a) (3) is amended by changing the reference to “§ 1.106(b)” to read “§ 201.100”.

§ 440.563 [Amended]

64. Section 440.563(a) (3) is amended by changing the reference to “§ 1.106(b)” to read “§ 201.100”.

**PART 444—OLIGOSACCHARIDE
ANTIBIOTIC DRUGS**

§ 444.70a [Amended]

65. Section 444.70a(a)(3)(i) is amended by changing the reference to "§ 1.106(b)" to read "§ 201.100".

§ 444.170a [Amended]

66. Section 444.170a is amended as follows:

a. In paragraph (a)(3) the reference to "§ 1.106(b)" is changed to read "§ 201.100".

b. In paragraph (b)(1)(i)(a) the reference to "§ 141b.109(a)(1)" is changed to read "§ 544.173a(b)(1)(i)".

§ 444.270b [Amended]

67. Section 444.270b(a)(3)(i) is amended by changing the reference to "§ 1.106(b)" to read "§ 201.100".

§ 444.270c [Amended]

68. Section 444.270c(a)(3)(i) is amended by changing the reference to "§ 1.106(b)" to read "§ 201.100".

§ 444.570a [Amended]

69. Section 444.570a(a)(3) is amended by changing the reference to "§ 1.106(b)" to read "§ 201.100".

§ 444.570b [Amended]

70. Section 444.570b(a)(3) is amended by changing the reference to "§ 1.106(b)" to read "§ 201.100".

**PART 446—TETRACYCLINE
ANTIBIOTIC DRUGS**

§ 446.110b [Amended]

71. Section 446.110b(a)(3) is amended by changing the reference to "§ 1.106(b)" to read "§ 201.100".

§ 446.111 [Amended]

72. Section 446.11(a)(3) is amended by changing the reference to "§ 1.106(b)" to read "§ 201.100".

§ 446.181c [Amended]

73. Section 446.181c(a)(3) is amended by changing the reference to "§ 1.106(b)" to read "§ 201.100".

§ 446.281b [Amended]

74. Section 446.281b(a)(3) is amended by changing the reference to "§ 1.106(b)" to read "§ 201.100".

§ 446.310a [Amended]

75. Section 446.310a(a)(3) is amended by changing the reference to "§ 1.106(b)" to read "§ 201.100".

§ 446.510a [Amended]

76. Section 446.510a(a)(3)(i) is amended by changing the reference to "§ 1.106(b)" to read "§ 201.100".

§ 446.510b [Amended]

77. Section 446.510b(a)(3) is amended by changing the reference to "§ 1.106(b)" to read "§ 201.100".

§ 446.567e [Amended]

78. Section 446.567e(b)(2) is amended by changing the reference to "§ 141b.117(c)" to read "§ 536.513(c)".

§ 446.581a [Amended]

79. Section 446.581a is amended as follows:

a. In paragraph (a)(3) the reference to "§ 1.106(b)" is changed to read "§ 201.100".

b. In paragraph (b)(3) the reference to "§ 141b.117(c)", is changed to read "§ 536.513(c)".

§ 446.581b [Amended]

80. Section 446.581b is amended as follows:

a. In paragraph (b)(1)(i) the reference to "§ 141c.237(a)(2)" is changed to read "§ 546.312a(b)(1)(ii)".

b. In paragraph (b)(3) the reference to "§ 141c.237(a)(3)" is changed to read "§ 546.312a(b)(1)(iii)".

§ 446.610 [Amended]

81. Section 446.610(a)(3) is amended by changing the reference to "§ 1.106(b)" to read "§ 201.100".

PART 448—PEPTIDE ANTIBIOTICS

§ 448.10a [Amended]

82. Section 448.10a(a)(3)(i) is amended by changing the reference to "§ 1.106(b)" to read "§ 201.100".

§ 448.110a [Amended]

83. Section 448.110a(a)(3) is amended by changing the reference to "§ 1.106(b)" to read "§ 201.100".

§ 448.310a [Amended]

84. Section 448.310a(a)(3) is amended by changing the reference to "§ 1.106(b)" to read "§ 201.100".

§ 448.310b [Amended]

85. Section 448.310b(a)(3) is amended by changing the reference to "§ 1.106(b)" to read "§ 201.100".

§ 448.510a [Amended]

86. Section 448.510a is amended as follows:

a. In paragraph (a)(3)(i) the reference to "§ 1.106(b)" is changed to read "§ 201.100".

b. In paragraph (b)(1) the reference to "§ 141a.8(a)" is changed to read "§ 540.380a(b)(1)".

§ 448.510d [Amended]

87. Section 448.510d(b)(1)(ii) is amended by changing the reference to "§ 141a.8(a)" to read "§ 540.380a(b)(1)".

§ 448.510f [Amended]

88. Section 448.510f(a)(3) is amended by changing the reference to "§ 1.106(b)" to read "§ 201.100".

**PART 455—CERTAIN OTHER
ANTIBIOTIC DRUGS**

§ 455.310b [Amended]

89. Section 455.310b(a)(3) is amended by changing the reference to "§ 1.106(b)" to read "§ 201.100".

§ 455.410 [Amended]

90. Section 455.410(a)(3) is amended by changing the reference to "§ 1.106(b)" to read "§ 201.100".

SUBCHAPTER F—BIOLOGICS

PART 601—LICENSING

§ 601.11 [Amended]

91. Section 601.11(a) is amended by changing the reference to "Part 132" to read "Part 207".

§ 601.25 [Amended]

92. Section 601.25(d)(5) is amended by changing the reference to "§ 1.106" to read "Subpart D of Part 201".

The changes being made are nonsubstantive in nature and for this reason notice and public procedure are not prerequisites to this promulgation.

Dated: March 21, 1975.

SAM D. FINE,
Associate Commissioner for
Compliance.

[FR Doc.75-7957 Filed 3-26-75;8:45 am]

Title 39—Postal Service

CHAPTER I—U.S. POSTAL SERVICE

**SUBCHAPTER D—ORGANIZATION AND
ADMINISTRATION**

**PART 222—DELEGATIONS OF
AUTHORITY**

**Extension of Authority To Administer Oaths
of Office in Conjunction With Transfers
of Accountability**

This document amends 39 CFR 222.5 to provide to Postal System Examiners the authority to administer oaths of office for employment in conjunction with transfers of accountability upon the appointment of new postmasters. This change is effective immediately.

Section 222.5 of title 39, CFR, is amended by adding at the end thereof the following new paragraph (c):

§ 222.5 Authority to approve personnel actions and administer oaths of office for employment.

(c) *Transfers of accountability.* In addition to other personnel authorized under this section, Postal System Examiners may administer oaths of office for employment at any post office in conjunction with transfers of accountability.

(39 U.S.C. 401, 1011)

ROGER P. CRAIG,
Deputy General Counsel.

[FR Doc.75-8014 Filed 3-26-75;8:45 am]

Title 40—Protection of Environment

**CHAPTER I—ENVIRONMENTAL
PROTECTION AGENCY**

[FRL 937-7]

SUBCHAPTER C—AIR PROGRAMS

**PART 52—APPROVAL AND PROMULGA-
TION OF IMPLEMENTATION PLANS**

Georgia: Permit System Regulations

On May 31, 1972 (37 FR 10842), the Administrator approved portions of the Georgia plan to attain and maintain the national ambient air quality standards. Section 110(a)(2)(D) of the Clean Air Act requires that such a plan include a

procedure for reviewing, prior to construction or modification, any source to which performance standards apply in order to determine whether such construction or modification might be expected to cause a violation of any standard.

The Georgia plan as originally submitted provided for such review. The State, however, subsequently amended its permit regulations to allow for issuing compliance schedules and to prescribe conditions for operation, and submitted the affected portions, section 391-3-1-.03(2), Operating Permits, and 391-3-1-.03(3), Revocation of Permits, as plan revisions on May 20, 1974. The requirements of 40 CFR 51.4 and 51.6 pertaining to public hearings and plan revisions had been met. The Administrator announced the proposed changes in Georgia regulations on July 25, 1974 (39 FR 27149).

As revised, section 391-3-1-.02(3) of the Georgia regulations requires an operating permit of any source of air contaminant emissions, whereas the previous regulation required this only of sources for which a construction permit had been obtained, i.e., of new or modified sources. Sources affected by the new requirements can continue to operate until the State acts on their application for an operating permit, but there is now no set deadline for the State's action as in the original regulation. Provision is made in the new regulation for delayed submittal of supporting information, formerly required at the time of application. Operating permits now contain specific conditions designed to assure compliance with applicable State regulations and statutes, and sources can now be required to monitor and report operations as well as conduct the performance tests previously required. The State can now grant Temporary Operating Permits in cases where time was needed to correct deficiencies in an existing facility; in such cases, the permit would contain a specific schedule for compliance within the shortest practical time period.

Section 391-3-1-.03(3), Revocation of Permits, provides for the periodic review and possible modification of permits already issued.

Two comments were received in response to the July 25, 1974, proposal of these changes. Section 391-3-1-.03(2) (e) states that for sources subject to regulations effective prior to January 1, 1973, schedules for achieving final compliance cannot extend past July 31, 1975. Section 391-3-1-.03(3) states that no modification or revocation of a permit for sources subject to regulations effective prior to January 1, 1973, shall extend the time for compliance beyond July 31, 1975. The Natural Resources Defense Council, Inc., raised the question as to whether a source subject to a regulation effective after January 1, 1973 could be granted an extension beyond July 31, 1975. No existing Georgia regulation

has an effective date later than January 1, 1973. Moreover, the Administrator on September 26 (39 FR 34533) disapproved all State plans insofar as their regulations permit deferral of compliance beyond the statutory attainment date of the Clean Air Act. However, for the sake of clarity, the proposed permit regulations are approved as part of the implementation plan without the two qualifying clauses just mentioned. The State Highway Department asked if the regulations were intended to apply to motor vehicles, since they are not excluded by the Georgia definition of an air pollution source. The Georgia air pollution control agency has clarified this issue orally, indicating that its permit regulations are intended to apply to stationary sources only.

In the judgement of the Administrator, the approval of the proposed plan revision will enhance the attainment and maintenance of the national ambient air quality standards in the State of Georgia, and it is hereby approved.

This action is effective immediately. The Administrator finds that good cause exists for making these changes immediately effective since the regulations in question have been in effect in Georgia since September, 1973, and the Administrator's approval of these imposes no additional regulatory burden on affected facilities.

(Section 110(a), Clean Air Act, as amended (42 USC 1857c-5(a)))

Dated: March 20, 1975.

JOHN QUARLES,
Acting Administrator.

Part 52 of Chapter I, Title 40, Code of Federal Regulations, is amended as follows:

Subpart L—Georgia

In § 52.570(c), subparagraph (4) is amended to read as follows:

§ 52.570 Identification of plan.

* * * * *

(c) * * *

(4) May 17 and 20, 1974, by the Director of the Environmental Protection Division of the Georgia Department of Natural Resources.

Section 52.582 is added as follows:

§ 52.582 Rules and regulations.

The following portions of the State's permit regulations are disapproved to the extent that they could be construed in some cases as permitting deferral of compliance with emission limitations of the plan beyond the statutory dates set forth in the Clean Air Act: Part of the last sentence of section 391-3-.03(2) (e), viz., "In the case of sources subject to regulations effective prior to January 1, 1973, . . ." and part of the last sentence of section 391-3-1-.03(3), viz., "for sources subject to such regulations effective prior to January 1, 1973."

[FR Doc. 75-7891 Filed 3-26-75; 8:45 am]

SUBCHAPTER E—PESTICIDE PROGRAMS

[FRL 351-1; OPP-262815]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Benomyl

On January 3, 1975, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (40 FR 2448) a notice of proposed rulemaking to establish a tolerance for combined residues of the fungicide benomyl (methyl 1-(butylcarbamoyl)-2-benzimidazolecarbamate) and its metabolites containing the benzimidazole moiety (calculated as benomyl) in or on the raw agricultural commodity blueberries at 7 parts per million. This notice of proposed rulemaking to amend § 180.294 was published in response to a petition (PP 4E1479) submitted to Dr. C. C. Compton, Coordinator, Interregional Research Project No. 4, State Agricultural Experiment Station, Rutgers University, New Brunswick, N.J. 08903, on behalf of the IR-4 Technical Committee and the Agricultural Experiment Stations of Florida, Michigan, New Jersey, North Carolina, Oregon, and Washington; the North American Blueberry Council; and the State of New Jersey Department of Agriculture.

No comments or requests for referral to an advisory committee were reviewed by the Agency on this proposal. Therefore, it is concluded that the proposed amendment should be adopted without change.

Any person adversely affected by this regulation may on or before April 28, 1975, file written objections with the Hearing Clerk, Environmental Protection Agency, 401 M Street SW., East Tower, Room 1019, Washington, D.C. 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objection. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Effective on March 27, 1975, Part 180, Subpart C, Section 180.294, is amended as follows.

(Section 408(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(e)))

Dated: March 20, 1975.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator for Pesticide Programs.

Part 180, § 180.294, is amended by revising the paragraph "7 parts per million in or on blackberries . . ." to read as set forth below.

§ 180.294 Benomyl; tolerances for residues.

7 parts per million in or on blackberries, blueberries, boysenberries, dewberries, loganberries and raspberries.

[FR Doc.75-7896 Filed 3-26-75;8:45 am]

[FRL 350-8; OPP-262816]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Carbofuran

On December 27, 1974, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (39 FR 44777) a notice of proposed rulemaking to establish a tolerance for combined residues of the insecticide carbofuran (2,3 - dihydro-2,2-dimethyl-7 - benzofuranyl-N-methylcarbamate); its carbamate metabolite 2,3-dihydro-2,2-dimethyl-3-hydroxy-7 - benzofuranyl-N-methyl-carbamate; and its phenolic metabolites 2,3-dihydro-2,2-dimethyl-7-benzofuranol and 2,3-dihydro-2,2-dimethyl-3-oxo-7-benzofuranol and 2,3-dihydro-2,2-dimethyl-3,7-benzofuranol in or on the raw agricultural commodity coffee beans at 0.1 parts per million. This notice of proposed rulemaking to amend § 180.254 was published in response to a petition (PP 4E1483) submitted by FMC Corp., 100 Niagara St., Middleport, N.Y. 14115.

No comments or requests for referral to an advisory committee were received. Therefore, it is concluded that the proposed amendment to § 180.254 should be adopted without change.

Any person adversely affected by this regulation may on or before April 28, 1975, file written objections with the Hearing Clerk, Environmental Protection Agency, 401 M Street SW., East Tower, Room 1019, Washington, D.C. 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objection. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Effective on March 27, 1975, Part 180, Subpart C, Section 180.254, is amended as follows:

(Section 408(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(e)).)

Dated: March 20, 1975.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator, for Pesticide Programs.

Part 180, Subpart C, § 180.254 is amended by revising the paragraph "0.1 part per million in or on bananas . . ." to read as set forth below.

§ 180.254 Carbofuran: tolerances for residues.

0.1 part per million in or on bananas (negligible residue), coffee beans, sorghum grain, sugar beets, and sugarcane.

[FR Doc.75-7895 Filed 3-26-75;8:45 am]

[FRL 351-4; OPP-262808]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

2,4-D

On November 27, 1974, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (39 FR 41385) a notice of proposed rulemaking 1) to extend the established tolerance for residues of 2,4-D sodium salt, calculated as 2,4-D (2,4-Dichlorophenoxyacetic acid), in or on asparagus at 5 parts per million to include the alkanolamine salts (of the ethanol and isopropanol series), and 2) to consolidate section 180.165 with the other established tolerances for 2,4-D in section 180.142. On December 26, 1974, the EPA published in the FEDERAL REGISTER (39 FR 44668) a notice of proposed rulemaking to establish a tolerance for residues of the herbicide 2,4-D (2,4-dichlorophenoxyacetic acid) from the application of its alkanolamine salts (of the ethanol and isopropanol series) in or on strawberries at 0.05 part per million. Both notices of proposed rulemaking were published in response to petitions (PP 5E1475 and PP 5E1544) submitted by Dr. C. C. Compton, Coordinator, Inter-regional Research Project No. 4, State Agricultural Experiment Station, Rutgers University, New Brunswick, NJ 08903, on behalf of the IR-4 Technical Committee and several other Agricultural Experiment Stations.

An adverse comment which objected to the use of 2,4-D and other pesticides in our environment was received by the Agency from the same individual on each of these proposals. However, neither comment provided further insight into the toxicity of 2,4-D or the safety of the proposed use. Rather, the comments urged development of alternative biological controls since 2,4-D does not occur naturally in the human body, or in any part of the environment. These comments are available for public inspection in the office of the Federal Register Section, Office of Pesticide Programs, Environmental Protection Agency, Room 423, East Tower, 401 M Street SW., Washington D.C. 20460.

Based on the data submitted in the petitions and other relevant material, it is concluded that the proposed amendments to the regulations should be adopted without change.

Any person adversely affected by this regulation may on or before April 28, 1975, file written objections with the

Hearing Clerk, Environmental Protection Agency, 401 M Street SW., East Tower, Room 1019, Washington D.C. 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Effective on March 27, 1975, Part 180, Subpart C, is amended to delete Section 180.165 and amend Section 180.142 as follows.

(Section 408(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346(e)).)

Dated: March 21, 1975.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator for Pesticide Programs.

Part 180 is amended by deleting § 180.165 and by adding two new paragraphs to § 180.142 after paragraph (c) as follows.

§ 180.142 2,4-D; tolerances for residues.

(d) A tolerance of 5 parts per million is established for residues of 2,4-D sodium salt and alkanolamine salts (of the ethanol and isopropanol series), calculated as 2,4-D (2,4-dichlorophenoxyacetic acid), in or on asparagus.

(e) A tolerance of 0.05 part per million is established for residues of 2,4-D (2,4-dichlorophenoxyacetic acid) from application of its alkanolamine salts (of the ethanol and isopropanol series) in or on strawberries.

[FR Doc.75-7899 Filed 3-26-75;8:45 am]

[FRL 352-6; OPP-262818]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

6-methyl-1,3-dithiolo[4,5-b]quinoxalin-2-one

On January 22, 1975, notice was given (40 FR 3492) that Chemagro Division of Mobay Chemical Corp., PO Box 4913, Kansas City, MO 64120 had filed a petition (PP 5F1577) for a pesticide tolerance with the Environmental Protection Agency (EPA). This petition proposed establishment of a tolerance for negligible residues of the fungicide and insecticide 6 - methyl - 2,3 - quinoxalinedithiol cyclic S,S,-dithiocarbonate in or on the raw agricultural commodities apples and pears at 0.05 part per million. The standardized chemical name for this pesticide is 6-methyl-1,3-dithiolo[4,5b]quinoxalin-2-one.

The data submitted in the petition and other relevant material have been evaluated. The pesticide is considered useful for the purposes for which the tolerance is sought. The established tolerances are adequate to cover residues, if any, resulting from the proposed and existing uses in meat and milk, and there is no reasonable expectation of residues in eggs or poultry, and § 180.6(a)(3) applies. The tolerance established by this amendment to the regulation will protect the public health.

Any person adversely affected by this regulation may on or before April 28, 1975, file written objections with the Hearing Clerk, Environmental Protection Agency, 401 M Street, SW., East Tower, Room 1019, Washington, D.C. 20460. Such objections should be submitted in quintuplicate and specify the provisions for the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Effective on March 27, 1975. Part 180, Subpart C, is amended by amending § 180.338.

Dated: March 25, 1975.

EDWIN L. JOHNSON,
Acting Deputy Assistant Administrator for Pesticide Programs.

STATUTORY AUTHORITY: Sec. 408(d)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(d)(2)).

Section 180.338 is amended by revising the heading and introductory paragraph and adding the new paragraph "0.05 part per million (negligible residue) * * *" after the paragraph "0.1 part per million * * *" to read as follows.

§ 180.338 6-methyl-1,3-dithiolo [4,5-b] quinoxalin-2-one, tolerances for residues.

Tolerances are established for residues of the fungicide and insecticide 6-methyl-1,3-dithiolo [4,5-b] quinoxalin-2-one in or on raw agricultural commodities as follows:

* * * * *

0.05 part per million (negligible residue) in or on apples and pears.

[FR Doc. 75-8126 Filed 3-26-75; 8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 5A—FEDERAL SUPPLY SERVICE, GENERAL SERVICES ADMINISTRATION

PART 5A-7—CONTRACT CLAUSES
Warranty of Pesticides

This change to the General Services Administration Procurement Regulations (GSPR) provides a clause for use in all solicitations for pesticides to provide a warranty if the Administrator, Environmental Protection Agency (EPA),

under Pub. L. 92-516, as amended, takes action against a pesticide which is under Government contract.

1. The table of contents for Part 5A-7 is amended to add the following:

Sec.
5A-7.103-94 Warranty of pesticides.

Subpart 5A-7.1—Fixed-Price Supply Contracts

2. Section 5A-7.103-94 is added as follows:

§ 5A-7.103-94 Warranty of pesticides.

The following clause shall be inserted in all solicitations involving the procurement of pesticides. The clause is mandatory for procurement of any substance or mixture of substances for preventing, destroying, repelling, or mitigating pests; e.g., insecticides, insect repellants, fungicides, rodenticides, sanitizers, germicides, disinfectants, plant regulators, defoliants, and desiccants. In addition, procurement agents shall provide space in the item description for bidders to insert the brand name and the EPA Registration Number of the item solicited.

WARRANTY OF PESTICIDES

(a) Notwithstanding acceptance of pesticides by the Government, the contractor warrants that for the period of 1 year after the date of shipment, all pesticides furnished under this contract shall meet the regulatory requirements of Public Law 92-516, as amended, and shall be registered with the Administrator, Environmental Protection Agency (EPA).

(b) If EPA takes action to stop sale, stop use, remove, seize, or cancel registration of a pesticide within 1 year after date of shipment, the contractor shall immediately notify the contracting officer. The notification shall include: 1. Contract Number; 2. Identification of the pesticide; 3. Reason for EPA action against the pesticide; and 4. List of Government activities and addresses to which delivery had been made. (End of clause.)

(Sec. 205(c), 63 Stat. 390; (40 U.S.C. 486(c)))

Effective date. These regulations are effective on the date shown below.

Dated: March 12, 1975.

M. J. TIMBERS,
Commissioner,
Federal Supply Service.

[FR Doc. 75-7912 Filed 3-26-75; 8:45 am]

Title 46—Shipping

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION
[CGD 73-43R]

MARINE INVESTIGATION REGULATIONS
Disclosure of Records and Information

The Freedom of Information Act, as recently amended, (5 U.S.C. 552) and the Department of Transportation regulations (49 CFR Part 7) supersede the present Coast Guard regulations on release of investigative records and of

suspension and revocation information, as well as on disclosure of information regarding shipments and discharges of merchant mariners.

Therefore, the Coast Guard has decided to revoke its separate standards in Parts 4, 5, and 14 and replace them by references to DOT regulations.

Since the amendments in this document are general statements of policy, they are excepted from notice of public rulemaking and may be made effective in less than 30 days.

In consideration of the foregoing, Parts 4, 5, and 14, of Title 46 of the Code of Federal Regulations are amended as follows:

PART 4—MARINE INVESTIGATION REGULATIONS

1. In Part 4, Subpart 4.13 is hereby revised to read as follows:

Subpart 4.13—Availability of Records

Sec.
4.13-1 Public Availability of Records.

AUTHORITY: The provisions of this Subpart 4.13 issued under 5 U.S.C. 552(a)(1)(A), 46 U.S.C. 239, 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b).

§ 4.13-1 Public availability of records.

Coast Guard records are made available to the public in accordance with 49 CFR Part 7.

PART 5—SUSPENSION AND REVOCATION PROCEEDINGS

2. In Part 5, Subpart 5.50 is hereby revised to read as follows:

Subpart 5.50—Disclosure of Information

Sec.
5.50-1 Availability of Information to the Public.

AUTHORITY: The provisions of this Subpart 5.50 issued under 5 U.S.C. 552(a)(1)(A), 46 U.S.C. 214, 216b, 226, 228, 229, 232, 234, 239, 239b, 240, 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b).

§ 5.50-1 Availability of information to the public.

The Coast Guard makes information available to the public in accordance with 49 CFR Part 7.

PART 14—SHIPMENT AND DISCHARGE OF SEAMEN

3. In Part 14, Subpart 14.15 is hereby revised to read as follows:

Subpart 14.15—Disclosure of Information Regarding Shipments and Discharges of Merchant Mariners

Sec.
14.15-1 Availability of Information to the Public.

AUTHORITY: The provisions of this Subpart 14.15 issued under 5 U.S.C. 552(a)(1)(A), 14 U.S.C. 633, 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b).

§ 14.15-1 Availability of information to the public.

The Coast Guard makes information available to the public in accordance with 49 CFR Part 7.

Effective date. These amendments are effective on May 12, 1975.

Dated: March 21, 1975.

O. W. SILER,
Admiral, U.S. Coast Guard,
Commandant.

[FR Doc.75-7985 Filed 3-26-75;8:45 am]

Title 49—Transportation

**CHAPTER I—DEPARTMENT OF
TRANSPORTATION**

**SUBCHAPTER B—OFFICE OF PIPELINE
SAFETY**

[Docket No. OPS-18; Amdt. 192-20]

PART 192—TRANSPORTATION OF NATURAL AND OTHER GAS BY PIPELINE: MINIMUM FEDERAL SAFETY STANDARDS

Line Markers for Mains and Transmission Lines

This amendment revises the existing requirement in § 192.707 for marking the location of gas transmission lines and establishes new marking requirements for gas distribution mains under that section. The purpose of this amendment is to alleviate a major cause of failures in gas pipelines—interference with pipelines by persons outside the gas pipeline industry conducting excavation-related activities. Installation of line markers in accordance with these revised requirements should increase the likelihood that outsiders will seek assistance in locating underground lines before excavating. Also the revised requirements should influence operators to encourage State or local governments to adopt programs for preventing interference with underground pipelines.

On May 19, 1972, the Director issued a notice of proposed rule making to amend § 192.707 (37 FR 10578; May 25, 1972) to specify locations for line markers and the information to be inscribed on them. Due to the large number of persons interested in the proceeding, the original deadline for submitting written information, views, or arguments was extended to August 17, 1972, (37 FR 13351; July 7, 1972). The comments received as a result of the notice have been fully considered by the Office of Pipeline Safety (OPS) in developing the final rule.

There were 126 persons who commented on the notice. A majority of the commenters recognize the need to reduce the number of pipeline failures due to interference by outsiders, but believe that the costs of implementing the proposed line marking program would far outweigh any benefits that might be obtained.

OPS believes that the final rule alleviates the objection to the proposal expressed by these commenters. Compliance with the revised line marking requirement will involve capital expenditure, but much less than would have been required by the proposed rule. Furthermore, the revised standard should benefit the public by reducing risk of harm, and benefit operators by reducing losses, claims for damage, and expense of service interruptions. Unfortunately, because

data is not available on the effectiveness of existing line markers in preventing damage to pipelines, the amount of future benefits from line marking under the revised rule cannot be determined with precision.

The final rule is modified to improve economic practicability in many respects. First, the proposed requirement that each marker be visible from preceding and following markers is deleted. Secondly, lead times for compliance are provided both for existing markers, as proposed, and for installing line markers not required by the existing rule. Lastly, markers are not required in Class 3 and Class 4 locations where operators are successful in encouraging State or local governments to enact programs for preventing damage to pipelines by outsiders, and where placement of markers is impractical.

A large number of commenters suggested that carrying out programs other than line marking would be much more effective in reducing the number of accidents caused by outsiders. Some of the suggested programs involve a "one call" system, a construction permit system, education, better communication between operators and outsiders, and legislation.

OPS agrees with these comments. Line marking is only a partial solution for the problem of pipeline failures caused by damage during excavation. Line marking, however, is an important step which operators can take as part of their responsibility to prevent that type of damage in the absence of a more effective program. Programs which are enforceable under law against outsiders and provide them with information as to the location of underground pipelines are probably the best means of reducing damage caused by outside parties. OPS has encouraged the development of one such program by drafting and distributing to State and local governments a model statute aimed at preventing excavation-type damage through a construction permit system. The promulgation of this amendment is in furtherance of this prior effort. The revised standard not only attacks the problem of interference with pipelines by outsiders directly through regulation of gas operators but also encourages the development of other damage prevention programs.

Several commenters remarked that statistics, reports, and experience show that: (1) Most incidents occur where pipelines are marked. (2) Outsiders fail to call or check with the operator as requested on markers. (3) Contractors have a careless attitude toward protecting underground lines. (4) A significant amount of damage occurs at new construction sites before markers are installed. On the basis of these factors, the commenters conclude that increasing the number of pipeline markers would not significantly reduce damage caused by outsiders.

OPS does not concur with this conclusion. While it is true that, for example, in the year 1972, approximately two-

thirds of reported leaks caused by outside parties on distribution lines occurred where pipelines were marked, the reports do not reflect the accuracy or adequacy of the markers involved. Operators use various kinds of permanent and temporary line markers. Data is not available on the effectiveness of these markers in properly warning outsiders of the presence of underground pipelines. Furthermore, the statistic is misleading because, due to a lack of pertinent data, it cannot be compared with the percentage of excavation-related activities conducted by outsiders near marked distribution lines. In the absence of either type of information, OPS believes it is reasonable to conclude that markers which are properly placed, maintained, and inscribed will alert outsiders to the presence of underground lines and thus reduce the potential for damage.

As for the failure of outsiders to notify operators before excavating, OPS expects that markers worded as required by the final rule will increase the likelihood that outsiders will seek assistance in determining the location of pipelines. More markers with uniform wording could also affect an outsider's attitude toward interference with pipelines during excavation activities. With respect to damage in areas undergoing new construction, the requirement to mark underground pipelines is binding on operators as soon as the lines are buried and in operation. The rule does not provide an exception for circumstances involving construction by outsiders. One method of compliance in this situation would be to install temporary markers until outside construction is complete. Then, the temporary markers could be removed and replaced by permanent ones.

Some commenters asked why the notice did not provide an exemption for offshore pipelines from the proposed line marking requirements. The existing requirement of § 192.707 for marking transmission lines applies to offshore as well as onshore pipelines. OPS is currently considering the need to amend the existing standards in Part 192 as they relate to the transportation of gas offshore. The desirability of marking offshore pipelines is an issue which was raised for public discussion in an OPS advance notice of proposed rule making on offshore pipeline facilities: Docket No. OPS-30, Notice No. 74-6 (39 FR 34568; September 26, 1974). As a result of that proceeding, OPS will publish a notice of its decision whether to propose an amendment to the line marking requirement with respect to offshore pipelines.

A number of changes have been made in the proposed rule on the basis of comments received. The major changes, as well as the response by OPS to comments which did not result in changes, are discussed below.

Paragraph (a), buried pipelines. The notice proposed that line markers be placed "over" each buried main and transmission line at certain locations. Many commenters noted that from a

compliance standpoint, line markers cannot always be placed directly "over" a pipeline. For example, in swamps and placed "over" each buried main and marshes and at navigable waterway crossings, line markers are often offset from a pipeline so the marker can be properly supported. OPS realizes this practice may be contrary to a notion held by some that a pipeline lies directly underneath a marker. Yet, it is consistent with the primary purpose of line markers to warn the public of the presence of a pipeline and to provide a telephone number to call for more specific information.

OPS agrees that requiring markers directly over a pipeline in all cases would be too restrictive. The final rule, therefore, prefaces the word "over" by the phrase "as close as practical." This change provides operators flexibility to offset markers a reasonable distance from a pipeline wherever necessary. For instance, offsetting may be necessary to obtain support for the marker, avoid an obstruction, or facilitate maintenance.

The proposed requirement that a marker be visible from the immediately preceding and following marker is not included in the final rule. This proposal was intended as an aid to outsiders in determining the route of a pipeline. Commenters remarked, however, that compliance could entail costly construction of towers or many additional markers at locations not otherwise warranted by safety considerations. Compliance could also spoil the natural beauty of many areas. The OPS believes that these adverse consequences would outweigh the possible advantages contemplated by the proposal. OPS believes that deleting the requirement from the final rule does not weaken the intention or effectiveness of the remaining provisions of paragraph (a).

After considering objections raised by a majority of the Technical Pipeline Safety Standards Committee (TPSSC), the proposal under § 192.707(a)(2) in the notice is not adopted. This proposal would have required line markers at fences and property boundaries. OPS now believes that placement of markers at these numerous locations would be costly and not yield a commensurate safety benefit.

Wording is added at the conclusion of § 192.707(a) to provide operators of existing buried mains or transmission lines approximately 3 years' lead time (until January 1, 1978) to comply with the new line marking requirements imposed by this amendment. The 3-year period was recommended by the TPSSC. The lead time does not apply to transmission lines under § 192.707(a)(2) because that section merely restates the existing requirement of § 192.707. This additional time beyond the general effective date for this amendment should be used by operators to prepare for compliance or, in accordance with § 192.707(b)(1)(ii), to seek enactment of alternative damage prevention programs at the State or local level.

Paragraph (b), exceptions for buried pipelines. The notice included exceptions from the proposed marking requirements for buried lines in heavily developed areas. These exceptions provided that line markers would not be required for transmission lines, where both placement is impracticable and the local government maintains current substructure records, and for distribution mains, where either criterion for exemption respecting transmission lines occurs. One reason for the exceptions was to give operators limited but necessary discretion as to placement of markers based on practicability. The primary purpose, however, was to influence operators to encourage local governments to establish construction permit systems in heavily developed areas related to currently maintained records of underground pipelines.

In the final rule, the proposed exceptions for marking buried pipelines are modified slightly. The exception for situations where placement is "impracticable" is changed to apply where placement is "impractical." Many commenters objected that since "impracticable" means impossible, the proposed exception would have extremely limited application.

Also, the proposed exceptions in heavily developed areas for situations where a local government maintains current substructure records are broadened under § 192.707(b)(1) to apply equally to mains and transmission lines in Class 3 or Class 4 locations "where a program for preventing interference with underground pipelines is established by law." The change from "heavily developed areas" to "Class 3 or Class 4 locations" is made for clarity. The exceptions apply in these locations because of the difficulty in placing markers there, the esthetic objections to markers in these areas, and because Class 3 and Class 4 areas have the greatest need for government enacted programs to prevent interference with underground pipelines.

In the final rule, a government enacted damage prevention program qualifies as an exemption under the new line marking requirement even though it is not related to government maintenance of underground substructure records. OPS agrees with commenters who pointed out that local governments may not wish to maintain these records and that operators are better able to keep current records of pipelines. Also, there are currently various types of damage prevention programs in effect. This change, therefore, adds flexibility to the final rule by exempting placement of markers, for example, where an operator participates in a government program by answering calls from contractors on the basis of the operator's own records. The broadened exemption also has the benefit of encouraging State controlled programs in Class 3 or Class 4 areas for prevention of damage to pipelines rather than just encouraging programs on a local level.

Many commenters and the TPSSC pointed out that most of the current

damage prevention programs are conducted by the operators themselves, although not under the auspices of a State or local government. They also pointed out the difficulty in obtaining timely governmental action on an operator-sponsored program as an alternative to line marking. As a result, these commenters and the TPSSC believe an operator-run program for prevention of excavation-type damage is just as satisfactory as one run by a State or local government. OPS does not entirely agree.

The primary objective of a damage-prevention program is to notify outside contractors preparing to excavate of the location of underground pipelines. Once a contractor is aware of the existence of a pipeline, the contractor must exercise care in excavating near the line. Although an operator-run program, which may include advertising, can be a vital part in preventing damage by outsiders, it would not provide as strong an incentive for outsiders to learn the precise locations of pipelines as would a program backed by government sanctions. This does not mean there is no room for operators in a government program. After all, operators are the ones most likely to have up-to-the-minute information on pipeline locations. Undoubtedly, a government-run program must heavily rely on operator cooperation.

A program under § 192.707(a)(2) may be as simple or as complex as a government considers necessary. In fact, a simple requirement that outsiders contact operators for information before excavating would suffice. Alternatively, an industry-run "one call" program backed by State or local law could be used. When operators are so notified before excavation, they should respond with assistance in locating underground lines in the area of excavation. OPS anticipates that criteria for programs serving as an alternative to line marking may be the subject of a future rule-making proceeding.

A further question arises that if an exception to line marking applies in Class 3 and Class 4 locations because of a government enacted program, should the same exception apply in Class 1 and Class 2 locations where a government program exists? The TPSSC recommended that the exemption apply regardless of location. OPS has not adopted the recommendation for two reasons. First, the risk of encountering underground utilities during excavation is less in rural locations than in more developed areas. As a consequence, outsiders in rural areas are probably less likely to anticipate the existence of underground utilities or to be aware of a government enacted program. Secondly, a government program in less developed areas might not apply to farming activities. Thus, in most of these cases, farmers would not be made aware of the location of underground pipelines in the absence of line markers.

Likewise, the TPSSC recommended that the exception to the line marking requirement for impractical situations be extended to apply in Class 1 and Class 2 locations. This recommendation was not

adopted because, as proposed, the exception is intended to facilitate placement of markers in heavily developed areas. OPS does not believe that rural areas need the same considerations.

OPS still recognizes the difficulties in installing line markers over gas mains in urbanized areas. Yet, in the absence of alternative programs established by a State or local government, OPS considers line marking the most effective means for protecting against interference with buried lines by outsiders.

In the final rule, one last change is made to the exceptions for buried pipelines. After considering comments made by the TPSSC, OPS adopted the exception that in the case of navigable waterway crossings, a line marker is not required within 100 feet of a line marker which is placed and maintained at that waterway in accordance with the requirements of § 192.707. This change alleviates the proliferation of signs which would otherwise result under § 192.707 where multiple pipelines cross a waterway in proximity.

Paragraph (c), pipelines aboveground. This paragraph is not changed, except editorially, from the way it was proposed in the notice.

Paragraph (d), markers other than at navigable waterways. This paragraph sets forth requirements for line markers which are not at navigable waterways. Each marker must have written on it the word "Warning," "Caution," or "Danger." The requirement is changed from the notice which proposed that only the word "Warning" be used. Many commenters objected that existing line markers which have words with a similar meaning would have to be changed unnecessarily. OPS agrees that the words "Caution" and "Danger" notify the public of the hazard involved as sufficiently as the word "Warning." Providing a selection of words allows an operator to choose the one traditionally used in certain areas.

The notice proposed certain minimum sizes for lettering the word "Warning" and, in the case of markers at navigable waterway crossings, the words "Do Not Anchor or Dredge." Commenters objected to this proposal because of the various sizes and types of markers in existence and the additional cost of compliance for relettering or installing new signs to accommodate the minimum letter sizes.

The size of lettering is only one factor among many determining visibility and legibility of words by a viewer. Another is the contrast of colors between the words and their background. OPS does not believe that safety and the intention of this proceeding necessitate a precise standard for all factors governing visibility or legibility of the inscription on markers. However, certain minimum requirements are necessary in the public interest to judge the quality of notice provided by a line marker, and to ensure a standard of maintenance. OPS recognizes, however, the difficulty in meeting a minimum letter requirement for markers in urban areas, as, for example, on paving inserts. In the final rule, there-

fore, the performance standard for color contrasts and, except for markers in urban areas, the proposed specification for letter sizes are adopted for line markers not at navigable waterways. Criteria for visibility and legibility applicable to markers at navigable waterways is discussed hereafter. The lead time for compliance of existing line markers permitted by paragraph (f) should alleviate some of the objections concerning cost of compliance.

Paragraph (e), markers at navigable waterways. In the final rule, a new paragraph (e) is added to provide more detailed requirements for line markers at navigable waterways. The United States Coast Guard is concerned that signs intended to warn mariners of pipeline crossings would not be readily recognized unless they conform to a standard system for providing navigational information. OPS agrees. Line markers at navigable waterways are primarily intended to warn vessel operators of a potential danger. Therefore, they should be constructed according to a format generally understood by mariners. One widely adopted format for aids to navigation is the Uniform State Waterway Marking System (USWMS). This system is set forth in 33 CFR Subpart 66.10.

In the final rule, § 192.707(e) is written to ensure that line markers at navigable waterways conform to the USWMS. Compliance with the revised standard should not be construed, however, to satisfy Federal statutes or regulations pertaining to the marking of pipelines which obstruct navigation. The intended effect of the OPS marking requirements is not to equal or supersede similar requirements of the U.S. Coast Guard or the U.S. Army Corps of Engineers, but to be compatible with them. Thus, where a marker is required at a navigable waterway by these agencies, a single sign which complies with § 192.707 can be used.

There are notable differences between markers required at navigable waterways and elsewhere. At waterways, markers must be rectangular white signs with an international orange border. All lettering on the sign must be black and in block style. The size of the sign and lettering on it are governed by a requirement that in overcast daylight the sign be visible, and prescribed writing be legible, from approaching or passing vessels that may damage or interfere with the pipeline. In planning aids to navigation, the Coast Guard uses a rule of thumb that the distance in feet at which a sign may be read is approximately 40 times the letter height in inches. This rule of thumb could be used in placing markers at navigable waterways under § 192.707(e).

In submitting material to the TPSSC for this proceeding, OPS proposed that a diamond shape outlined in international orange be centered on the rectangular signs at navigable waterway crossings. This proposal, which was in conformity with the USWMS, would have resulted in an unnecessary expense to operators. In this regard, the minority views of one member of the Committee, which ex-

plain the problem in greater detail, were adopted and are set forth below.

Paragraph (f), existing markers. The proposal provided a 3-year lead time for operators to bring their existing markers into compliance with the proposed inscription requirements. The lead time was considered necessary because of the various sizes and shapes of markers in use which might have to be replaced to accommodate the proposed inscription. The lead time would allow temporary use of these markers.

Many commenters pointed out that normal sign attrition is much longer than 3 years. Having to replace recently installed signs within 3 years would be an unnecessary cost burden ultimately met by the public. These commenters suggested a requirement that existing markers without proper inscriptions be replaced in a normal maintenance cycle. Since a "normal" maintenance cycle undoubtedly varies from operator to operator, OPS does not concur with this suggestion. However, in light of the comments and recommendations by the TPSSC, the final rule permits existing markers which meet the location requirements to be used until January 1, 1980.

Report of the Technical Pipeline Safety Standards Committee. Section 4(b) of the Natural Gas Pipeline Safety Act of 1968 requires that all proposed standards and amendments to such standards be submitted to the Committee and that the Committee be afforded a reasonable opportunity to prepare a report on the "technical feasibility, reasonableness, and practicability of each such proposal." This amendment to Part 192 was submitted to the Committee as Item 4 in a list of five proposed amendments. The Committee has made a favorable report which is set forth below. Also, the two Committee members who disagreed with the majority of the Committee on Item 4 submitted statements of their views which are set forth following the report.

JANUARY 17, 1975.

Memorandum to: The Secretary of Transportation. Attention: Joseph C. Caldwell, Director, Office of Pipeline Safety.

From: Secretary, Technical Pipeline Safety Standards Committee.

Subject: Proposed Changes to 49 CFR Part 192, Minimum Federal Safety Standards for Transportation of Natural and Other Gases by Pipeline.

The following letter and attachments represent an official report by the Technical Pipeline Safety Standards Committee concerning the Committee's action related to five proposed amendments to 49 CFR Part 192, Minimum Federal Safety Standards for Transportation of Natural and Other Gases by Pipeline.

The Committee reviewed the proposals of the Office of Pipeline Safety at a meeting, held in Washington, D.C., on October 30 and 31, 1974, and through an informal balloting procedure recommended certain modifications, some of which were acceptable to the Office of Pipeline Safety. A formal ballot, reflecting the suggested changes, was prepared and distributed to the Committee members, by the undersigned on December 5, 1974.

Formal ballots have been submitted by all fourteen members of the Committee. The

majority of the Committee approved all five items on the ballot as being technically feasible, reasonable, and practicable. Negative votes were cast by one member against Items 1, 2, and 3, by two members against Item 4 and by four members against Item 5. Another member, who had been unable to attend the meeting and participate in the discussions, abstained from voting.

Attachment A sets forth the minority opinions submitted in support of the negative votes on Items 4 and 5.

LOUIS W. MENDONSA.

DECEMBER 16, 1974.

Mr. LOUIS W. MENDONSA,
Federal Power Commission,
Washington, D.C.

DEAR Mr. MENDONSA: Attached is my executed letter ballot on five proposed amendments to 49 CFR Part 192 relative to the Agenda for the Technical Pipeline Safety Standards Committee meeting held on October 30-31, 1974.

I have voted affirmatively on Items 1, 2, and 3 and negatively on Items 4 and 5. My reasons for the negative votes are as follows:

Item 4. My objection is restricted to proposed § 192.707(d) (1) with the clause "except for markers in heavily developed urban areas." This clause leaves the size of the lettering of a marker in such areas completely unregulated in those areas most subject to pipeline damage with the greatest exposure to life and property.

Moreover, "heavily developed urban areas" was not defined. To many, including myself, it describes metropolitan areas of large cities. To others, and this was borne out at the meeting, it would include residential areas of high-priced homes.

Moreover, proposed § 192.707(b) (1), and possibly (b) (2), would probably result in no markers in such areas anyway.

Therefore, I see no need for the exception in § 192.707(d) (1).

Item 5. * * *

Sincerely,

W. L. WALLS,
Member, TPSSC.

REASONS FOR DISAPPROVAL OF ITEM 4; MARKING MAINS AND TRANSMISSION LINES GEORGE W. WHITE

My disapproval of Item 4 is centered on the required use of the diamond symbol in § 192.707(e) (1), which I believe to be inappropriate. This symbol is taken from the U.S. Coast Guard regulation on aids to navigation, 33 CFR 66.10—Uniform State Waterway Marking System, and is found in § 66.10-5(c) (1). In my opinion, this symbol, read in the context of § 66.10-1(a) and § 66.10-15(a) is to indicate "the presence of either natural or artificial obstructions or hazards" to navigation and the operator should not approach the marker in order to read any wording on it. I believe the square or rectangular symbol found in § 66.10-5(c) (4), which is for the purpose of providing "directions or information" is the appropriate symbol to use.

The additional advantage to using the square or rectangular symbol is that a majority of the thousands of existing navigable waterway crossing signs could remain in place, with minor modification, beyond the January 1, 1980, date. If the diamond symbol is adopted, all existing signs must be replaced with larger signs to provide room for the diamond. These existing markers are large, expensive, long-life signs, installed on piling, and, to the best of my knowledge, are

adequately performing their function of warning boat or dredge operators. There is no evidence that damage to pipelines crossing navigable waterways is a safety problem, therefore, the continued use of existing signs with an international orange border (rectangular or square), however modified to meet the proposed wording is practical and consistent with pipeline safety.

At the October 30-31, 1974, Technical Pipeline Safety Standards Committee Meeting the substance of the proposed § 192.707(e) was not discussed, but it was agreed that OPS would consider if the proposed requirements are compatible with the present U.S. Corps of Engineers requirements. All present pipeline crossing markers on navigable waterways were approved by the Corps and the use of the rectangular symbol is much more compatible with these signs than the diamond symbol.

Would you please reconsider the use of the diamond symbol and substitute for it a rectangle or square one with the lettering (as proposed) inside the square or rectangle. This could be issued as an amendment to the letter ballot and voted on again by the Committee.

The proposed § 192.707(e) could be modified as follows:

Markers at navigable waterways. Each line marker at a navigable waterway must have the following characteristics:

(1) A sign, rectangular or square in shape, with a narrow strip along each edge, colored international orange and the area between lettering on the sign and boundary strips colored white.

(2) Written on the sign in block style, black letters—

(i) The word "Warning," "Caution," or "Danger," followed by the words "Do Not Anchor or Dredge," and the words "Gas Pipeline Crossing"; and

(ii) The name of the operator and the telephone number (including area code) where the operator can be reached at all times.

(3) In overcast daylight, the orange border is visible and the writing required by paragraph (e) (2) (i) of this section is legible, from approaching or passing vessels that may damage or interfere with the pipeline.

If the ballot is changed as I have suggested, I would approve of the entire Item 4.

Effective date. Section 3(e) of the Natural Gas Pipeline Safety Act of 1968 requires that standards and amendments thereto prescribed under the Act be effective 30 days after the date of issuance unless the Secretary determines good cause exists for an earlier or later effective date as a result of the period reasonably necessary for compliance. Accordingly, the revised § 192.707 will become effective 30 days after issuance. As provided in § 192.707(a), this effective date is not relevant, however, to existing buried mains and to existing buried transmission lines at public road, railroad, and navigable waterway crossings. As discussed hereinabove, in view of the period reasonably necessary to bring those existing buried pipelines into compliance with the revised requirements, § 192.707(a) does not become applicable to them until January 1, 1978.

In consideration of the foregoing, § 192.707 of Title 49 of the Code of Federal Regulations is revised to read as follows, effective April 21, 1975:

§ 192.707 Line markers for mains and transmission lines.

(a) *Buried pipelines.* Except as provided in paragraph (b) of this section, a line marker must be placed and maintained as close as practical over each buried main and transmission line—

(1) At each crossing of a public road, railroad, and navigable waterway; and

(2) Wherever necessary to identify the location of the transmission line or main to reduce the possibility of damage or interference.

However, until January 1, 1978, paragraphs (a) (1) and (a) (2) of this section do not apply to mains installed before April 21, 1975, and until January 1, 1978, paragraph (a) (1) of this section does not apply to transmission lines installed before April 21, 1975.

(b) *Exceptions for buried pipelines.* Line markers are not required for buried mains and transmission lines—

(1) In Class 3 or Class 4 locations—

(i) Where placement of a marker is impractical; or

(ii) Where a program for preventing interference with underground pipelines is established by law; or

(2) In the case of navigable waterway crossings, within 100 feet of a line marker placed and maintained at that waterway in accordance with this section.

(c) *Pipelines aboveground.* Line markers must be placed and maintained along each section of a main and transmission line that is located aboveground in an area accessible to the public.

(d) *Markers other than at navigable waterways.* The following must be written legibly on a background of sharply contrasting color on each line marker not placed at a navigable waterway:

(1) The word "Warning," "Caution," or "Danger," followed by the words "Gas Pipeline" all of which, except for markers in heavily developed urban areas, must be in letters at least one inch high with one-quarter inch stroke.

(2) The name of the operator and the telephone number (including area code) where the operator can be reached at all times.

(e) *Markers at navigable waterways.* Each line marker at a navigable waterway must have the following characteristics:

(1) A sign, rectangular in shape, with a narrow strip along each edge colored international orange and the area between lettering on the sign and boundary strips colored white.

(2) Written on the sign in block style, black letters—

(i) The word "Warning," "Caution," or "Danger," followed by the words "Do Not Anchor or Dredge" and the words "Gas Pipeline Crossing;" and

(ii) The name of the operator and the telephone number (including area code) where the operator can be reached at all times.

(3) In overcast daylight, the sign is visible and the writing required by paragraph (e) (2) (i) of this section is legible, from approaching or passing vessels that may damage or interfere with the pipeline.

(f) *Existing markers.* Line markers installed before April 21, 1975, which do not comply with paragraph (d) or (e) of this section may be used until January 1, 1980.

(Sec. 3, Natural Gas Pipeline Safety Act of 1968 (49 USC 1672); § 1.58(d) of the regulations of the Office of the Secretary of Transportation (49 CFR 1.58(d)), and the re-delegation of authority to the Director, Office of Pipeline Safety, set forth in Appendix A to Part 1 of the regulations of the Office of the Secretary of Transportation (49 CFR Part 1))

Issued in Washington, D.C., on March 21, 1975.

JOSEPH C. CALDWELL,
Director,
Office of Pipeline Safety.

[FR Doc.75-7917 Filed 3-26-75; 8:45 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Corrected Revised SO No. 1207]

PART 1033—CAR SERVICE

Lehigh Valley Railroad Company (Robert C. Haldeman, Trustee) Directed To Operate Certain Portions of Lehigh and New England Railway Company

At a Session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D.C., on the 17th day of March, 1975.

It appearing, That the Lehigh and New England Railway Company (LNE) has notified the Commission that, on or before January 24, 1975, it will be unable to transport the traffic offered it because its cash position makes continued operation impossible; and that, accordingly, the LNE has placed its embargo No. 1-75 against all traffic, effective January 7, 1975;

It further appearing, That the imminent cessation of all transportation services by the LNE constitutes an emergency situation such as that contemplated by section 1(16) (b) of the Interstate Commerce Act (49 U.S.C. 1(16)), as amended, by section 601(e) of the Regional Rail Reorganization Act of 1973 (P.L. 93-236); and that section authorizes the Commission under certain prescribed conditions, to direct a carrier or carriers by railroad to perform essential transportation services which another carrier is no longer able to perform;

It further appearing, That the legislative history to section 1(16) (b) indicates that its purpose is to assure the continuance of essential rail service for a period of sixty days, or in extraordinary circumstances for an extended period not to exceed 240 days, in the event that a railroad is required to cease operation under conditions described in the Act; and that such authority was in-

tended as an interim emergency measure and not as a permanent solution;

It further appearing, That in determining whether the LNE should be operated pursuant to the authority of section 1(16) (b) and in its planning therefore, the Commission, consistent with Congressional intent and the provisions of the Emergency Rail Services Act of 1970 (45 U.S.C. 661), has coordinated its activities with the Department of Transportation and has been in consultation with representatives of the United States Railway Association, among others;

It further appearing, That the Commission has determined that based upon the statute and the directives contained in the legislative history of section 1(16) (b) of the Act, the operation of the lines of the LNE is necessary and such operation is in the public interest; that the Commission considered many factors, including but not limited to: the transportation requirements of the patrons of the LNE, the economic impact of a discontinuance of service, the amount of originating and terminating traffic on individual lines, transportation requirements of connecting carriers, condition of track, alternative carriers and transportation modes, and net operating revenues attributable to individual lines; and that, the Commission should direct a carrier to operate over the lines of the LNE;

It further appearing, That the Lehigh Valley Railroad Company (Robert C. Haldeman, Trustee) (LV) should be directed to provide the services herein determined to be essential in the public interest, which were formerly performed by the LNE, because, among other things, the LV's proximity to the lines of the LNE, the volume of the traffic LNE interchanges with the LV, its familiarity with the operation of the LNE and its willingness and ability to perform the services required for shippers;

It further appearing, That the performance of the operations directed herein will not substantially impair the LV's ability adequately to serve its own patrons or to meet its outstanding common carrier obligations; that the performance of the directed operation should not violate the provisions of the Federal Railroad Safety Act of 1970 (45 U.S.C. 421);

It further appearing, That in light of the emergency situation which would result from a cessation of all transportation service by the LNE, public notice and hearings are impractical and not required by the procedures set forth in section 1(15) of the Act; that the public interest requires the continuation of operation over certain lines of the LNE by the LV for a period of operation of 150¹ days as provided by section 1(16) (b) of the Act; and that good cause exists for making this order effective upon the date served;

It further appearing, That the LV is presently a railroad in reorganization under section 77 of the Bankruptcy Act

¹ Correction.

(11 U.S.C. 205) subject to the jurisdiction of the United States District Court for the Eastern District of Pennsylvania; and that, accordingly, approval of said court may be necessary for the implementation of this order; and

It further appearing, and the Division so finds, that this decision is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969;

It further appearing, and the Division so finds, that cessation of service by the LNE would have serious economic consequences not only to the patrons of the LNE but also to the communities located within the area; and for good cause appearing therefore:

§ 1033.1207 Service Order No. 1207.

(a) *Lehigh Valley Railroad Company (Robert C. Haldeman, Trustee) Directed To Operate Certain Portions of Lehigh and New England Railway Company.* It is ordered, That the Lehigh Valley Railroad Company, debtor (Robert C. Haldeman, Trustee), be, and it is hereby directed to enter upon the railroad properties presently operated by the Lehigh and New England Railway Company, except the Tamaqua branch, extending between Tamaqua, Pennsylvania, and Hauto, Pennsylvania, and to operate such railroad and facilities subject to any necessary approval of the reorganization court of the United States District Court for the Eastern District of Pennsylvania, for the purpose of handling, routing, and moving the traffic of the Lehigh and New England Railway Company in accordance with the lawful instructions of shippers and consignees and in compliance with the rules and regulations of the Commission, and subject to the rates and charges prescribed in tariffs lawfully published and filed in accordance with law and applicable to freight traffic transported over the lines of the Lehigh and New England Railway Company; commence on or before 12:01 a.m., January 24, 1975, and shall continue for a period of 150 days, unless such period is reduced by order of the Commission or unless further extended by order of the Commission, for cause shown, for an additional designated period; and that a certified copy of the order of the court authorizing the Lehigh Valley Railroad Company, debtor, to perform the directed service pursuant to the order of the Commission shall be filed with this Commission, with appropriate reference to this proceeding;

(b) *It is further ordered,* That the Lehigh and New England Railway Company shall, on the date of service of this order inform all persons who were given notice of its embargo No. 1-75, that said embargo shall no longer be applicable to service over its lines;

(c) *It is further ordered,* That the Lehigh Valley Railroad Company, debtor, shall (1) collect all revenues attributable to the handling, routing, and movement of freight traffic including all agents' and conductors' accounts and all

payments from other carriers collected after the commencement of directed operations; (2) distribute such revenues in accordance with divisional agreements presently applicable, collecting and paying to the Lehigh and New England Railway Company the divisions of joint revenues payable to the Lehigh and New England Railway Company pursuant to such division agreements which are derived from services performed and events occurring prior to January 24, 1975, and collecting and retaining for the Lehigh Valley Railroad Company, debtor, on a segregated basis all such divisions of joint revenues payable to the Lehigh and New England Railway Company pursuant to such division agreements which are derived from services performed by the Lehigh Valley Railroad Company, debtor, in the place and stead of the Lehigh and New England Railway Company and from events occurring on or after January 24, 1975;

(d) *It is further ordered*, That all carriers are hereby directed to pay to the Lehigh Valley Railroad Company, debtor, such sums as otherwise would be payable to the Lehigh and New England Railway Company including interline freight revenues, per diem, and all other interline accounts of whatsoever kind and nature coming due under normal accounting rules and procedures for the settlement of interline transactions and accounts between carriers during the period this order is in effect and thereafter coming due for services performed and events occurring during the period of directed service;

(e) *It is further ordered*, That the Lehigh Valley Railroad Company, debtor, shall pay to all carriers amounts received by it but due to them for services performed by them, for per diem, and for events occurring either prior to the commencement of operations directed herein or during the period this order is in effect, all in accordance with established procedures for the settlement of interline transactions and accounts between carriers;

(f) *It is further ordered*, That the Lehigh Valley Railroad Company, debtor, be, and it is hereby, authorized to act on behalf of the Lehigh and New England Railway Company in all matters pertaining to the establishment of rates, routes and divisions applicable to that portion of the LNE operated by the IV as defined in paragraph (a.) herein, including the publication or amendment of tariffs, division sheets, etc.;

(g) *It is further ordered*, That in executing the directions of this Commission as provided for in this order, all carriers involved in the movement of traffic to the lines of the Lehigh and New England Railway Company shall proceed even though in some instances, no contracts, agreements or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; that in the event reroutings are necessary pursuant to the directives of this and subsequent

orders, the divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers, or upon failure of the carriers to so agree said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act;

(h) *It is further ordered*, That, in carrying out the operations directed herein, the Lehigh Valley Railroad Company, debtor, shall hire employees of the Lehigh and New England Railway Company to the extent such employees had previously performed the directed service and shall assume all existing employment obligations and practices of the Lehigh and New England Railway Company relating thereto, including, but not limited to, agreements governing rates of pay, rules, working conditions, and all current employee protective conditions, for the duration of the directed service;

(i) *It is further ordered*, That the Lehigh Valley Railroad Company, debtor, and the Lehigh and New England Railway Company shall, if possible, negotiate an agreement (hereinafter called the agreement) on all aspects of the directed operation subject to their determination, including, but not limited to use of and rental for equipment, use of, and compensation for, existing inventories of fuel, materials, and supplies, and rental for the use of rights-of-way and other rail facilities; that the Commission shall be represented at all such discussions; that the agreement shall be subject to approval by the Commission upon such procedure as the Commission shall later specify; and that in the event the Lehigh Valley Railroad Company, debtor, and the Lehigh and New England Railway Company fail to agree upon the terms for such use and compensation, the directed service shall continue pending a Commission determination to establish such terms as it may find to be just and reasonable;

(j) *It is further ordered*, That in the event the parties achieve agreement, any funds to be paid the Lehigh and New England Railway Company thereunder shall be paid into an escrow account until the agreement is given approval by the Commission; and that in the event the parties are unable to reach agreement, any monies the Lehigh Valley Railroad Company, debtor, holds for the account of the Lehigh and New England Railway Company to compensate it for the use of its equipment and facilities and properties, in lieu of a final agreement, shall be paid into an escrow account until a determination has been made by the Commission as to what terms are just and reasonable;

(k) *It is further ordered*, That the Lehigh Valley Railroad Company, debtor, shall record the revenues earned and the costs incurred in and for the performance of the operations directed herein over the lines of the Lehigh and New England Railway Company, in a manner

to be prescribed by the Commission, that the information so recorded, and supporting data where specifically required, shall be submitted by the Lehigh Valley Railroad Company, debtor, to the Commission for audit and evaluation immediately upon completion of the directed operation, or at such intervals, during the period of the directed operation, as the Commission may request; and that, if, for the period during which this order shall be effective, the cost to the Lehigh Valley Railroad Company, debtor, of handling, routing, and moving the traffic over the lines of the Lehigh and New England Railway Company shall exceed the direct revenues therefor, payment shall be made to the Lehigh Valley Railroad Company, debtor, in the manner provided by section 1(16)(b) of the Act;

(l) *It is further ordered*, That the Commission shall retain jurisdiction to modify, supplement or reconsider this order at any time and for such purposes as it may consider necessary consistent with the legislative intent and the express provision of section 1(16)(b) of the Interstate Commerce Act, as amended;

(m) *It is further ordered*, That this order shall be served upon the United States Department of Transportation, the United States Railway Association, the Rail Planning Services Office of the Interstate Commerce Commission, the governor of the State of Pennsylvania, Pennsylvania Public Utilities Commission, the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

(n) *It is further ordered*, That this order shall be effective upon the date of service; that the operations which the Lehigh Valley Railroad Company, debtor, is herein directed to perform shall commence on or before 12:01 a.m., January 24, 1975; and that such operations shall cease 150 days from the date the directed service shall be instituted by the Lehigh Valley Railroad Company, debtor, at 11:59 p.m., unless otherwise extended, modified, changed, or suspended by subsequent order of the Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended (40 U.S.C. 1, 12, 15, and 17(2)). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; (49 U.S.C. 1(10-17), 15(4), and 17(2).)

By the Commission, Division 3.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-8027 Filed 3-26-75; 9:45 am]

[Corrected Revised SO No. 1208]

PART 1033—CAR SERVICE

Reading Company, Andrew L. Lewis, Jr., and Joseph L. Castle, Trustees, Directed To Operate Certain Portions of Lehigh and New England Railway Company

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D.C., on the 17th day of March, 1975.

It appearing, That the Lehigh and New England Railway Company (LNE) has notified the Commission that, on or before January 24, 1975, it will be unable to transport the traffic offered it because its cash position makes continued operation impossible; and that, accordingly, the LNE has placed its embargo No. 1-75 against all traffic, effective January 7, 1975;

It further appearing, That the imminent cessation of all transportation services by the LNE constitutes an emergency situation such as that contemplated by section 1(16)(b) of the Interstate Commerce Act (49 U.S.C. 1(16)), as amended, by section 601(e) of the Regional Rail Reorganization Act of 1973 (P.L. 93-236); and that section authorizes the Commission under certain prescribed conditions, to direct a carrier or carriers by railroad to perform essential transportation services which another carrier is no longer able to perform;

It further appearing, That the legislative history to section 1(16)(b) indicates that its purpose is to assure the continuance of essential rail service for a period of sixty days, or in extraordinary circumstances for an extended period not to exceed 240 days, in the event that a railroad is required to cease operation under conditions described in the Act; and that such authority was intended as an interim emergency measure and not as a permanent solution;

It further appearing, That in determining whether the LNE should be operated pursuant to the authority of section 1(16)(b) and in its planning therefore, the Commission, consistent with Congressional intent and the provisions of the Emergency Rail Services Act of 1970 (45 U.S.C. 661), has coordinated its activities with the Department of Transportation and has been in consultation with representatives of the United States Railway Association, among others;

It further appearing, That the Commission has determined that based upon the statute and the directives contained in the legislative history of section 1(16)(b) of the Act, the operation of the lines of the LNE is necessary and such operation is in the public interest; that the Commission considered many factors, including but not limited to: the transportation requirements of the patrons of the LNE, the economic impact of a discontinuance of service, the amount of originating and terminating traffic on individual lines, transportation requirements of connecting carriers, condition of track, alternative carriers and transportation modes, and net operating rev-

enues attributable to individual lines; and that, the Commission should direct a carrier to operate over the lines of the LNE;

It further appearing, That the Reading Company, Andrew L. Lewis, Jr., and Joseph L. Castle, Trustees (Rdg) should be directed to provide the services herein determined to be essential in the public interest, which were formerly performed by the LNE, because, among other things, the Rdg's proximity to the lines of the LNE, the volume of the traffic LNE interchanges with the Rdg, its familiarity with the operation of the LNE and its willingness and ability to perform the services required for shippers;

It further appearing, That the performance of the operations directed herein will not substantially impair the Rdg's ability adequately to serve its own patrons or to meet its outstanding common carrier obligations; that the performance of the directed operation should not violate the provisions of the Federal Railroad Safety Act of 1970 (45 U.S.C. 421);

It further appearing, That in light of the emergency situation which would result from a cessation of all transportation service by the LNE, public notice and hearings are impractical and not required by the procedures set forth in section 1(15) of the Act; that the public interest requires the continuation of operation over certain lines of the LNE by the Rdg for a period of operation of 150 days as provided by section 1(16)(b) of the Act; and that good cause exists for making this order effective upon the date served;

It further appearing, That the Rdg is presently a railroad in reorganization under section 77 of the Bankruptcy Act (11 U.S.C. 205) subject to the jurisdiction of the United States District Court for the Eastern District of Pennsylvania; and that, accordingly, approval of said court may be necessary for the implementation of this order; and

It further appearing, and the Division so finds, that this decision is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969;

It further appearing, and the Division so finds, that cessation of service by the LNE would have serious economic consequences not only to the patrons of the LNE but also to the communities located within the area; and for good cause appearing therefore:

§ 1033.1208 Reading Company, Andrew L. Lewis, Jr., and Joseph L. Castle, Trustees, Directed To Operate Certain Portions of Lehigh and New England Railway Company.

(a) *It is ordered,* That the Reading Company, Andrew L. Lewis, Jr., and Joseph L. Castle, Trustees (Rdg), be, and it is hereby directed to enter upon that portion of the Tamaqua branch of the Lehigh and New England Railway (LNE) extending between milepost 2.20

¹ Correction.

west of Hauto, Pennsylvania, and a connection with the Reading Company at milepost 6.55 in the vicinity of Tamaqua, Pennsylvania, and to operate such railroad and facilities subject to any necessary approval of the reorganization court of the United States District Court for the Eastern District of Pennsylvania, for the purpose of handling, routing, and moving the traffic of the Lehigh and New England Railway Company in accordance with the lawful instructions of shippers and consignees and in compliance with the rules and regulations of the Commission, and subject to the rates and charges prescribed in tariffs lawfully published and filed in accordance with law and applicable to freight traffic transported over the lines of the Lehigh and New England Railway Company; that such entry and operations shall commence on or before 12:01 a.m., January 24, 1975, and shall continue for a period of 150 days, unless such period is reduced by order of the Commission or unless further extended by order of the Commission, for cause shown, for an additional designated period; and that a certified copy of the order of the court authorizing the Reading Company to perform the directed service pursuant to the order of the Commission shall be filed with this Commission, with appropriate reference to this proceeding;

(b) *It is further ordered,* That the Lehigh and New England Railway Company shall, on the date of service of this order inform all persons who were given notice of its embargo No. 1-75, that said embargo shall no longer be applicable to service over its lines;

(c) *It is further ordered,* That the Reading Company shall (1) collect all revenues attributable to the handling, routing, and movement of freight traffic including all agents' and conductors' accounts and all payments from other carriers collected after the commencement of directed operations; (2) distribute such revenues in accordance with divisional agreements presently applicable, collecting and paying to the Lehigh and New England Railway Company the divisions of joint revenues payable to the Lehigh and New England Railway Company pursuant to such division agreements which are derived from services performed and events occurring prior to January 24, 1975, and collecting and retaining for the Reading Company on a segregated basis all such divisions of joint revenues payable to the Lehigh and New England Railway Company pursuant to such division agreements which are derived from services performed by the Reading Company in the place and stead of the Lehigh and New England Railway Company and from events occurring on or after January 24, 1975;

(d) *It is further ordered,* That all carriers are hereby directed to pay to the Reading Company, such sums as otherwise would be payable to the Lehigh and New England Railway Company including interline freight revenues, per diem, and all other interline accounts of whatsoever kind and nature coming due under normal accounting rules and procedures

for the settlement of interline transactions and accounts between carriers during the period this order is in effect and thereafter coming due for services performed and events occurring during the period of directed service;

(e) *It is further ordered*, That the Reading Company shall pay to all carriers amounts received by it but due to them for services performed by them, for per diem, and for events occurring either prior to the commencement of operations directed herein or during the period this order is in effect, all in accordance with established procedures for the settlement of interline transactions and accounts between carriers;

(f) *It is further ordered*, That the Reading Company be, and it is hereby, authorized to act on behalf of the Lehigh and New England Railway Company in all matters pertaining to the establishment of rates, routes and divisions applicable to that portion of the LNE operated by the Rdg as defined in paragraph (a) herein, including the publication or amendment of tariffs, division sheets, etc.;

(g) *It is further ordered*, That in executing the directions of this Commission as provided for in this order, all carriers involved in the movement of traffic to the lines of the Lehigh and New England Railway Company shall proceed even though in some instances, no contracts, agreements or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; that in the event reroutings are necessary pursuant to the directives of this and subsequent orders, the divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers, or upon failure of the carriers to so agree said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act;

(h) *It is further ordered*, That, in carrying out the operations directed herein, the Reading Company shall hire employees of the Lehigh and New England Railway Company to the extent such employees had previously performed the directed service and shall assume all existing employment obligations and practices of the Lehigh and New England Railway Company relating thereto, including, but not limited to, agreements governing rates of pay, rules, working conditions, and all current employee protective conditions, for the duration of the directed service;

(i) *It is further ordered*, That the Reading Company and the Lehigh and New England Railway Company shall, if possible, negotiate an agreement (hereinafter called the agreement) on all aspects of the directed operation subject to their determination, including, but not limited to use of and rental for equipment, use of, and compensation for, existing inventories of fuel, materials, and supplies, and rental for the use of rights-of-way and other rail facilities;

that the Commission shall be represented at all such discussions; that the agreement shall be subject to approval by the Commission upon such procedure as the Commission shall later specify; and that in the event the Reading Company and the Lehigh and New England Railway Company fail to agree upon the terms for such use and compensation, the directed service shall continue pending a Commission determination to establish such terms as it may find to be just and reasonable;

(j) *It is further ordered*, That in the event the parties achieve agreement, any funds to be paid the Lehigh and New England Railway Company thereunder shall be paid into an escrow account until the agreement is given approval by the Commission; and that in the event the parties are unable to reach agreement, any monies the Reading Company holds for the account of the Lehigh and New England Railway Company to compensate it for the use of its equipment and facilities and properties, in lieu of a final agreement, shall be paid into an escrow account until a determination has been made by the Commission as to what terms are just and reasonable;

(k) *It is further ordered*, That the Reading Company shall record the revenues earned and the costs incurred in and for the performance of the operations directed herein over the lines of the Lehigh and New England Railway Company, in a manner to be prescribed by the Commission, that the information so recorded, and supporting data where specifically required, shall be submitted by the Reading Company to the Commission for audit and evaluation immediately upon completion of the directed operation, or at such intervals, during the period of the directed operation, as the Commission may request; and that, if, for the period during which this order shall be effective, the cost to the Reading Company of handling, routing, and moving the traffic over the lines of the Lehigh and New England Railway Company shall exceed the direct revenues therefor, payment shall be made to the Reading in the manner provided by section 1(16) (b) of the Act;

(l) *It is further ordered*, That the Commission shall retain jurisdiction to modify, supplement or reconsider this order at any time and for such purposes as it may consider necessary consistent with the legislative intent and the express provision of section 1(16) (b) of the Interstate Commerce Act, as amended;

(m) *It is further ordered*, That this order shall be served upon the United States Department of Transportation, the United States Railway Association, the Rail Planning Services Office of the Interstate Commerce Commission, the governor of the State of Pennsylvania, Pennsylvania Public Utilities Commission, the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the Ameri-

can Short Line Railroad Association; and that notice of this order be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

(n) *It is further ordered*, That this order shall be effective upon the date of service; that the operations which the Reading Company is herein directed to perform shall commence on or before 12:01 a.m., January 24, 1975; and that such operations shall cease 150 days from the date the directed service shall be instituted by the Reading Company at 11:59 p.m., unless otherwise extended, modified, changed, or suspended by subsequent order of the Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended (49 U.S.C. 1, 12, 15, and 17 (2)). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; (49 U.S.C. 1(10-17), 15(4), and 17(2)).)

By the Commission, Division 3.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-8028 Filed 3-26-75;8:45 am]

Title 7—Agriculture

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

[Navel Orange Reg. 345]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

This regulation fixes the quantity of California-Arizona Navel oranges that may be shipped to fresh market during the weekly regulation period Mar. 28-Apr. 3, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 907. The quantity of Navel oranges so fixed was arrived at after consideration of the total available supply of Navel oranges, the quantity currently available for market, the fresh market demand for Navel oranges, Navel orange prices, and the relationship of season average returns to the parity price for Navel oranges.

§ 907.645 Navel Orange Regulation 345.

(a) *Findings*. (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby

found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the respective quantities of Navel oranges that may be marketed from District 1, District 2, and District 3 during the ensuing week stems from the production and marketing situation confronting the Navel orange industry.

(1) The committee has submitted its recommendation with respect to the quantities of Navel oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh market demand for Navel oranges continued to exhibit strength over the past week. Prices f.o.b. averaged \$3.57 per carton on a reported sales volume of 1,581 carlots last week, compared with an average f.o.b. price of \$3.56 per carton and sales of 1,229 carlots a week earlier. Track and rolling supplies at 554 cars were down 63 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the respective quantities of Navel oranges which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on March 25, 1975.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period March 28, 1975, through April 3, 1975 are hereby fixed as follows:

- (i) District 1: 1,275,000 cartons;
- (ii) District 2: 225,000 cartons;
- (iii) District 3: Unlimited movement."

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: March 26, 1975.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable
Division, Agricultural Market-
ing Service.

[FR Doc. 75-8184 3-26-75; 12:43 am]

[Valencia Orange Reg. 490]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

This regulation fixes the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period Mar. 28-Apr. 3, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 908. The quantity of Valencia oranges so fixed was arrived at after consideration of the total available supply of Valencia oranges, the quantity of Valencia oranges currently available for market, the fresh market demand for Valencia oranges, Valencia orange prices, and the relationship of season average returns to the parity price for Valencia oranges.

§ 908.790 Valencia Orange Regulation 490.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the respective quantities of Valencia oranges that may be marketed from District 1, District 2, and District 3 during the ensuing week stems from the production and marketing situation confronting the Valencia orange industry.

(1) The committee has submitted its recommendation with respect to the quantities of Valencia oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh market demand for Valencia oranges continues to be very slow. Prices f.o.b. averaged \$3.17 per carton on a reported sales volume of 71 carlots last week, compared with an average f.o.b. price of \$3.04 per carton and sales of 29 carlots a week earlier. Track and rolling supplies at 49 cars were down 3 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the respective quantities of Valencia oranges which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on March 25, 1975.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period March 28, 1975, through April 3, 1975, are hereby fixed as follows:

RULES AND REGULATIONS

13511

- (i) District 1: Unlimited;
 - (ii) District 2: Unlimited;
 - (iii) District 3: 125,000 cartons.
- (2) As used in this section, "handled", "District 1", "District 2", "District 3", and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: March 26, 1975.

FLOYD F. HEDLUND,
*Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.*

[FR Doc. 75-8183 Filed 3-26-75; 12:43 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 rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 917]

FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Proposed Rulemaking

This notice invites written comments relative to amending the container marking requirements of Plum Regulation 5 (§ 917.419; 35 FR 7064). Said regulation currently specifies, among other things, that the size of the plums packed in the various containers shall be marked in accordance with (1) the arrangement of the plums in the style of container involved, such as "4x4" and "4x5" in four-basket crates and "6 row" and "8 row" in cartons or lug boxes, or (2) the number of plums in each container, i.e., the count, unless marked with the equivalent size designation for such plums in four-basket crates.

The Plum Commodity Committee established pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917), has proposed certain changes in the language of the regulation which would (1) cause it to conform to certain requirements of the Fair Packaging and Labeling Act (15 U.S.C. 1451 et seq.) applicable to the disclosure of the size of the contents of containers by appropriate labeling of the containers and (2) add a requirement to the regulation which would cause the net weight of certain containers to be marked thereon. With regard to the first change, the word "size" would be added to the current size designations. For example, designations such as "4x5," "6 row," and others, would be changed to "4x5 size," "6 row size," and other corresponding terms. Thus any connotation of size which derives from the arrangement of the plums, in a particular container, would be specified directly as a size by including the word "size." Plums whose size is indicated by the number of them in the container, such as 88 or 162, would be in containers marked as "88 size" or "162 size" and such numbers would denote the minimum number of plums in the filled container. With regard to the second change, certain containers of loose-fill, loose-pack, or tight-fill plums (not packed in rows) would be marked to show the 28-pound minimum net weight thereof. The specification of a 28-pound net weight for such containers would forestall confusion in the industry by assuring a uniform net weight for those containers. Such container marking also would comply with other applicable labeling laws.

Accordingly, notice is hereby given that the Department is considering proposed amendment, as hereinafter set forth, of Plum Regulation 5 currently in effect pursuant to said marketing agreement and order which regulate the handling of fresh pears, plums, and peaches grown in California. This is a regulatory program effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The amendment would add a new paragraph (a) (5) to § 917.419 and revise paragraph (a) (4) thereof to read as set forth below:

§ 917.419 Plum Regulation 5.

(a) * * *

(4) Each package or container of plums shall bear on one outside end, in plain sight and in plain letters, the size description of the contents which description shall conform to the following, as applicable:

(i) The size of plums in four-basket crates shall be indicated in accordance with the arrangement of the plums in the top layer of the baskets, such as "4x4 size," "4x5 size," etc.

(ii) The size of the plums in face and fill packs in cartons or lug boxes shall be indicated in accordance with the number of rows in the face, such as "6 row size," "8 row size," etc.

(iii) The size of plums packed or filled in other packages or containers shall be indicated as the number of plums in the package or container, such as "88 size," "178 size," etc., or by the equivalent size designation for such plums when packed in four-basket crates.

(5) Each package or container of loose-fill, loose-pack, or tight-fill plums (not packed in rows) shall bear on one outside end, in plain sight and in plain letters, the words "28 pounds net weight."

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed amendment shall file the same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than April 17, 1975. 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: March 21, 1975.

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

[FR Doc.75-7958 Filed 3-26-75; 8:45 am]

[7 CFR Part 908]

HANDLING OF VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Proposed Rulemaking With Respect to Size Regulation for Valencia Oranges

This proposal would extend through January 15, 1976, the current size requirement for Valencia oranges grown in District 3 of the California-Arizona production area. Shipments of such Valencia oranges are currently regulated through April 27, 1975, pursuant to Valencia Orange Regulation 487. The proposed extension of the period of Valencia Orange Regulation 487 is designed to continue in effect the current minimum diameter requirement of 2.20 inches for such fruit consistent with the objective of the act of promoting orderly marketing and protecting the interest of consumers.

Notice is hereby given that the Department is considering a proposed amendment of the size regulation for Valencia oranges grown in District 3, pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908) regulating the handling of Valencia oranges grown in Arizona and designated part of California. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The proposed amendment was recommended by the Valencia Orange Administrative Committee, established under said amended marketing agreement and order as the agency to administer the terms and provisions thereof.

The proposed regulation is designed to permit shipment during the period April 28, 1975, through January 15, 1976, of ample supplies of Valencia oranges of the more desirable sizes in the interest of both growers and consumers. The proposal is designed to maintain orderly marketing conditions, provide consumer satisfaction, and guard against the shipment of undesirable sizes of Valencia oranges, which tend to weaken the market for such fruit. The proposed extension of the effective period of Valencia Orange Regulation 487 is consistent with the size composition and estimated crop of Valencia oranges in District 3.

The proposal is as follows:

Amend paragraph (a) of Valencia Orange Regulation 487 (40 FR 8772) to read as follows:

§ 908.787 Valencia Orange Regulation 487.

* * * * *
Order. (a) During the period April 28, 1975, through January 15, 1976, no han-

bler shall handle any Valencia oranges grown in District 3 which are of a size smaller than 2.20 inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit: *Provided*, That not to exceed 5 percent, by count, of the Valencia oranges contained in any type of container may measure smaller than 2.20 inches in diameter.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed amendment shall file same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than April 14, 1975. 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: March 21, 1975.

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

[FR Doc.75-7959 Filed 3-26-75;8:45 am]

[7 CFR Part 1251]

[Docket No. ERPA-1]

EGG RESEARCH AND PROMOTION

Hearing on Proposed Order

Notice is hereby given of a public hearing on a proposed national research and promotion order for eggs. The hearing will be held at each of the five locations beginning on the dates listed below:

1. May 6, 1975—Atlanta, GA 30309, Townhouse Motor Inn, 100-10th Street, N.W.
2. May 12, 1975—Philadelphia, PA 19106, Room 3306-3310, William J. Green, Jr. Federal Building, 600 Arch Street
3. May 15, 1975—Des Moines, IA 50309, Ramada Inn, 929 3rd Street
4. May 19, 1975—Dallas, TX 75235, Executive Inn, 3232 West Mockingbird Lane
5. May 22, 1975—South San Francisco, CA 94080, Holiday Inn, 245 South Airport Blvd.

Each day's session of the hearing will commence at 9:30 a.m., local time, unless the judge otherwise specifies during the course of the hearing. The hearing is called pursuant to the Egg Research and Consumer Information Act (88 Stat. 1171-1179, (7 U.S.C. 2701 et seq.)), and in accordance with the applicable rules of practice and procedure governing proceedings to formulate an order (7 CFR Part 1250).

The public hearing is for the purpose of: (a) receiving evidence, with respect to the economic and marketing conditions which relate to the proposed order, hereinafter set forth, and to any appropriate modifications thereof; (b) determining the extent of need for an order to implement a nationwide coordinated egg research and promotion program; and (c) determining whether provisions specified in the proposed order or some

other provisions appropriate to the terms of the Egg Research and Consumer Information Act (88 Stat. 1171-1179 (7 U.S.C. 2701 et seq.)) will tend to effectuate the declared policy of the Act.

The proposed order, set forth below, has not received the approval of the Secretary of Agriculture.

The proposed order was submitted to the Secretary of Agriculture, with a request for a public hearing thereon, by:

- Alabama Poultry and Egg Association
- American Egg Board
- Georgia Poultry Federation
- Georgia Egg Association
- Indiana State Poultry Association
- Kentucky Poultry Federation
- Midwest Poultry Federation
- Minnesota Poultry and Hatchery Association
- Northeastern Poultry Producers Council
- Ohio Egg Marketing Association
- Ohio Poultry Association
- Pacific Egg and Poultry Association
- Poultry and Egg Institute of America
- South Carolina Egg Board
- Southeastern Poultry and Egg Association
- Tennessee Egg and Poultry Association
- Texas Poultry Federation and Affiliates
- United Egg Producers
- Virginia Egg Council

The provisions of the proposed Egg Research and Promotion Order are:

PART 1251—EGG RESEARCH AND PROMOTION ORDER

DEFINITIONS

- | | |
|----------|--------------------------|
| Sec. | |
| 1251.301 | Secretary. |
| 1251.302 | Act. |
| 1251.303 | Fiscal period. |
| 1251.304 | Egg Board. |
| 1251.305 | Egg producer. |
| 1251.306 | Commercial eggs or eggs. |
| 1251.307 | Person. |
| 1251.308 | United States. |
| 1251.309 | Handler. |
| 1251.310 | Promotion. |
| 1251.311 | Research. |
| 1251.312 | Marketing. |
| 1251.313 | Eligible organization. |
| 1251.314 | Plans and projects. |
| 1251.315 | Part and subpart. |

EGG BOARD

- | | |
|----------|---------------------------------|
| 1251.316 | Establishment and membership. |
| 1251.317 | Term of office. |
| 1251.318 | Nominations. |
| 1251.319 | Selection. |
| 1251.320 | Acceptance. |
| 1251.321 | Vacancies. |
| 1251.322 | Alternative members. |
| 1251.323 | Procedure. |
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RESEARCH, EDUCATION, AND PROMOTION

- | | |
|----------|-------------------------------------|
| 1251.327 | Research, education, and promotion. |
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EXPENSES AND ASSESSMENTS

- | | |
|----------|-------------------------------------|
| Sec. | |
| 1251.328 | Expenses. |
| 1251.329 | Assessments. |
| 1251.330 | Collecting handlers and collection. |
| 1251.331 | Producer refunds. |
| 1251.332 | Infuencing governmental action. |

REPORTS, BOOKS, AND RECORDS

- | | |
|----------|-------------------------|
| 1251.333 | Reports. |
| 1251.334 | Books and records. |
| 1251.335 | Confidential treatment. |

CERTIFICATION OF ORGANIZATIONS

- | | |
|----------|---------------------------------|
| 1251.336 | Certification of organizations. |
|----------|---------------------------------|

MISCELLANEOUS

- | | |
|----------|-------------------------------------|
| 1251.337 | Suspension and termination. |
| 1251.338 | Proceedings after termination. |
| 1251.339 | Effect of termination or amendment. |
| 1251.340 | Personal liability. |
| 1251.341 | Separability. |

DEFINITIONS

- § 1251.301 Secretary.

"Secretary" means the Secretary of Agriculture or any other officer or employee of the Department of Agriculture to whom there has heretofore been delegated, or to whom there may hereafter be delegated, the authority to act in his stead.

- § 1251.302 Act.

"Act" means the Egg Research and Consumer Information Act (Pub. L. 93-428).

- § 1251.303 Fiscal period.

"Fiscal period" means the calendar year unless the Egg Board, with the approval of the Secretary, selects some other budgetary period.

- § 1251.304 Egg Board.

"Egg Board" or "Board" means the administrative body established pursuant to § 1251.316.

- § 1251.305 Egg producer.

"Egg producer" or "producer" means the person owning laying hens engaged in the production of commercial eggs.

- § 1251.306 Commercial eggs or eggs.

"Commercial eggs" or "eggs" means eggs from domesticated chickens which are sold for human consumption either in shell egg form or for further processing into egg products.

- § 1251.307 Person.

"Person" means any individual, group of individuals, partnership, corporation, association, cooperative, or any other entity.

- § 1251.308 United States.

"United States" means the 48 contiguous States of the United States of America and the District of Columbia.

- § 1251.309 Handler.

"Handler" means any person, specified in this subpart or the rules and regulations issued thereunder, who receives or otherwise acquires eggs from an egg producer, and processes, prepares for marketing, or markets, such eggs, including eggs of his own production.

- § 1251.310 Promotion.

"Promotion" means any action, including paid advertising, to advance the image or desirability of eggs, egg products, spent fowl, or products of spent fowl.

- § 1251.311 Research.

"Research" means any type of research to advance the image, desirability, mar-

ketability, production, or quality of eggs, egg products, spent fowl, or products of spent fowl.

§ 1251.312 Marketing.

"Marketing" means the sale or other disposition of commercial eggs, egg products, spent fowl, or products of spent fowl in any channel of commerce.

§ 1251.313 Eligible organization.

"Eligible organization" means any organization, association, or cooperative certified by the Secretary pursuant to § 1251.336.

§ 1251.314 Plans and projects.

"Plans" and "projects" mean those research, consumer and producer education, advertising, marketing, product development, and promotion plans, studies, or projects pursuant to § 1251.327.

§ 1251.315 Part and subpart.

"Part" means the Egg Research and Promotion Order and all rules, regulations, and supplemental order issued pursuant to the act and the order, and the aforesaid order shall be a "subpart" of such part.

EGG BOARD

§ 1251.316 Establishment and membership.

There is hereby established an Egg Board, hereinafter called the "Board", composed of 18 egg producers or representatives of egg producers, each of whom shall have an alternate, appointed by the Secretary from nominations submitted by eligible organizations, associations or cooperatives or by other producers pursuant to § 1251.318.

§ 1251.317 Term of office.

The members of the Board, and their alternates, shall serve for terms of 2 years, except initial appointments shall be, proportionately, for terms of 2 and 3 years. Each member and alternate member shall continue to serve until his successor is appointed by the Secretary and has qualified. No member shall serve for more than three consecutive terms.

§ 1251.318 Nominations.

All nominations authorized under § 1251.316 shall be made in the following manner:

(a) Within 30 days of the approval of this order by referendum, nominations shall be submitted to the Secretary by eligible organizations, associations, or cooperatives certified pursuant to § 1251.336, or, if the Secretary determines that a substantial number of egg producers are not members of, or their interests are not represented by, any such eligible organization, association, or cooperative, then from nominations made by such egg producers in the manner authorized by the Secretary.

(b) After the establishment of the initial Board, the nominations for subsequent Board members and alternates shall be submitted to the Secretary not less than 60 days prior to the expiration of the terms of the members and alternates previously appointed to the Board.

(c) Where there is more than one eligible organization, association, or cooperative within each geographic area, as defined by the Secretary, they may caucus for the purpose of jointly nominating two qualified persons for each member and for each alternate member to be appointed. If joint agreement is not reached with respect to any such nominations, or if no caucus is held within a defined geographic area, each eligible organization, association, or cooperative may submit to the Secretary two nominations for each appointment to be made.

§ 1251.319 Selection.

From the nominations made pursuant to § 1251.318, the Secretary shall appoint the members of the Board, and an alternate for each such member, on the basis of representations provided for in § 1251.316 and § 1251.317.

§ 1251.320 Acceptance.

Any person appointed by the Secretary as a member, or as an alternate member, of the Board shall qualify by filing a written acceptance with the Secretary within a period of time prescribed by the Secretary.

§ 1251.321 Vacancies.

To fill any vacancy occasioned by the failure to qualify of any person appointed as a member, or as an alternate member, of the Board, or in the event of the death, removal, resignation, or disqualification of any member or alternate member of the Board, a successor for the unexpired term of such member or alternate member of the Board shall be nominated, qualified, and appointed in the manner specified in § 1251.316, § 1251.318, § 1251.319, and § 1251.320.

§ 1251.322 Alternate members.

An alternate member of the Board, during the absence of the member for whom he or she is the alternate, shall act in the place and stead of such member and perform such other duties as assigned. In the event of the death, removal, resignation, or disqualification of a member, his alternate shall act for him until a successor for such member is appointed and qualified.

§ 1251.323 Procedure.

(a) A majority of the members, including alternates acting for members of the Board, shall constitute a quorum, and any action of the Board shall require the concurring votes of at least a majority of those present and voting. At assembled meetings, all votes shall be cast in person.

(b) For routine and noncontroversial matters which do not require deliberation and exchange of views, and in matters of an emergency nature when there is not enough time to call an assembled meeting of the Board, the Board may also take action upon the concurring votes of a majority of its members by mail, telephone, or telegraph, but any such action by telephone shall be confirmed promptly in writing.

§ 1251.324 Compensation and reimbursement.

The members of the Board, and alternates when acting as members, shall serve without compensation but shall be reimbursed for necessary and reasonable expenses, as approved by the Board, incurred by them in the performance of their duties under this subpart.

§ 1251.325 Powers of the Board.

The Board shall have the following powers:

(a) To administer the provisions of this subpart in accordance with its terms and provisions;

(b) To make rules and regulations to effectuate the terms and provisions of this subpart;

(c) To receive, investigate, and report to the Secretary complaints of violations of the provisions of this subpart; and

(d) To recommend to the Secretary amendments to this subpart.

§ 1251.326 Duties.

The Board shall have the following duties:

(a) To meet and organize and to select from among its members a chairman and such other officers as may be necessary, to select committees and subcommittees of Board members, to adopt such rules for the conduct of its business as it may deem advisable, and it may establish advisory committees of persons other than Board members;

(b) To appoint or employ such persons as it may deem necessary and to define the duties and determine the compensation of each;

(c) To prepare and submit to the Secretary for this approval budgets on a fiscal-period basis of its anticipated expenses and disbursements in the administration of this subpart, including probable costs of plans and projects as estimated in the budget or budgets submitted to it by prospective contractors, with the Board's recommendations with respect thereto;

(d) With the approval of the Secretary, to enter into contracts or agreements with persons, including, but not limited to, State, regional, or national agencies or State, regional, or national egg organizations which administer research, education, or promotion programs, advertising agencies, public relations firms, public or private research organizations, advertising and promotion media, and egg producer organizations, for the development and submission to it of plans and projects authorized by § 1251.327 and for the carrying out of such plans or projects when approved by the Secretary, and for the payment of the cost thereof with funds collected pursuant to § 1251.329. Any such contracts or agreements shall provide that such contractors shall develop and submit to the Board a plan or project together with a budget or budgets which shall show estimated costs to be incurred for such projects, and that any such plan or projects shall become effective upon approval by the Secretary.

Any such contract or agreement shall also provide that the contractor shall keep accurate records of all of its transactions and make periodic reports to the Board of activities carried out and an accounting for funds received and expended, and such other reports as the Secretary may require;

(e) To review and submit to the Secretary any plans or projects which have been developed and submitted to it by the prospective contractor, together with its recommendations with respect to the approval thereof by the Secretary;

(f) To maintain such books and records and prepare and submit such reports from time to time to the Secretary as he may prescribe, and to make appropriate accounting with respect to the receipt and disbursement of all funds entrusted to it;

(g) To prepare and make public, at least annually, a report of activities carried out and an accounting for funds received and expended;

(h) To cause its books to be audited by a competent public accountant at least once each fiscal period and at such other times as the Secretary may request, and submit a copy of each such audit to the Secretary;

(i) To give the Secretary the same notice of meetings of the Board as is given to members in order that his representative may attend such meetings;

(j) To act as an intermediary between the Secretary and any producer or handler; and

(k) To submit to the Secretary such information pursuant to this subpart as he may request.

RESEARCH, EDUCATION, AND PROMOTION

§ 1251.327 Research, education, and promotion.

The Board shall develop and submit to the Secretary for approval any programs or projects authorized in this section. Such programs or projects shall provide for:

(a) The establishment, issuance, effectuation, and administration of appropriate plans or projects for advertising, sales promotion, and consumer education with respect to the use of eggs, egg products, spent fowl, and products of spent fowl: *Provided, however,* That any such program or project shall be directed towards increasing the general demand for eggs, egg products, spent fowl, or products of spent fowl;

(b) The establishment and carrying on of research, marketing, and development projects and studies with respect to sale, distribution, marketing, utilization, or production of eggs, egg products, spent fowl, and products of spent fowl, and the creation of new products thereof in accordance with section 7(b) of the act, to the end that the marketing and utilization of eggs, egg products, spent fowl, and products of spent fowl may be encouraged, expanded, improved, or made more acceptable, and the data collected by such activities may be disseminated;

(c) The development and expansion of foreign markets and uses for eggs, egg products, spent fowl, and products of spent fowl;

(d) Each program or project authorized under subparagraphs (a), (b), and (c) of this section shall be periodically reviewed by the Board to insure that each such program or project contributes to a coordinated national program of research, education, and promotion contributing to the maintenance of markets and for the development of new markets and of new products from eggs, egg products, spent fowl, and products of spent fowl. If it is found by the Board that any such program or project does not further the national purpose of the act, then the Board shall terminate such program or project; and

(e) No advertising or promotion programs shall use false or unwarranted claims or make any reference to private brand names of eggs, egg products, spent fowl, and products of spent fowl or use unfair or deceptive acts or practices with respect to quality, value, or use of any competing product.

EXPENSES AND ASSESSMENTS

§ 1251.328 Expenses.

The Board is authorized to incur such expenses as the Secretary finds are reasonable and likely to be incurred by the Board for its maintenance and functioning and to enable it to exercise its powers and perform its duties in accordance with the provisions of this subpart. The funds to cover such expenses shall be paid from assessments received pursuant to § 1251.329.

§ 1251.329 Assessments.

Each handler designated in § 1251.330 and pursuant to regulations issued by the Board shall collect from each producer, except those categories specified by section 12(a) or (b) of the act, and shall pay to the Board, at such times and in such manner as prescribed by regulations issued by the Board, an assessment at the rate of 5 cents per 30-dozen case of eggs or the equivalent thereof unless lowered by the Board and approved by the Secretary, for such expenses and expenditures, including provisions for a reasonable reserve and those administrative costs incurred by the Department of Agriculture after this subpart is effective, as the Secretary finds are reasonable and likely to be incurred by the Board under this subpart, except that no more than one such assessment shall be made on any case of eggs.

§ 1251.330 Collecting handlers and collection.

(a) Handlers responsible for collecting the assessment specified in § 1251.329 shall be any one of the following:

(1) The first person to whom eggs are sold, consigned, or delivered by producers and who grades, cartons, breaks, or otherwise performs a function of a handler under § 1251.309, (2) a producer who grades, cartons, breaks, or otherwise per-

forms a function of a handler under § 1251.309 for eggs of his own production, (3) any person who handles eggs for a producer under oral or written agreement providing for the marketing thereof, (4) any person who purchases eggs from producers for the purpose of resale, or (5) such other persons as designated by the Board under rules and regulations issued pursuant to this subpart.

(b) Handlers defined in paragraph (a)(4) of this section who sell eggs on which the assessment has been collected by another handler shall also transfer to the purchaser the collected assessments and records of collection. Handlers defined in paragraph (a)(1) of this section who sell eggs, on which the assessment has been collected, to another handler shall certify that with respect to such eggs he has complied with this subpart and to the rules and regulations issued by the Board pursuant to this subpart.

(c) Handlers shall collect and remit to the Egg Board all assessments collected in the manner and in the time specified by the Board pursuant to rules and regulations issued by the Board.

(d) Handlers shall maintain such records as the Egg Board may prescribe pursuant to rules and regulations issued by the Board.

(e) The Board with the approval of the Secretary may authorize other organizations or agencies to collect assessments in its behalf.

§ 1251.331 Producer refunds.

Any egg producer against whose eggs any assessment is made under the authority of the act and collected from him and who is not in favor of supporting the programs as provided for in this subpart shall have the right to demand and receive from the Board a refund of such assessment upon submission of proof satisfactory to the Board that the producer paid the assessment for which refund is sought. Any such demand shall be made personally by such producer in accordance with regulations and on a form and within a time period prescribed by the Board and approved by the Secretary. Any such refund shall be made within 60 days after demand is received therefor.

§ 1251.332 Influencing governmental action.

No funds collected by the Board under this subpart shall in any manner be used for the purpose of influencing governmental policy or action except to recommend to the Secretary amendment to this subpart.

REPORTS, BOOKS, AND RECORDS

§ 1251.333 Reports.

Each handler subject to this subpart and other persons subject to section 7(c) of the act may be required to report to the Board periodically such information as is required by regulations and will effectuate the purposes of the act, which

information may include but not be limited to the following:

- (a) Number of cases of eggs handled;
- (b) Number of cases of eggs on which an assessment was collected;
- (c) Name and address of person from whom any assessment is collected; and
- (d) Date collection of assessment was made on each case of eggs handled.

§ 1251.334 Books and records.

Each handler subject to this subpart and persons subject to section 7(c) of the act shall maintain and make available for inspection by the Board and the Secretary such books and records as are necessary to carry out the provisions of the subpart and the regulations issued hereunder, including such records as are necessary to verify any reports required. Such records shall be retained for at least 2 years beyond the marketing year of their applicability.

§ 1251.335 Confidential treatment.

(a) All information obtained from such books, records, or reports shall be kept confidential by all officers and employees of the Department of Agriculture and the Board, and only such information so furnished or acquired as the Secretary deems relevant shall be disclosed by them, and then only in a suit or administrative hearing brought at the direction, or upon the request of the Secretary, or to which the Secretary or any officer of the United States is a party, and involving this subpart. Nothing in this subsection shall be deemed to prohibit (1) the issuance of general statements based upon the reports of the number of persons subject to this subpart or statistical data collected therefrom, which statements do not identify the information furnished by any person, (2) the publication, by direction of the Secretary, of general statements relating to refunds made by the Egg Board during any specific period of time, or (3) the publication, by direction of the Secretary, of the name of any person violating this subpart together with a statement of the particular provisions of this subpart violated by such person.

(b) All information with respect to refunds, except as provided in paragraph (a) (2) of this section made to individual producers shall be kept confidential by all officers and employees of the Department of Agriculture and the Board.

CERTIFICATION OF ORGANIZATIONS

§ 1251.336 Certification of organizations.

Any organization may request the Secretary for certification of eligibility to participate in nominating members and alternate members on the Board to represent the geographic area in which the organization represents egg producers. Such eligibility shall be based in addition to other available information upon a factual report submitted by the organization which shall contain information deemed relevant and specified by the Secretary for the making of such determination, including, but not limited to, the following:

- (a) Geographic territory covered by the organization's active membership;
- (b) Nature and size of the organization's active membership, proportion of total of such active membership accounted for by producers of commercial eggs, a chart showing the egg production by State in which the organization has members, and the volume of commercial eggs produced by the organization's active membership in such State(s);
- (c) The extent to which the commercial egg producer membership of such organization is represented in setting the organization's policies;
- (d) Evidence of stability and permanency of the organization;
- (e) Sources from which the organization's operating funds are derived;
- (f) Functions of the organization; and
- (g) The organization's ability and willingness to further the aims and objectives of the act.

The primary consideration in determining the eligibility of an organization shall be whether its egg producer membership consists of a substantial number of egg producers who produce a substantial volume of the applicable geographic area's commercial eggs to reasonably warrant its participation in the nomination of members for the Board or to request the issuance of an order. The Secretary shall certify any organization which he finds to be eligible under this subsection and his determination as to eligibility shall be final.

MISCELLANEOUS

§ 1251.337 Suspension and termination.

(a) The Secretary shall, whenever he finds that this subpart or any provision thereof obstructs or does not tend to effectuate the declared policy of the act, terminate or suspend the operation of this subpart or such provision.

(b) The Secretary may conduct a referendum at any time, and shall hold a referendum on request of 10 percent or more of the number of egg producers voting in the referendum approving this subpart, to determine whether egg producers favor the termination or suspension of this subpart, and the Secretary shall suspend or terminate such subpart at the end of 6 months after he determines that suspension or termination of the order is approved or favored by a majority of the egg producers voting in such referendum who, during a representative period determined by the Secretary, have been engaged in the production of commercial eggs, and who produced more than 50 percent of the volume of eggs produced by the egg producers voting in the referendum.

§ 1251.338 Proceedings after termination.

(a) Upon the termination of this subpart the Board shall recommend not more than six of its members to the Secretary to serve as trustees for the purpose of liquidating the affairs of the Board. Such persons, upon designation by the Secretary, shall become trustees

of all the funds and property then in the possession or under control of the Board, including claims for any funds unpaid or property not delivered or any other claim existing at the time of such termination.

(b) The said trustees shall: (1) continue in such capacity until discharged by the Secretary, (2) carry out the obligations of the Board under any contracts or agreements entered into by it pursuant to § 1251.326, (3) from time to time account for all receipts and disbursements and deliver all property on hand, together with all books and records of the Board and of the trustees, to such person as the Secretary may direct, and (4) upon the request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title and right to all of the funds, property, and claims vested in the Board or the trustees pursuant to this subsection.

(c) Any person to whom funds, property, or claims have been transferred or delivered pursuant to this subsection shall be subject to the same obligation imposed upon the Board and upon the trustees.

(d) Any residual funds not required to defray the necessary expenses of liquidation shall be turned over to the Secretary to be disposed of, to the extent practicable, in the interest of continuing one or more of the research or promotion programs hitherto authorized.

§ 1251.339 Effect of termination or amendment.

Unless otherwise expressly provided by the Secretary, the termination of this subpart or of any regulation issued pursuant hereto, or the issuance of any amendment to either thereof, shall not:

(a) Affect or waive any right, duty, obligation, or liability which shall have arisen or which may hereafter arise in connection with any provision of this subpart or any regulation issued thereunder;

(b) Release or extinguish any violation of this subpart or any regulation issued hereunder; or

(c) Affect or impair any rights or remedies of the United States, or of the Secretary, or of any person, with respect to any such violation.

§ 1251.340 Personal liability.

No member or alternate member of the Board shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member or alternate, except for acts of dishonesty, or wilful misconduct.

§ 1251.341 Separability.

If any provision of this subpart is declared invalid or the applicability thereof to any person or circumstances is held invalid, the validity of the remainder of this subpart of the applicability thereof to other persons or circumstances shall not be affected thereby.

Single copies of this notice may be obtained from the Poultry Division, AMS, U.S. Department of Agriculture, Washington, D.C. 20250.

Signed at Washington, D.C. on March 21, 1975.

JOHN C. BLUM,
Associate Administrator.

[FR Doc. 75-7090 Filed 3-26-75; 8:45 am]

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

Food and Drug Administration

[21 CFR Part 27]

CANNED PINEAPPLE JUICE

**Proposal To Amend Standards of Identity
and Quality**

The Commissioner of Food and Drugs is issuing a proposal to amend the standards of identity and quality for canned pineapple juice (21 CFR 27.54 and 27.55) to provide for the use of concentrated pineapple juice and nutritive carbohydrate sweeteners; comments by May 27, 1975.

A. The Pineapple Growers Association of Hawaii, 1902 Financial Plaza of the Pacific, Honolulu, HI 96813, has filed a petition proposing that the standards of identity and quality for canned pineapple juice be amended to provide for optional use of concentrated pineapple juice in the preparation of the canned food. The Association also proposes that the standards be amended by adopting some recent changes made in other standards to reflect advances in food technology to meet consumers' demands without reducing their protection and by adopting some of the language set forth in an anticipated Codex Alimentarius International Standard for Pineapple Juice. Additionally, the Association proposes that the standards be amended (1) to provide for use of suitable dry nutritive carbohydrate sweeteners in lieu of naming each sweetener that may be used; (2) to provide for label declaration of all optional ingredients used and other labeling in accordance with the provisions of 21 CFR Part 1; and (3) to provide for, in the quality standard, a minimum pineapple juice soluble-solids requirement of 13.5° Brix for the product made from concentrate.

The grounds given by the petitioner in support of the proposed amendments are as follows:

1. Pineapple juice from concentrate can be produced as it is needed, rather than only during the harvest-canning season. Consequently, vitamin C loss due to aging will be minimized.

2. The new product will be more uniform than the standard canned pineapple juice since each can of the finished reconstituted product will be standardized to a minimum of 13.5° Brix.

3. Pineapple juice from concentrate has been successfully market tested for consumer acceptance in interstate commerce under temporary permits issued by the Food and Drug Administration.

4. The proposal to provide for suitable dry nutritive carbohydrate sweeteners will pro-

vide manufacturers with more flexibility in the use of sweetening agents and at the same time will benefit consumers economically.

The Pineapple Growers Association of Hawaii proposes that Part 27 be amended as follows:

1. Section 27.54 is revised to read as follows:

§ 27.54 Canned pineapple juice; identity; label statement of optional ingredients.

(a) Canned pineapple juice is the juice, intended for direct consumption, obtained by mechanical process, which may include centrifuging but not filtering, from the flesh or parts thereof, with or without core material, of sound, ripe pineapple (*Ananas comosus*). The juice may have been concentrated and later reconstituted with water suitable for the purpose of maintaining essential composition and quality factors of the juice. Canned pineapple juice contains finely divided insoluble solids, but it does not contain pieces of shell, seeds or other coarse or hard substances. It may be sweetened with any suitable dry nutritive carbohydrate sweetener. It may contain added vitamin C in a quantity such that the total vitamin C in each 4 fluid ounces of the finished food amounts to not less than 30 milligrams and not more than 60 milligrams. In the canning of pineapple juice, dimethylpolysiloxane complying with the requirements of § 121.1099 of this chapter may be employed as a defoaming agent in an amount not greater than 10 parts per million by weight of the finished food. Before or after sealing in the container, canned pineapple juice is so processed by heat as to prevent spoilage.

(b) The name of the food is "Pineapple Juice" if the juice from which it is prepared has not been concentrated and/or diluted with water. The name of the food is "Pineapple Juice from Concentrate" if the finished juice has been made from pineapple juice concentrate as specified in paragraph (a) of this section. If a nutritive sweetener is added, the label shall bear the statement "Sweetener added." If no sweetener is added, the word "Unsweetened" may immediately precede or follow the words "Pineapple Juice" or "Pineapple Juice from Concentrate."

(c) Each of the optional ingredients shall be declared on the label as required by the applicable sections of Part 1 of this chapter.

2. Section 27.55, paragraph (a) (1) is revised to read as follows:

§ 27.55 Canned pineapple juice; quality; label statement of substandard quality.

(a) The standard of quality for canned pineapple juice is as follows:

(1) The soluble solids content of pineapple juice (exclusive of added sugars) without added water shall not be less than 10.5° Brix as determined by refractometer at 20° C, uncorrected for acidity and read as "Brix on International Sucrose Scales. Where the juice has been obtained using concentrated juice with

addition of water, the soluble pineapple juice solids content (exclusive of added sugars) shall be not less than 13.5° Brix, uncorrected for acidity and read as "Brix on the International Sucrose Scales.

B. In regard to the petitioner's proposal to provide for the use of nutritive carbohydrate sweeteners that are "suitable" and "dry" and have the statement "Sweetener added" declared on the label of the food to which they are added, the Commissioner offers the following comments and proposes several changes:

1. Whereas the petitioner proposes to provide for only the "dry" form of sweeteners, the Commissioner recognizes that it may be more efficient and economical for a packer who wishes to sweeten a pineapple juice prepared from concentrate to use a liquid sweetener as a means of reconstituting the concentrate. Therefore, the Commissioner invites comments as to whether or not it would be reasonable and would promote consumers' interests to provide also for the optional use of liquid sweeteners in juice that is prepared from concentrate.

2. To avoid possible misinterpretation of the petitioner's proposal regarding the declaration of sweeteners by means of the label statement "Sweetener added," the Commissioner advises that, if adopted, this statement would be in addition to, and not in lieu of, a label declaration of the common or usual name of the sweetener used, as required by 21 CFR Part 1.

3. Questions have been raised as to whether sweeteners such as mannitol and sorbitol fall into the category of "safe and suitable" nutritive carbohydrate sweeteners. The Commissioner is aware that chemical books and scientific dictionaries may differ in the definition of the term "carbohydrate." For the purpose of clarification, he concludes that mannitol and sorbitol are sugar alcohols instead of carbohydrate sweeteners and, therefore, are not suitable for use in canned pineapple juice.

4. The Federal Food, Drug, and Cosmetic Act does not permit unsafe ingredients or unsafe quantities of ingredients to be used in foods. The Commissioner, however, is of the opinion that in "non-recipe" type identity standards (in which the permitted ingredients are not always specifically identified but, instead, are provided for by "class" designations) the requirement that they be safe should be emphasized to serve as a reminder to those who must comply with the standards. Therefore, he proposes that the word "safe" also be used in the phrase "suitable dry nutritive carbohydrate sweeteners" proposed by the petitioner.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701(e), 52 Stat. 1046, as amended, 70 Stat. 919; (21 U.S.C. 341, 371(e))) and under authority delegated to him (21 CFR 2.120), the Commissioner proposes that Part 27 be amended by revising § 27.54(a) to read as follows:

§ 27.54 Canned pineapple juice; identity; label statement of optional ingredients.

(a) Canned pineapple juice is the juice, intended for direct consumption, obtained by mechanical process, which may include centrifuging but not filtering, from the flesh or parts thereof, with or without core material of sound, ripe pineapple (*Ananas comosus*). The juice may have been concentrated and later reconstituted with water suitable for the purpose of maintaining essential composition and quality factors of the juice. Canned pineapple juice contains finely divided insoluble solids, but it does not contain pieces of shell, seeds, or other coarse or hard substances. It may be sweetened with any safe and suitable dry nutritive carbohydrate sweetener. It may contain added vitamin C in a quantity such that the total vitamin C in each 4 fluid ounces of the finished food amounts to not less than 30 milligrams and not more than 60 milligrams. In the canning of pineapple juice, dimethylpolysiloxane, complying with the requirements of § 121.1099 of this chapter, may be employed as a defoaming agent in an amount not greater than 10 parts per million by weight of the finished food. Before or after sealing in the container, canned pineapple juice is so processed by heat as to prevent spoilage.

Interested persons may on or before May 27, 1975, file with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, written comments (preferably in quintuplicate) regarding these proposals. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: March 18, 1975.

HOWARD R. ROBERTS,
Acting Director, Bureau of Foods.

[FR Doc.75-7956 Filed 3-26-75;8:45 am]

**DEPARTMENT OF
TRANSPORTATION**

Coast Guard

[33 CFR Part 117]

[CGD 75-062]

OKLAWAHA RIVER, FLORIDA

**Proposed Drawbridge Operation
Regulations**

At the request of Marion County Board of County Commissioners, the Coast Guard is considering amending the regulations for the Sharpes Ferry drawbridge across the Oklawaha River to require that the draw open on signal from 7 a.m. to 7 p.m. Saturday and Sunday, and from 7 a.m. to 9 a.m., and 5 p.m. to 7 p.m. Monday through Friday. At all other times, at least 1 hour notice would be required. This change is being considered because of infrequent openings for vessels (4 from 24 June 1971 through 27 May 1974).

Interested persons may participate in this proposed rule making by submitting

written data, views, or arguments to the Commander (oan), Seventh Coast Guard District, Room 1018, Federal Building, 51 SW 1st Avenue, Miami, Florida 33130. Each person submitting comments should include his name and address, identify the bridge, and give reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Seventh Coast Guard District.

The Commander, Seventh Coast Guard District, will forward any comments received before April 29, 1975, with his recommendations to the Chief, Office of Marine Environment and Systems, who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations, be amended by revising § 117.434 to read as follows:

§ 117.434 Oklawaha River, Florida.

(a) *Sharpes Ferry Bridge*. From 7 a.m. to 7 p.m. on Saturday and Sunday, and from 7 a.m. to 9 a.m. and 5 p.m. to 7 p.m., Monday through Friday, the draw shall open on signal. At all other times the draw shall open on signal if at least 1 hour notice is given.

(b) *Bridges over the Oklawaha River, north of State Road 464 at Mullan Farms, State Road 464 at Moss Bluff and State Road 42 at Starke's Ferry*. From 7 a.m. to 7 p.m. the draws shall open on signal. From 7 p.m. to 7 a.m. the draws shall open on signal if at least 3 hours notice is given.

(c) The owner of or agency controlling each bridge shall conspicuously post notices containing these regulations both upstream and downstream of each bridge, on the bridge or elsewhere, in such a manner that they can easily be read at all times from an approaching vessel. The notice shall state how the authorized representative may be reached.

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

Dated: March 19, 1975.

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

[FR Doc.75-7982 Filed 3-26-75;8:45 am]

[33 CFR Part 117]

[CGD 75053]

MYSTIC RIVER, MASS.

**Proposed Drawbridge Operation
Regulations**

At the request of the Massachusetts Bay Transit Authority (MBTA), the Coast Guard is considering amending the regulations for the MBTA drawbridge across the Mystic River, mile 1.4, to require at least 24 hours notice for open-

ings of the draw at all times. Present regulations require that the draw open on signal. This change is being considered because of limited demands for openings of the draw.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander (oan), First Coast Guard District, 150 Causeway Street, Boston, Mass. 02114. Each person submitting comments should include his name and address, identify the bridge, and give reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, First Coast Guard District.

The Commander, First Coast Guard District, will forward any comments received before April 29, 1975, with his recommendations to the Chief, Office of Marine Environment and Systems, who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations, be amended by revising paragraph (g) (1) of § 117.75 and by adding a new paragraph (g) (1-a).

§ 117.75 Boston Harbor, Mass., and adjacent waters; bridges.

(g) *Mystic River* (1) *Malden Bridge, mile 1.4 and Boston and Maine Railroad Bridge, mile 1.8*. The draws shall open on signal. However from 7:45 to 9 a.m., 9:10 to 10 a.m., and 5 to 6 p.m., except Sundays and legal holidays, the draws need not open for the passage of a vessel whose draft is less than 18 feet.

(1-a) *Massachusetts Bay Transit Authority (MBTA)—Railroad bridge, mile 1.4*. The draw shall open on signal if at least 24 hours notice is given to the MBTA dispatcher.

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

Dated: March 19, 1975.

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

[FR Doc.75-7984 Filed 3-26-75;8:45 am]

[33 CFR Part 117]

[CGD 75-070]

WEST PALM BEACH CANAL, FLORIDA

**Proposed Drawbridge Operation
Regulations**

At the request of the Florida Department of Transportation, the Coast Guard is considering revising the regulations for the U.S. 1 drawbridge across the West Palm Beach Canal to require that the draw open on signal if at least 24 hours

notice is given. Presently the draw is required to open on signal from 9 a.m. to 5 p.m. This change is being considered because of infrequent requests for openings from vessels. There were no openings in 1974.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander (oan), Seventh Coast Guard District, Room 1018, Federal Building, 51 S.W. 1st Avenue, Miami, Florida 33130. Each person submitting comments should include his name and address, identify the bridge, and give reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Seventh Coast Guard District.

The Commander, Seventh Coast Guard District, will forward any comments received before April 29, 1975, with his recommendations to the Chief, Office of Marine Environment and Systems, who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations, be amended by revising § 117.441a to read as follows:

§ 117.441a West Palm Beach Canal, Florida; U.S. 1 bridge.

The draw shall open on signal if at least 24 hours notice is given.

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

Dated: March 19, 1975.

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

[FR Doc.75-7983 Filed 3-26-75;8:45 am]

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 75-WE-2]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal aviation regulations that would alter the description of the Oxnard, California Transition Area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace and Procedures Branch, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261. All communications received on or before April 28, 1975, will be considered before action is taken on the proposed amendment. No public hearing is con-

templated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public document will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261.

Radar procedures have been established by Point Mugu Approach Control for Ventura County Airport and NAS Point Mugu. In addition, a new instrument approach procedure has been developed to serve RWY 21 at NAS Point Mugu. The proposed 700 foot transition area provides additional controlled airspace for the instrument approach procedure and for radar vectoring.

In consideration of the foregoing, the FAA proposes the following airspace action.

In § 71.181 (40 FR 441) the description of the Oxnard, California 700 foot transition area is amended to read as follows:

OXNARD, CALIFORNIA

That airspace extending upward from 700 feet above the surface beginning at latitude 34°01'50" N., longitude 119°08'00" W., to latitude 34°02'30" N., longitude 118°53'30" W., to latitude 34°19'30" N., longitude 118°53'00" W., to latitude 34°19'30" N., longitude 119°29'50" W., thence 3 nautical miles from and parallel to the shoreline to latitude 34°14'50" N., longitude 119°22'00" W., to latitude 34°14'45" N., longitude 119°23'30" W., to latitude 34°06'55" N., longitude 119°22'30" W., to latitude 34°07'45" N., longitude 119°15'00" W., thence via a 7-mile radius of the Point Mugu RBN to point of beginning.

This amendment is proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348 (a)), and of sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Los Angeles, California, on March 17, 1975.

LYNN L. HINK,
Acting Director, Western Region.

[FR Doc.75-7916 Filed 3-26-75;8:45 am]

[14 CFR PART 71]

[Airspace Docket No. 75-NE-10]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering an amendment to § 71.181 of Part 71 of the Federal Aviation Regulations that would designate a 1200-foot transition area in the northwest section of the State of Maine and the northeast section of the State of New Hampshire, in the vicinity of the Sugarloaf Regional Airport. The designation of this transition area would provide additional air traffic control flexibility in routing aircraft via direct and radar vector routes in the enroute system.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, New England Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803. All communications received on or before April 28, 1975, 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 contracting the Chief, Operations, Procedures and Airspace Branch, New England 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 persons at the Office of the Regional Counsel, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend § 71.181 of Part 71 of the Federal Aviation Regulations by adding the following 1200-foot transition area:

SUGARLOAF, MAINE

That airspace extending upward from 1200-foot above the surface within an area bounded by a line beginning at latitude 45°04'20" N, longitude 71°27'00" W to latitude 45°17'00" N, longitude 71°20'10" W to latitude 45°20'40" N, longitude 70°39'30" W to latitude 45°21'40" N, longitude 70°39'00" W to latitude 45°22'30" N, longitude 70°08'10" W to latitude 45°25'00" N, longitude 69°48'00" W to latitude 45°28'00" N, longitude 69°48'00" W to latitude 45°14'50" N, longitude 69°50'20" W to latitude 45°07'50" N, longitude 69°50'20" W to latitude 45°07'50" N, longitude 69°28'00" W to latitude 44°50'00" N, longitude 69°47'10" W to latitude 44°39'00" N, longitude 69°47'10" W to latitude 44°16'10" N, longitude 70°14'00" W to latitude 44°13'50" N, longitude 70°12'00" W to latitude 44°02'10" N, longitude 70°37'50" W to latitude 44°04'00" N, longitude 70°40'10" W to latitude 44°06'00" N, longitude 70°37'00" W to latitude 44°06'10" N, longitude 70°59'10" W to latitude 44°14'30" N, longitude 70°52'30" W to latitude 44°21'00" N, longitude 70°57'10" W to latitude 44°29'30" N, longitude 71°01'10" W to latitude 44°31'00" N, longitude 70°55'00" W to latitude 44°39'00" N, longitude 71°00'00" W to latitude 44°54'50" N, longitude 71°01'50" W to latitude 44°53'00" N, longitude 71°18'00" W, to point of beginning, excluding Canadian airspace.

(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 Burlington, Massachusetts, on March 13, 1975.

QUENTIN S. TAYLOR,
Director, New England Region.
[FR Doc.75-8045 Filed 3-26-75;8:45 am]

[40 CFR Part 52]

[PRL 350-5]

IMPLEMENTATION PLANS

California: Approval of Compliance Schedules

On May 31, 1972 (37 FR 10842), September 22, 1972 (37 FR 19612), and May 14, 1973 (38 FR 12702), pursuant to Section 110 of the Clean Air Act, as amended (42 U.S.C. 1857c-5) and 40 CFR Part 51, the Administrator approved and promulgated portions of the California plan for the implementation of the national ambient air quality standards. On December 4, 1974 and on January 13, 1975, after notice and public hearings, the Governor of California through his designee submitted to the Environmental Protection Agency (EPA) revisions to the state compliance schedule portion of the approved plan. This publication proposes that these revisions be approved, with specific exceptions discussed below, pursuant to section 110 of the Clean Air Act and 40 CFR 51.8.

Thirty-seven compliance schedules were submitted. The schedules have been found to satisfy the requirements of section 110 of the Clean Air Act and 40 CFR Part 51. However, 10 of the schedules have expired and the affected sources are now required to be in compliance with the applicable air pollution control regulations. Therefore, EPA will take no action with regard to the compliance schedules submitted for these sources. It is proposed that the remaining 27 schedules listed below be approved as revisions to the State plan. (The schedule for the U.S. Navy, San Diego, has 3 parts).

Each proposed compliance schedule revision establishes a new date by which the individual air pollution source must comply with an emission limitation specified by the implementation plan. This date is indicated in the table below, under the heading "Final Compliance Date." In some cases, the schedule includes incremental steps towards compliance with the specified regulations. While the table below does not include these interim dates, the actual compliance schedule does. The increments of progress, as well as the final compliance date, are legally enforceable by the Administrator pursuant to section 113 of the Clean Air Act, as amended.

The heading "Effective Date" in the table below refers to the date the compliance schedule becomes effective for purposes of federal enforcement. The entry "Immediately" under that heading indicates that the schedule will be federally enforceable when the final promulgation of the schedule becomes effective.

Proposed compliance schedule revisions listed below are available for public inspection at the California Air Resources Board, at the office of EPA, Region IX, and at EPA's Washington, D.C. office, at the addresses listed below.

An evaluation report setting forth EPA's position on each of the 27 schedules is also available at the office of EPA, Region IX.

State of California Air Resources Board,
1709 11th Street,
Sacramento CA 95814.
Environmental Protection Agency, Region IX,
Enforcement Division,
100 California Street,
San Francisco CA 94111.
Environmental Protection Agency,
Division of Stationary Source Enforcement,
Room 3202 Waterside Mall,
401 M Street SW.,
Washington D.C. 20460.

Interested persons are encouraged to submit written comments on any proposed compliance schedule. All comments postmarked on or before April 28, 1975 will be considered by EPA prior to finalizing this proposed rulemaking. Comments should be addressed to: Director, Enforcement Division, EPA, Region IX, 100 California Street, San Francisco, California 94111. All comments will be available for public inspection during business hours at the above address.

This proposed rulemaking is issued under the authority of section 110(a) of

the Clean Air Act, as amended (42 U.S.C. § 1857c-5(a)).

Dated: March 13, 1975.

FRANK M. COVINGTON,
Acting Regional Administrator.

It is proposed to amend Part 52 of Chapter I, Title 40 of the Code of Federal Regulations as follows:

Subpart F—California

1. In § 52.220, paragraph (c) is amended as follows:

§ 52.220 Identification of plan.

(c) * * *
(8) Supplemental information (compliance schedules) was submitted by the California Air Resources Board on December 27, 1973; February 19, April 22, June 7 and 19, September 4 and 19, October 18, and December 4, 1974; and January 13, 1975.

2. In § 52.240, paragraph (f) is amended by adding the following schedules to the table in subparagraph (1):

§ 52.240 Compliance schedules.

(f) * * *
(1) * * *

Source	Location (County)	Rule or regulation involved	Date of adoption	Effective date	Final compliance date
Heppner Iron and Metal Co. (revised).	Fresno	407.2	Oct. 16, 1974	Immediately	July 1, 1975
United Alfalfa Mills (Order No. 2B as revised).	Imperial	114, 121	Sept. 11, 1974	do	Apr. 11, 1975
Southern Pacific Pipelines, Imperial Terminal (Order No. 1 as revised).	do	125	do	do	Mar. 11, 1975
Gulf Oil Corp. (Order No. 1303-18 as revised).	Los Angeles	53.2	June 11, 1974	do	Feb. 15, 1975
Masonite Corp. (Order No. 74-8 as revised).	Mendocino	V-1	Sept. 30, 1974	do	July 1, 1975
Harwood Products, Willits and Branscomb (Order No. 74-7 as revised).	do	V-1	do	do	Mar. 30, 1975
Castle Air Force Base (Order No. 74-2 as revised).	Merced	410	Aug. 19, 1974	do	Aug. 1, 1975
Delta Cotton Co. (Order No. 74-3).	do	404	do	do	July 30, 1975
Blythe Milling Co. (Order No. 74-10).	Riverside	50	Sept. 23, 1974	do	Mar. 15, 1975
Libby, McNell, and Libby (as revised).	Sacramento	25	Sept. 30, 1974	do	May 1, 1975
U.S. Navy: 111. Activity Service Stations	San Diego	61, 63	Aug. 22, 1974	do	Sept. 30, 1975
V.2 Navy Public Works Center, Naval Station—Sandblasting Area 218.	do	50	do	do	Mar. 31, 1975
V.3 Naval Amphibious Base, Coronado—Sandblasting Area.	do	50	do	do	Do.
Pinkerton Foundry, Inc. (Order No. 73-7 as revised).	San Joaquin	401, 404, 405, 406	Sept. 19, 1974	do	Mar. 15, 1975
Telchert Construction (Order No. 74-21).	do	401	do	do	June 30, 1975
The Learner Co. (Order No. 74-22 as revised).	do	401, 404	do	do	July 15, 1975
Lone Star Industries (Order No. 74-23).	do	401	do	do	Mar. 1, 1975
Stockton Elevators (Order No. 74-27 as revised).	do	401	do	do	Apr. 15, 1975
Lorenz Lumber Co. (Order No. 71-V-16 as revised).	Shasta	3.1, 3.2	Oct. 30, 1974	do	July 1, 1975
Kimberly Clark Corp. (Order No. 71-V-27 as revised).	do	3.1, 3.2	do	do	July 31, 1975
Pine Mountain Lumber Co. (Order No. 74-3 as revised).	Siskiyou	4.1	Oct. 7, 1974	do	Feb. 28, 1975
U.S. Plywood Corp. (Order No. 74-4 as revised).	do	4.1	do	do	Apr. 7, 1975
Bedford Aggregates Gravel Plant (Order No. PV-74-01).	Tuolumne	401 (A), (B)	Oct. 3, 1974	do	July 31, 1975
Architectural Aggregates (Order No. PV-74-02).	do	401 (A), (B)	do	do	Do.
Woods Creek Gravel Plant (Order No. PV-74-03).	do	401 (A), (B)	do	do	Do.
Cal-Turf, Inc. (Order No. 128).	Ventura	52, 53	Aug. 27, 1974	do	Feb. 26, 1975
Hanco Engineering Co. (Order No. 125-1 as revised).	do	50	Oct. 16, 1974	do	Feb. 15, 1975
Adams, Schwab and Adams Elevator Co. (Order No. 74-13).	Yolo	2.19	Oct. 8, 1974	do	July 31, 1975
Burmah Terminals, Inc. (Order No. 74-15).	do	2.21	do	do	Mar. 15, 1975

[FR Doc.75-7871 Filed 3-26-75; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

[FRL 351-6]

IMPLEMENTATION PLANS

Florida: Approval of Plan Revisions

On May 31, 1972 (37 FR 10842), the Administrator approved portions of the Florida plan to attain and maintain the national ambient air quality standards. The State recently adopted, after notice and public hearing, a number of plan revisions which were then submitted to the Agency's regional office on February 12, 1975. The purpose of this notice is to describe two of these revisions, and to offer them for public comment. The two revisions involve changes in the sulfur dioxide emission limits for existing sulfur recovery plants and sulfuric acid plants.

Under the Florida implementation plan's original regulations for sulfur recovery plants, existing facilities were allowed to emit no more than 0.004 pounds of SO₂ for each pound of sulfur recovered from an oil well; this limit, to be achieved by July 1, 1975, corresponded to a sulfur recovery efficiency of 99.8 percent. Under the newly adopted regulation, existing plants would be subject to an immediately effective limit of 0.08 pounds of sulfur dioxide per pound of sulfur recovered; this corresponds to a recovery efficiency of 96 percent. All of the sources affected by the revised regulation are now operating in the Jay oil field (Santa Rosa County).

Submitted with the revision were air quality data and dispersion modeling results intended by the State to show that approval of its relaxed limits on SO₂ emissions from the sulfur recovery process would not hinder the attainment and maintenance of the national standards for this pollutant in the vicinity of the sources in question. Also submitted was a control strategy analysis designed to support the proposed changes.

The second of these revisions resulted from a petition of the Occidental Chemical Company, which operates two sulfuric acid plants in White Springs (Hamilton County). Under the regulations of the approved Florida plan, existing H₂SO₄ plants are required to achieve, by July 1, 1975, an emission limit of 10 pounds of SO₂ per ton of 100 percent sulfuric acid produced. This limit was based on the degree of SO₂ emission reduction needed to attain standards in the model County used in developing the plan's original control strategy for sulfur dioxide, that is, in Hillsborough County, site of the highest measured concentrations of the pollutant. The State now takes the position that this degree of control is not needed in Hamilton County, where there is only one other significant source of SO₂ emissions, and where the original emission limit might produce only a negligible improvement in air quality if achieved. Accordingly, it is proposed that for sulfuric acid plants in the Florida portion of the Jacksonville, Florida-Brunswick, Georgia

Interstate Air Quality Control Region the emission limit be relaxed to 29 # SO₂/ton 100 percent H₂SO₄. (The plants of Occidental Chemical Company presently emit about 35 #/ton, as opposed to 42 #/ton emitted in January, 1972.)

With this revision the State submitted new control strategy information, including air quality data and dispersion modeling results, intended to show that approval of the relaxed limit for sulfuric acid plants in the Jacksonville-Brunswick AQCR will not hinder the attainment and maintenance of the national standards for sulfur dioxide.

Copies of all the materials submitted by the State in support of these two revisions may be examined during normal business hours at the following locations:

Air Programs Office
Environmental Protection Agency
Region IV
1421 Peachtree Street, NE.
Atlanta, Georgia 30309

Department of Pollution Control
2562 Executive Center Circle, East
Montgomery Building
Tallahassee, Florida 32301

Department of Pollution Control
Northeast Region
3426 Bills Road
Jacksonville, Florida 32207

Also, the material related to sulfur recovery plants may be examined at the office of the Department of Pollution Control's Northwest Region, 1389 Shoreline Drive, Gulf Breeze, Florida 32561, as well as at the other regional offices of the Department in Orlando, Fort Lauderdale, Saint Petersburg, and Fort Myers.

An evaluation of the revised SO₂ limits and their effect can be had by consulting personnel of the Agency's Region IV Air Programs Office at the Atlanta address given above (404/526-3043).

Interested persons are encouraged to submit written comments on these plan revisions, and all relevant comments will be weighed carefully by the Agency before it takes action on the Florida proposals. To be considered, comments must be received on or before April 28, 1975, and should be addressed to the Acting Director of the Agency's Region IV Air Programs Office at the Atlanta address given above. It is the Administrator's tentative judgment that these two revisions satisfy the requirements of section 110(a) of the Clean Air Act and the implementing regulations of 40 CFR Part 51, and that they are thus approvable.

(Sec. 110(a) of the Clean Air Act (42 U.S.C. 1857c-5(a)))

Dated: March 14, 1975.

JACK E. RAVAN,
Regional Administrator, Region IV.
[FR Doc.75-8017 Filed 3-28-75; 8:45 am]

[40 CFR Part 52]

[FRL 351-7]

IMPLEMENTATION PLANS

Maryland: Proposed Revision

On April 24, 1974 and December 11, 1974, the Governor of the State of Mary-

land submitted proposed revisions to the approved Maryland State Implementation Plan. These proposed revision covered a wide variety of additions, changes and deletions to Maryland Regulations 10.03.35 through 10.03.41 inclusive.

APRIL 24, 1974 SUBMITTAL

The April 24, 1974 submittal covered the following topics:

(1) Numerous amendments and changes to the Transportation Control Plans for the Metropolitan Baltimore Intra-State and the National Capital Interstate Air Quality Control Regions. These included revisions to the regulations governing Gasoline Transfer Vapor Control, Control of Evaporative Losses from Vehicular Tanks, Control of Dry Cleaning Solvent Evaporation and Control and Prohibition of Photochemically Reactive Organic Solvents;

(2) A number of proposed revisions to Maryland Regulation 10.03.35 governing the control of air pollution in the State of Maryland. These revisions included additions to the "Definitions" section of the plan; changes to the Air Pollution Episode Criteria; deletion of the entire section dealing with Prior Registration of Proposed Installations; a revision to the requirements for the registration of existing facilities; delineation of testing procedures for new and existing stationary emission sources; and a variety of changes to the source permitting procedures;

(3) Revisions to Maryland Regulations 10.03.36, 10.03.37, 10.03.40 and 10.03.41 governing the control of air pollution in Maryland Areas I, II, V and VI. These proposals included changes to the particulate matter regulations dealing with pathological incinerators; a revision in the definition of "photochemical oxidants"; and additions and changes to the methods for measurement of ambient air quality;

(4) Revisions to Maryland Regulations 10.03.38 and 10.03.39 governing the control of air pollution in Maryland Areas III and IV (the Metropolitan Baltimore Intrastate and the Maryland portion of the National Capital Interstate Air Quality Control Regions). These revisions included renumbering of certain parts of 10.03.38.03 and 10.03.39.03, dealing with the control and prohibition of Particulate Matter Emissions; a major addition to Maryland Regulations 10.03.38.04B, dealing with Sulfur Oxides from the burning of fuel which revises that section by limiting the sulfur in process gases used as fuel in existing installations to 0.3 percent by weight; revisions to the pertinent regulations dealing with Nitrogen Oxides Emission from Nitric Acid Plants; changes to the sections dealing with the prohibition of certain incinerators to exempt pathological incinerators; and numerous changes to Tables 1 and 3 of the Maryland Regulations concerning Emission and Dust Collector Performance Standards.

On April 26, 1974, the State of Maryland provided certification to the Administrator that, after having given adequate notice to the public, hearings on these amendments took place on August 10, 1973 and November 30, 1973, in Baltimore, Maryland; August 9, 1973, in Greenbelt, Maryland; and November 30, 1973, in Bethesda, Maryland.

Those sections of the April 24, 1974 submittal dealing with changes to the Transportation Control Plans for the Metropolitan Baltimore and the Maryland portion of the National Capital AQCR's were proposed as revisions to the approved Maryland State Implementation Plan on August 29, 1975 (39 FR 31533), as corrected on October 1, 1974 (39 FR

35386). The portions of the proposal dealing with the control and prohibition of photochemically reactive solvents was subsequently withdrawn on January 13, 1975 (40 FR 2448) due to several objections, including lack of justification of the stated cutoff size between regulated and unregulated sources, the vagueness of the criteria upon which the definition of "average daily emissions" was based, and the lack of specificity of the time period over which the emissions would be measured to determine whether they are in violation or not.

DECEMBER 11, 1974 SUBMITTAL

The December 11, 1974 submittal covered the following topics:

- 1) Renumbering and additions to Maryland Regulations 10.03.35.01, "Definitions";
- 2) A number of changes to Maryland Regulations 10.03.36 through 10.03.41 inclusive. These revisions included a change to section 10.03B(2)c (1) and (2) of Maryland Regulations 10.03.36 through 10.03.41 inclusive which would require dust collecting devices on certain new fuel burning equipment; a deletion of the 0.5 percent Sulfur Control Requirements for Residual Fuel Oil Burning in all areas in the State of Maryland; and a change in section 10.03D (1), (2) and (3) of Maryland Regulations 10.03.36 through 10.03.41 inclusive to prohibit certain new fuel burning equipment including rotary cup burners.
- 3) Various changes to Maryland Regulations 10.03.38 and 10.03.39 dealing with the control of air pollution in the Baltimore and Washington AQCR's. These revisions include the proposed phaseout of existing rotary cup burner installations; changes to sections 10.03.38(1)a,b and 10.03.39(1)a,b to require dust collectors for certain fuel burning equipment; and additions to 10.03.38.03B(6) a,c and 10.03.39.03B(6)a,c to exempt interuptible gas area units and rotary cup burners with collectors from the phaseout requirements of subsection .03B; and changes to 10.03.38/10.03.39.06E (1), (3) to prohibit certain new residual fuel boilers.

On December 17, 1974, the State of Maryland submitted proof that hearings regarding these amendments, took place on August 6, 1974, in Takoma Park, Maryland, and on August 7, 1974, in Baltimore, Maryland, after appropriate 30-day notices.

On January 30, 1975 (40 FR 4447), the December 11, 1974 submittal was proposed as a revision to the approved Maryland State Implementation Plan, and the public was offered a 30-day period in which to comment. The first purpose of today's office is to make several clarifications and corrections to the January 30, 1975 notice, and to offer the public an opportunity to comment on these changes. The clarifications and corrections are summarized as follows:

It should first be clarified that sections of the December 11, 1974 submittal, as proposed on January 30, 1975, further revise certain parts of the April 24, 1974 submittal as proposed here today. Where this is the case, it is the Administrator's intent to review the April 24, 1974 and December 11, 1974 submittals as one comprehensive set of revisions to the Maryland Implementation Plan. This will avoid confusion in those cases where the same regulation

was revised twice, once in the April 24, 1974 submittal and, again, in the December 11, 1974 submittal. This intention to review both submittals together is for administrative ease and should not be interpreted to mean that the Administrator cannot or will not approve or disapprove discrete portions of the two submittals where he deems it appropriate to do so.

Second, it was proposed in the January 30, 1975 (40 FR 4447) notice to postpone implementation of the 0.5 percent sulfur-in-fuel content requirement until 1980. This proposal was based on EPA's understanding that the State had submitted a postponement of the 0.5 percent sulfur-in-fuels requirement when, in fact the State's submittal and a letter dated February 20, 1975, from the Maryland BAQC indicated the State's intention to request a deletion of this requirement. This misunderstanding apparently arose from the fact that the State had intended to submit for public hearing a deletion of the 0.5 percent sulfur-in-fuel oil requirement from the Federal Implementation Plan on the ground that it was unnecessary for the attainment of federal air quality standards, and a postponement of the requirement in the State regulation on the ground that it might eventually be necessary to attain the more stringent state air quality standards. EPA has examined comments received at the public hearing and determined that deletion of the 0.5 percent sulfur-in-fuel oil requirement was discussed. However, because of any confusion which may have resulted from this distinction between the contents of the State's regulations and its Federal Implementation Plan, EPA is particularly interested in receiving comments on the deletion of the 0.5 percent sulfur-in-fuel oil requirement.

Third, it should be noted that the Maryland Implementation Plan presently contains a compliance schedule promulgated by the Administrator to assure compliance with the 0.5 percent sulfur-in-fuel regulation. If that regulation is deleted pursuant to this proposal the compliance schedule contained at 40 CFR 52.1080(b) will also be deleted since it will no longer be required. Such deletion of the compliance schedule is therefore proposed by this notice.

The second purpose of this notice is to give the public an opportunity to comment on those portions of the April 24, 1974 submittal not already proposed in the August 29, 1974 or October 1, 1974 notices.

Copies of these proposed revisions, corrections, changes, and all accompanying correspondence and data are available for public inspection during normal business hours at the offices of EPA, Region III, Curtis Building, Sixth and Walnut Streets, Philadelphia, Pennsylvania 19106; in the offices of the Maryland Bureau of Air Quality Control, 610 North Howard Street, Baltimore, Maryland 21201; and the Freedom of Information Center, EPA, 401 M Street, SW., Washington, D.C. 20460. All comments should be directed to the Director, Air and Haz-

ardous Materials Division, Environmental Protection Agency, Region III, Curtis Building, Sixth and Walnut Streets, Philadelphia, Pennsylvania 19106 (AH 001.Md). Only comments received on or before April 28, 1975 will be considered. The Administrator's decision to approve or disapprove the proposal will be based on whether it meets the requirements of section 110 of the Clean Air Act and 40 CFR Part 51, Requirements for the Preparation, Adoption and Submittal of State Implementation Plans.

(42 U.S.C. 1857 c-5)

Dated: March 14, 1975.

A. R. MORRIS,
Acting Regional Administrator.

[FR Doc.75-8016 Filed 3-26-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION

[10 CFR Part 212]

MANDATORY PETROLEUM PRICE REGULATIONS

Proposed Rulemaking and Public Hearing

The Federal Energy Administration hereby gives notice of a proposal to amend Part 212 of Title 10 of the Code of Federal Regulations to revise the mandatory petroleum price regulations applicable to producers of crude petroleum. The FEA will receive written comments and hold a public hearing with respect to this proposal.

I. *Retroactive invoicing for domestic crude petroleum.* The purpose of this notice is to propose amendments to the regulations (effective today, if adopted) to limit the extent to which prices for or amounts of new and released domestic crude petroleum may be retroactively increased through retroactive invoices. In specific cases that have been brought to the attention of the FEA, such retroactive invoicing has covered periods of up to eighteen months and significant volumes of crude oil. Such retroactive invoicing takes place either through retroactive recertification of volumes of new and released crude petroleum included in previous transactions, or through a retroactive increase in price, above that which prevailed when the crude oil was sold.

Producers of domestic crude petroleum, in order to charge a price in excess of the ceiling price established by § 212.73, must certify pursuant to the provisions of § 212.131 that the volumes for which a higher price is charged are either stripper-well, new, or released crude petroleum. When this volume certification requirement was first implemented, it represented a significant departure from industry practice and required various determinations to be made prior to certification. This fact may account for delays at the beginning of this program. However, this reason no longer obtains with the same degree of force.

Retroactive invoicing which simply increases the price of crude oil over that which prevailed on the date the crude

oil was first purchased sometimes takes the form of a final invoice for volumes that had been only provisionally invoiced, or the additional amounts are sometimes simply added to the initial invoice.

Both forms of retroactive invoicing may tend to have an adverse effect on those refiners, especially small refiners, that rely in large measure upon domestic crude petroleum. Resellers of domestic crude petroleum may also be adversely affected. In either case, if the purchasers to whom refined petroleum products or crude oil have already been sold by refiners or resellers which receive retroactive price increases are unwilling, in turn, to increase retroactively the prices they have paid, the refiners or resellers which receive retroactive price increases are in the position of having increased costs for crude oil which can be recovered, if at all, only in prices charged in subsequent sales. In any event, the retroactively invoiced prices are costs incurred currently with respect to crude petroleum received and refined or resold in preceding months, which costs should more properly have been incurred in the months when the crude oil was purchased or landed and passed through in the following months.

II. Proposed amendments. The FEA therefore proposes to amend Subpart D of 10 CFR Part 212 to limit extent to which the retroactive invoices may be used, in order to alleviate the problems described above.

The FEA proposes, therefore, to amend the definitions of "new crude petroleum" and "released crude petroleum" in § 212.72 to exclude those volumes that are not certified as new and released crude petroleum within the two-month period immediately following the month in which the petroleum is produced and sold. Because "old crude petroleum" is defined in that same section as the total volume of crude petroleum produced and sold from a property in a specific month less the volumes of new and released crude petroleum, this means that all volumes not certified as new and released crude petroleum within the two-month period following the month in which they were produced and sold would therefore be old crude petroleum. This amendment should remove any incentive to unduly delay certification of volumes, as any volumes which became old crude petroleum by delay in certification, as provided by the proposed regulation, would then be subject to the ceiling price rule of § 212.73.

The FEA also proposes to amend § 212.74 to prohibit any producer from charging or accepting a retroactive increase in the price of new or released domestic crude petroleum. This amendment is intended to address both the situation where the producer initiates a retroactive increase in price and the situation where the retroactive posting is initiated by a purchaser.

These two proposed amendments, taken together, should operate to bring the incurrence of costs more closely into line with the time of purchase of domes-

tic crude petroleum and should lead to increased price stability and reliability. They should also facilitate the smooth implementation of the program to allocate old oil, by providing a degree of certainty otherwise lacking with respect to volumes of new, released, and old crude petroleum.

III. General—A. Effective date. The regulation changes proposed today will, if adopted, be effective as of the date of this notice. This is necessary in order to avoid the circumvention of the regulations which might otherwise occur between this date and the date of the adoption of the final regulation. The FEA wishes to avoid providing an incentive for disruptive retroactive price increases during the period that this rulemaking is pending.

B. Procedures for written comments and public hearing. Interested persons are invited to participate in this rulemaking by submitting data, views, or arguments with respect to the proposed regulations set forth in this notice to Executive Communications, Room 3309, Federal Energy Administration, Box CN, Washington, D.C. 20461.

Comments should be identified on the outside of the envelope and on documents submitted to FEA Executive Communications with the designation "Retroactive Increases in the Price of Domestic Crude Petroleum." Fifteen copies should be submitted. All comments received by Thursday, April 10, 1975 before 4:30 p.m., e.d.t. and all relevant information, will be considered by the Federal Energy Administration before the final action is taken on the proposed regulations.

Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing, one copy only. The FEA reserves the right to determine the confidential status of the information or data and to treat it according to that determination.

The public hearing in this proceeding will be held at 9:30 a.m., e.d.t., on Tuesday, April 15, 1975 and will be continued, if necessary on Wednesday, April 16, 1975 at Room 2105, 2000 M Street, NW., Washington, D.C., in order to receive comments from interested persons on the matters set forth herein.

Any person who has an interest in the proposed amendments issued today, or who is a representative of a group or class of persons that has an interest in today's proposed amendments, may make a written request for an opportunity to make oral presentation. Such a request should be directed to Executive Communications, FEA, and must be received before 4:30 p.m., e.d.t., on Tuesday, April 8, 1975. Such a request may be hand delivered to Room 3309, Federal Building, 12th & Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8 a.m. and 4:30 p.m., Monday through Friday. The person making the request should be prepared to describe the interest concerned; if appropriate, to state why he is a proper representative of a group or class of persons that has such

an interest; and to give a concise summary of the proposed oral presentation and a phone number where he may be contacted through Monday, April 14, 1975. Each person selected to be heard will be so notified by the FEA before 4:30 p.m., e.d.t., Thursday, April 10, 1975 and must submit 100 copies of his statement to Executive Communications, FEA, Room 2214, 2000 M Street, NW., Washington, D.C. 20461, before 4:30 p.m., e.d.t., on Monday, April 14, 1975.

The FEA reserves the right to select the persons to be heard at these hearings, to schedule their respective presentations and to establish the procedures governing the conduct of the hearings. The length of each presentation may be limited, based on the number of persons requesting to be heard.

An FEA official will be designated to preside at the hearings. These will not be judicial or evidentiary-type hearings. Questions may be asked only by those conducting the hearings, and there will be no cross-examination of person presenting statements. Any decision made by the FEA with respect to the subject matter of the hearings will be based on all information available to the FEA. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he so desires, to make a rebuttal statement. The rebuttal statements will be given in the order in which the initial statements were made and will be subject to time limitations.

Any interested person may submit questions, to be asked of any person making a statement at the hearings, to Executive Communications, FEA, before 4:30 p.m., e.d.t. Friday, April 11, 1975. Any person who wishes to ask a question at the hearings may submit the question, in writing, to the presiding officer. The FEA or the presiding officer, if the question is submitted at the hearings, will determine whether the question is relevant, and whether the time limitations permit it to be presented for answer.

Any further procedural rules needed for the proper conduct of the hearings will be announced by the presiding officer.

A transcript of the hearings will be made and the entire record of the hearings, including the transcript, will be retained by the FEA and made available for inspection at the Administrator's Reception Area, Room 3400, Federal Building, 12th & Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8 a.m. and 4:30 p.m., Monday through Friday. Any person may purchase a copy of the transcript from the reporter.

As required by section 7(c)(2) of the Federal Energy Administration Act of 1974, Pub. L. 93-275, a copy of this notice has been submitted to the Administrator of the Environmental Protection Agency for his comments concerning the impact of this proposal on the quality of the environment. The Administrator had no comments on this proposal.

(Emergency Petroleum Allocation Act of 1973 as amended, Pub. L. 93-159, as amended by Pub. L. 93-511; Federal Energy Administration Act of 1974, Pub. L. 93-275; E.O. 11790, 39 FR 23185).

In consideration of the foregoing, it is proposed to amend Part 212, Chapter II of Title 10 Code of Federal Regulations, as set forth below.

Issued in Washington, D.C., March 23, 1975.

ROBERT E. MONTGOMERY, JR.,
General Counsel,
Federal Energy Administration.

1. Section 212.72 is amended by:

a. Adding a sentence at the end of the definition of "new crude petroleum" to read as set forth below.

b. By adding a sentence at the end of the definition of "released crude petroleum" to read as set forth below.

c. By adding, in the appropriate alphabetical order, a definition of "Retroactive increase in price" to read as set forth below.

§ 212.72 Definitions.

"New crude petroleum" shall not include any number of barrels not certified as such pursuant to the provisions of § 212.131(a) within the consecutive two-month period immediately succeeding the month in which the crude petroleum is produced and sold.

"Released crude petroleum" shall not include any number of barrels not certified as such pursuant to the provisions of § 212.131(a) within the consecutive two-month period immediately succeeding the month in which the crude petroleum is produced and sold.

"Retroactive increase in price" means any price charged or offered in excess of the highest posted price prevailing at 6 a.m., local time, on the date the domestic crude petroleum was sold, for that grade of crude petroleum at that field, or if there are no posted prices in that field, the related price for that grade of domestic crude petroleum which is most similar in kind and quality at the nearest field for which prices are posted.

2. Section 212.74 is revised to read as follows:

§ 212.74 New and released crude petroleum.

Notwithstanding the provisions of § 212.73(a), a producer of crude petroleum may sell in each month, without respect to the ceiling price, the new crude petroleum and the released crude petroleum produced and sold from a property in that month; *Provided*, That no producer may charge or accept a retroactive increase in price for new crude petroleum and released crude petroleum.

[FR Doc.75-8037 Filed 3-26-75;8:45 am]

[10 CFR Parts 212, 213]

PROGRAM TO REDUCE IMPORTS OF FOREIGN CRUDE OIL AND PETROLEUM PRODUCTS

Rescheduling of Public Hearing and Extension of Comment Period

On March 13, 1975 the Federal Energy Administration issued a notice proposing amendments to §§ 212.31, 212.83, and 213.35 (40 FR 12287, March 18, 1975). The closing date for comments was to be March 28, 1975, and a public hearing was scheduled for March 27 and 28, 1975.

As to the proposed amendments to §§ 212.31, 212.83, and the conforming amendments to § 213.35 (which relate to the pricing of residual fuel oil, to disproportionate allocation of costs to domestically refined gasoline, and to relatively higher fees for imported gasoline than for other imported products), in response to a number of requests, the comment period is hereby extended until April 14, 1975 and the hearing is hereby rescheduled for April 17 and 18, 1975. Requests for an opportunity to make an oral presentation must be received before 4:30 p.m., e.d.t., on April 9, 1975 and should include the telephone number through April 15, 1975 of the person making the request. Persons selected will be notified by FEA before 4:30 p.m., e.d.t., April 11, 1975.

Interested persons are invited to participate in this rulemaking by submitting data, views, or arguments with respect to the proposed regulations set forth in this notice to Executive Communications, room 3309, Federal Energy Administration, Box CO, Washington, D.C. 20461.

As to the proposed amendments to § 213.35 discussed in Section II of the March 13, 1975 notice, the comment period will close and hearings will be held as originally scheduled.

Issued in Washington, D.C., March 24, 1975.

ROBERT E. MONTGOMERY, JR.,
General Counsel,
Federal Energy Administration.

[FR Doc.75-7971 Filed 3-24-75;1:49 pm]

FEDERAL RESERVE SYSTEM

[12 CFR Part 213]

FOREIGN ACTIVITIES OF NATIONAL BANKS

Proposed Rulemaking

In response to requests received from member banks, the Board of Governors of the Federal Reserve System is considering amending Part 213 (Regulation M) pursuant to section 25 of the Federal Reserve Act, 12 U.S.C. 604(a). That section allows the Board, by regulation, to authorize foreign branches of member banks, subject to certain limitations and conditions, to exercise, in addition to their charter powers, such further powers as may be usual in connection with the transaction of the business of banking

in the places where such foreign branches transact business.

The first proposed amendment would increase from \$50,000 to \$100,000 the amount of credit which a foreign branch of a member bank may extend to an executive officer of the branch in order to finance the acquisition or construction of living quarters to be used as his residence abroad, provided each such credit extension is promptly reported to its home office. This proposal has the effect of relieving a restriction and it is not, therefore, necessary that it be published for comment, 5 U.S.C. 553(d). The Board feels, however, that in order to determine an appropriate figure it would be in the public interest to receive comments on this matter from interested persons.

The second proposed amendment would allow foreign branches of member banks to engage in insurance agency and brokerage activities where such activities are usual in connection with the transaction of the business of banking in the place where the foreign branch transacts its business.

To aid in the consideration of these matters by the Board, interested persons are invited to submit relevant data, views, or arguments. Any such material should be submitted in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. All material submitted on or before May 9, 1975, will be considered by the Board.

PART 213—FOREIGN ACTIVITIES OF NATIONAL BANKS

To implement its proposal, the Board would amend § 213.3(b) by substituting the figure \$100,000 for the figure \$50,000 in subparagraph (6), by substituting a semicolon for a period at the end of subparagraph (7), and by adding a new subparagraph (8).

As amended, § 213.3(b) would read as follows:

§ 213.3 Foreign branches.

(b) *Further powers of foreign branches.* In addition to its other powers, a foreign branch may, subject to §§ 213.3(c) and 213.6 and so far as usual in connection with the transaction of the business of banking in the places where it shall transact business:

(6) Extend credit to an executive officer of the branch in an amount not to exceed \$100,000 or its equivalent in order to finance the acquisition or construction of living quarters to be used as his residence abroad, provided each such credit extension is promptly reported to its home office;

(7) Pay to any officer or employee of the branch a greater rate of interest on deposits than that paid to other depositors on similar deposits with the branch;

(8) Act as insurance agent or broker.
By order of the Board of Governors,
March 21, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.
[FR Doc.75-7989 Filed 3-26-75; 8:45 am]

**SECURITIES AND EXCHANGE
COMMISSION**

[17 CFR Part 249]

[Release No. 34-11908; File S7-558]

**SECO BROKERS AND DEALERS
REPORTS**

Initial Fees and Annual Assessments

The Securities and Exchange Commission has announced a proposal to modify the fees and assessments payable to the Commission by registered broker-dealers who are not members of the National Association of Securities Dealers, Inc. ("nonmember" or "SECO" broker-dealers).

Sections 15(b) (8) and 15(b) (9) of the Securities Exchange Act of 1934 ("the Act") authorize the Commission to collect such reasonable fees and charges as may be necessary to defray the costs of additional regulatory duties required to be performed with respect to nonmember broker-dealers. Pursuant to these sections of the Act the Commission has adopted Rule 15b9-1 (17 CFR 249.15b9-1) to establish initial fees for firms and Rule 15b9-2 (17 CFR 249.15b9-2) to provide for annual assessments. This proposal deals with the amendment of Form SECO-2 (17 CFR 249.502) under Rule 15b9-1, which sets initial fees paid by SECO broker-dealers on behalf of new associated persons, and the adoption of Form SECO-4-75 (17 CFR 249.504i) under Rule 15b9-2, which would establish the levels for annual nonmember firm assessments for the current fiscal year. The form (Form SECO-5) (17 CFR 249.505) setting initial fees payable on behalf of new associated persons would not be changed.¹

In general, Form SECO-2 now provides for an initial fee payable by SECO broker-dealers for new associated persons of \$35. Form SECO-4-74, covering fiscal 1974, provided for an annual assessment payable by SECO broker-dealers comprised of: (1) a base fee of \$250 applicable to all such brokers or dealers; and (2) a fee of \$12 for each associated person engaged directly or indirectly in

¹ The initial fee required to be paid by SECO broker-dealers is \$500.

securities activities during the year on behalf of the broker-dealer.

**PROPOSED INITIAL FEES FOR NONMEMBER
BROKER-DEALERS**

Rule 15b9-1 provides that every nonmember broker or dealer registered with the Commission shall file a Form SECO-2 on behalf of each associated person and pay to the Commission the fee prescribed by the form. This fee, to be set forth on the proposed revised Form SECO-2, would be \$50.

**PROPOSED ANNUAL ASSESSMENTS FOR
FISCAL YEAR 1975**

Each fiscal year the annual assessment is set forth on a Form SECO-4 for that particular year. This year's assessment, to be set forth on Form SECO-4-75, would include a base charge of \$250 and an assessment of \$15 for each associated person. The increases in the associated person assessment and the SECO-2 charge have been necessitated by the increased costs to the Commission in administering the SECO program.

TEXT OF PROPOSED RULE

The Securities and Exchange Commission, acting pursuant to the provisions of the Securities Exchange Act of 1934, and particularly sections 15(b) and 23 (a) thereof, hereby proposes to amend Part 249 of Title 17 of the Code of Federal Regulations by adopting § 249.504i as follows:

§ 249.504i Form SECO-4-75, 1975 assessment and information form for registered brokers and dealers not members of a registered national securities association.

This form shall be filed on or before June 1, 1975, pursuant to § 240.15b9-2 of this chapter, accompanied by the annual assessment fee required thereunder, for the fiscal year ended June 30, 1975, by every registered broker and dealer not a member of a registered national securities association.

The Commission proposes the foregoing to be effective June 1, 1975. All interested persons may submit their comments to the Commission at its office in Washington, D.C. 20549 no later than April 16, 1975. All comments should refer to File No. S7-558. Copies of the proposed Form SECO-4 (17 CFR 249.504i) and Form SECO-2 (17 CFR 249.502) to be amended have been filed with the Office of the Federal Register, and additional copies are available on request from the Commission at the above address.

(Sec. 15(b), 48 Stat. 895, as amended, 78 Stat. 565, 15 U.S.C. 78b; Sec. 23(a) 48 Stat. 901, as amended, 49 Stat. 1379, sec. 8, 15 U.S.C. 78w.)

By the Commission.

Dated: March 21, 1975.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-8036 Filed 3-26-75; 8:45 am]

**DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT**

Federal Insurance Administration

[24 CFR Part 1917]

[Docket No. FI-529]

NATIONAL FLOOD INSURANCE PROGRAM

**Proposed Flood Elevation Determinations
for the City of Lamesa, Dawson County,
Texas**

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90-448), (42 U.S.C. 4001-4128), and 24 CFR Part 1917 (§ 1917.4 (a)), hereby gives notice of his proposed determinations of flood elevations for the City of Lamesa, Texas.

Under these Acts, the Administrator, to whom the Secretary has delegated his statutory authority, must develop criteria for land management in flood-prone areas. In order to participate in the National Flood Insurance Program, the City of Lamesa must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

Proposed flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review at City Hall, 310 South Main Street, Lamesa, Texas.

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Mayor Lloyd Cline, City Hall, 310 South Main Street, Lamesa, Texas 79331. The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community.

The proposed 100-year flood elevations are:

PROPOSED RULES

Source of flooding	Location	Elevation— feet above mean sea level	Width—From shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)	
			Right	Left
Sulfur Springs draw	Avenue S	2948.7	180	50
	Hillside Dr.	2948.4	220	180
	1st St.	2947.8	280	100
	South 2d St.	2942.8	325	200
	Avenue O	2941.0	320	110
	Avenue N	2940.6	320	120
	Avenue M	2940.4	310	125
	Avenue L	2940.0	300	140
	Avenue K	2939.8	220	210
	Byran Ave.	2939.8	60	120
	South 9th St.	2938.5	1 270	430
	Houston Ave.	2935.0	110	320
Playa Lake (9th St.)	North 9th St.	2977.0	3 930	3 10
	Houston Ave.	2977.0	3 240	3 80
Playa Lake (Elgin and North 7th St.)	Elgin Ave.	2986.0	3 250	3 220
	North 7th St.	2986.0	3 400	3 440

- ¹ Measured along South 10th St.
- ² Measured east from Houston Ave.
- ³ Measured west from Houston Ave.
- ⁴ Measured south from center of 9th St.
- ⁵ Measured north from center of 9th St.
- ⁶ Measured north or east from center of North 7th St. and Elgin Ave. Intersection.
- ⁷ Measured south or west from center of North 7th St. and Elgin Ave. intersection.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: March 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance
Administrator.

[FR Doc. 75-7820 Filed 3-28-75; 8:45 am]

[24 CFR Part 1917]
[Docket No. FI-531]

NATIONAL FLOOD INSURANCE PROGRAM
Proposed Flood Elevation Determinations
for the Borough of Sea Girt, Monmouth
County, New Jersey

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90-448), (42 U.S.C. 4001-4128), and 24 CFR Part 1917 (§ 1917.4

(a)), hereby gives notice of his proposed determinations of flood elevations for the Borough of Sea Girt, New Jersey.

Under these Acts, the Administrator, to whom the Secretary has delegated his statutory authority, must develop criteria for land management in flood-prone areas. In order to participate in the National Flood Insurance Program, the Borough of Sea Girt must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

Proposed flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review at Borough Hall, Sea Girt, New Jersey 08750.

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Mayor Thomas Black, Borough Hall, Sea Girt, New Jersey 08750. The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community.

The proposed 100-year flood elevations are:

Source of flooding	Location	Elevation— Feet above mean sea level	Width—From shoreline or bank of
			stream (facing downstream) to 100-yr flood boundary (feet)
Atlantic Ocean and Wreck Pond.	The Terrace	10	Entire street.
	Ocean Ave.	10	Entire street.
	5th Ave.	10	To 100 ft southwest of the Terrace.
	4th Ave.	10	Do.
	3d Ave.	10	To 150 ft southwest of the Terrace.
	2d Ave.	10	To 125 ft southwest of the Terrace.
	1st Ave.	10	To 225 ft southwest of the Terrace.
	Beacon Blvd.	10	To 175 ft northwest of Ocean Ave.
	Chicago Blvd.	10	To 100 ft northwest of Ocean Ave.
	Brooklyn Blvd.	10	To 150 ft northeast of Ocean Ave.
	New York Blvd.	10	To 400 ft northwest of Ocean Ave.
	Baltimore Blvd.	10	To 425 ft northwest of Ocean Ave.
	Manasquan Turnpike.	10	To 525 ft southwest of corporate limits.
	New York & Long Branch R.R.	10	To 500 ft southwest of corporate limits.
	Philadelphia Blvd.	10	To 400 ft northwest of Ocean Ave.
	Trenton Blvd.	10	To 300 ft northwest of Ocean Ave.
	Stockton Blvd.	10	To 200 ft northwest of 3d Ave.
	Neptune Pl.	10	To 100 ft northwest of 2d Ave.
	Sea Side Pl.	10	To 350 ft northwest of 1st Ave.
	3d Ave.	10	From 125 ft southwest of Stockton Blvd. to 100 ft northeast of Stockton Blvd.
2d Ave.	10	From 75 ft southwest of Neptune Pl and ends 130 ft northeast of Stockton Blvd.	
1st Ave.	10	To 200 ft northeast of Stockton Blvd.	
Morven Ter.	10	Entire road.	
Sea Girt Ave.	10	To 350 ft northeast of 1st Ave.	

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: March 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance
Administrator.

[FR Doc.75-7821 Filed 3-26-75;8:45 am]

[24 CFR Part 1917]

[Docket No. FI-534]

NATIONAL FLOOD INSURANCE PROGRAM
Proposed Flood Elevation Determinations
for the Town of Ponce Inlet, Volusia
County, Florida

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90-448), (42 U.S.C. 4001-

4128), and 24 CFR Part 1917 (§ 1917.4 (a)), hereby gives notice of his proposed determinations of flood elevations for the Town of Ponce Inlet, Florida.

Under these Acts, the Administrator, to whom the Secretary has delegated his statutory authority, must develop criteria for land management in flood-prone areas. In order to participate in the National Flood Insurance Program, the Town of Ponce Inlet must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

Proposed flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review at 4747 S. Peninsula Drive, Ponce Inlet, Florida 32019.

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Mayor Richard Dygert, 4747 S. Peninsula Drive, Ponce Inlet, Florida 32019.

The proposed 100-year flood elevations are:

Source of flooding	Location	Elevation— Feet above mean sea level	Width—From shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)
Intracoastal Waterway (Atlantic Ocean).	Old Carriage Rd.....	7	Entire road.
	Anchor Dr.....	7	Do.
	South Peninsula Dr.....	7	From northern corporate limits to 5,800 ft south of corporate limits.
	Inlet Harbor Dr. (west of South Peninsula Dr.).	7	Entire road west of intersection with South Peninsula Dr.
	Ponce de Leon Dr.....	7	Do.
	Front St.....	7	Entire road.
	Rains Dr.....	7	Entire road west of intersection with South Peninsula Dr.
	Cedar St.....	7	Entire road.
	Sailfish Ave.....	7	Do.
	Ponce Blvd. (west of South Peninsula Dr.).	7	Entire road west of intersection with South Peninsula Dr.
	Riverside Dr.....	7	Entire road.
	Cedar Ave.....	7	Entire road west of intersection with Oak Ridge Ave.
	Laurel Ave. (south of Ponce Ave.).	7	Entire road between Ponce St. and Pine St.
	Holly Ave. (south of Ponce Ave.).	7	Do.
	Pine St. (west of Oak Ridge Ave.).	7	Entire road between Oak Ridge Ave. and Riverside Dr.
	Bay St. (south of Oak Ridge Ave.).	7	Entire road between Oak Ridge Ave. and Cedar Ave.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: March 5, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance
Administrator.

[FR Doc.75-7822 Filed 3-26-75;8:45 am]

[24 CFR Part 1917]

NATIONAL FLOOD INSURANCE PROGRAM
Proposed Flood Elevation Determinations
for the City of Absecon, Atlantic County,
New Jersey

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973

(Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 Pub. L. 90-448), (42 U.S.C. 4001-4128), and 24 CFR Part 1917 (§ 1917.4 (a)), hereby gives notice of his proposed determinations of flood elevations for the City of Absecon, New Jersey.

Under these Acts, the Administrator, to whom the Secretary has delegated his statutory authority, must develop criteria for land management in flood-prone areas. In order to participate in the National Flood Insurance Program, the City of Absecon must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

Proposed flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review at City Hall, Absecon, New Jersey 08201.

PROPOSED RULES

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Mayor David F. Hodgson, City Hall, Absecon, New Jersey 08201. The period for comment will be ninety

days following the second publication of this notice in a newspaper of local circulation in the above-named community.

The proposed 100-year flood elevations are:

Source of flooding	Location	Elevation— Feet above mean sea level	Width—From shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)
Ingersolls Branch, Absecon Creek, and Absecon Bay.	Pleasant Ave.....	10	From Madison Sq. to Mill Rd.
	Summit Ave.....	10	To 100 ft southwest of Mill Rd.
Ingersolls Branch and Absecon Bay.	Anlna St.....	10	100
	Mill Rd.....	10	600 1,500
Absecon Creek and Absecon Bay.....	do.....	10	1,500 1,200
	Morton Ave.....	10	To 650 ft north of Mill Rd.
	Cannon Ave.....	10	575
	Leona St.....	10	From 550 ft southwest of Lincoln Ave. to 200 ft northeast of Lincoln Ave.
	Pershing St.....	10	From 575 ft Southwest of Lincoln Ave. to 550 ft northeast of Lincoln Ave.
	Coolidge St.....		From 250 ft southwest of Lincoln Ave. to the intersection with McKinley Ave.
	Wilson St.....		From the intersection with Lin- coln Ave. to 800 ft northeast of intersection with Lincoln Ave.
	Harding St.....	10	2,650.
	Lincoln Ave.....	10	Entire street.
	McKinley Ave.....	10	Do.
	Taft Ave.....	10	Do.
	Garfield St.....	10	Do.
	Dawes Ave.....	10	Do.
	Grant St.....	10	Do.
	St. James Pl.....	10	Do.
	Charlotte Pl.....	10	Do.
	DeLaud Pl.....	10	Do.
	Maple Ave.....	10	From 1,000 ft south of Ohio Ave. to 225 ft north of Ohio Ave.
	Keefe Ave.....	10	From 425 ft south of Orchard St. to 150 ft north of Orchard St.
	Orchard St.....	10	Entire street.
	Ohio Ave.....	10	Between Keefe Ave. and St. James Pl.
	New Rd.....	10	1,350
	Pennsylvania-Reading Sea- shore Lnes.....	10	1,100 425
	Shore Rd.....	10	1,500 200
	Absecon Blvd.....	10	1,600 250
	Church St.....	10	500
	Vassar Sq.....	10	Entire Street.
	Plaza Sq.....	10	Do.
	Tremont Ave.....	10	Do.
	Berkley Ave.....	10	Do.
	Shore Rd.....	10	From 150 ft Southwest of Berkley Ave. to 275 ft Northeast of Berkley Ave.
	Faunce Landing Rd.....	10	1,500 ft west of 4th Ave.
	Lisbon Ave.....	10	1,375 ft north of Faunce Landing Rd.
	4th Ave.....	10	1,400 ft north of Faunce Landing Rd.
Conover Creek and Absecon Bay...	Reed Rd.....	10	325
	Iowa Ave.....	10	300
Absecon Bay.....	Illinois Ave.....	10	Entire street.
	Absecon Blvd.....	10	To 2 miles north of corporate limits.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 26, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: March 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance
Administrator.

[FR Doc.75-7823 Filed 3-26-75;8:45 am]

[24 CFR Part 1917]
[Docket No. FI-532]

NATIONAL FLOOD INSURANCE PROGRAM
Proposed Flood Elevation Determinations
for the City of Long Branch, Monmouth
County, New Jersey

The Federal Insurance Administra-
tor, in accordance with section 110 of

the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90-448), (42 U.S.C. 4001-4128), and 24 CFR Part 1917 (§ 1917.4 (a)), hereby gives notice of his proposed determinations of flood elevations for the City of Long Branch, New Jersey.

Under these Acts, the Administrator, to whom the Secretary has delegated his statutory authority, must develop criteria for land management in flood-prone areas. In order to participate in the National Flood Insurance Program, the City of Long Branch must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

Proposed flood elevations (100-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-

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prone areas and the proposed flood elevations are available for review at City Hall Annex, 344 Broadway, Long Branch, New Jersey.

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Mayor Henry R.

Cioffi, City Hall Annex, 344 Broadway, Long Branch, New Jersey 07740. The period for comment will be ninety days following the second publication of this notice in a newspaper of local circulation in the above-named community.

The proposed 100-year flood elevations are:

Source of flooding	Location	Elevation— Feet above mean sea level	Width—From shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)
Cranberry Brook	Ocean Ave.	15	From 175 ft south of Lake Takanassee to 300 ft north of Lake Takanassee.
	South Lake Dr	16	Entire street.
	North Lake Dr	16	Entire street to New York & Long Branch RR.
	New York & Long Branch RR.	17	From 400 ft south of Cranberry Brook to 450 ft north of Cranberry Brook.
	Hoey Ave.	21	From 150 ft south of Cranberry Brook to 400 ft north of Cranberry Brook.
	Lake Ave.	21	Between the intersection of Hoey Ave. and 125 ft north of Shrewsbury Ave.
	Woodgate Ave.	21	From 175 ft south of Cranberry Brook to 100 ft north of Cranberry Brook.
	Van Court Ave.	21	From 200 ft south of Cranberry Brook to 350 ft north of Cranberry Brook.
	Ellinore Ave.	21	Entire street.
	Red Oaks Dr	21	To 150 ft south of Cranberry Brook.
Atlantic Ocean	Plaza Ct.	10	To 125 ft west of Atlantic Ocean.
	Adams St.	10	To 90 ft west of Atlantic Ocean.
	Ocean Ave.	10	From 250 ft north of corporate limits.
	do.	10	From 200 ft north of Chelsea Ave. to Madison Ave.
	do.	10	From 425 ft south of Ocean Ter. to 100 ft north of Ocean Ter.
Branchport, Manahasset and Troutmans Creek.	Ocean Ter	10	To 225 ft west of Ocean Ave.
	View Ave.	10	To 300 ft west of Ocean Ave.
	Joline Ave.	10	To 225 ft west of Atlantic Ocean.
	Neptune Ave.	9	To 800 ft south of corporate limits.
	Columbia Ave.	9	Entire street.
	Church St.	9	To 475 ft south of Columbia Ave.
	White St.	9	To 350 ft east of West St.
	West St.	9	To 100 ft south of White St.
	Jerome Ave.	9	To 600 ft west of West St.
	Colina Dr.	9	Entire street.
	Beach Ave.	9	Do.
	Naderal Ave.	9	Do.
	Long Branch Ave.	9	To Airdale Ave.
	Naranssett.	9	To 200 ft south of Naderal Ave.
	Biddle Ave.	9	Entire street.
	Patten Ave.	9	Do.
	Kingsley St.	9	To 700 ft east of Patten Ave.
	Florence Ave.	9	From MacArthur Ave. to 325 ft northwest of Avenel Blvd.
	Atlantic Ave.	9	From Liberty St. to Florence Ave.
	Joline Ave.	9	From 100 ft east of Liberty St. to Florence Ave.
Sea View Ave.	9	From 100 ft east of Liberty St. to 200 ft west of Wiltmer St.	
Long Branch Ave.	9	From Samson Pl. to 100 ft north of Cooper Ave.	
Ellis Ave.	9	Entire street.	
Pacific Ave.	9	To 125 ft northeast of 6th Ave.	
6th Ave.	9	To 400 ft southeast of Pacific Ave.	
Atlantic Ave.	9	From 180 ft northeast of 6th Ave. to 325 ft southwest of 6th Ave.	
do.	9	To Edwards Ave.	
Jay St.	9	To 100 ft northeast of New York & Long Branch R.R.	
Branchpool Ave.	9	To 50 ft north of New York & Long Branch R.R.	
New York & Long Branch RR.	9	To 450 ft southwest of corporate limits.	
New Jersey Southern R.R.	9	To 500 ft east of corporate limits.	
Myrtle Ave.	9	To 200 ft south of corporate limits.	

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (38 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: March 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance
Administrator.

[FR Doc.75-7824 Filed 3-26-75; 8:45 am]

[24 CFR Part 1917]

[Docket No. FI-637]

NATIONAL FLOOD INSURANCE PROGRAM
Proposed Flood Elevation Determinations
for the Town of Dennis, Barnstable
County, Massachusetts

The Federal Insurance Administrator, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act

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of 1968 Pub. L. 90-448), (42 U.S.C. 4001-4128), and 24 CFR Part 1917 (§ 1917.4 (a)), hereby gives notice of his proposed determinations of flood elevations for the Town of Dennis, Massachusetts.

Under these Acts, the Administrator, to whom the Secretary has delegated his statutory authority, must develop criteria for land management in flood-prone areas. In order to participate in the National Flood Insurance Program, the Town of Dennis must adopt flood plain management measures that are consistent with the flood elevations determined by the Secretary.

Proposed flood elevations (10-year flood) are listed below for selected locations. Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review of Town Hall, S. Dennis, Massachusetts 02660.

Any person having knowledge, information, or wishing to make a comment on these determinations should immediately notify Ms. Nora Creighton, Chief Town Clerk, Town Hall, S. Dennis, Massachusetts 02660.

The proposed 100-year flood elevations are:

Source of flooding	Location	Elevation— Feet above mean sea level	Width—From shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)	
			Right	Left
Chase Garden Creek (backwater from Cape Cod Bay).	Squadrill.....	10	Entire street.	
	Spadoni.....	10	Do.	
	Black Flats Dr.....	10	600 ft south of intersection with Louis A. Allen.	
	Hope Lane.....	10	150	125
	Nobscusset Rd.....	10	100	125
Cape Cod Bay.....	Beach St.....	10	100	300
	New Boston Rd.....	10	250	500
	Dunes Rd.....	10		150
	Bay View Rd.....	10		125
Sesuit Creek (backwater from Cape Code Bay).	Dr. Lords Rd.....	10		125
	State Highway Rt. 6A.....	10	900	150
	Bridge St.....	10	300	550
Bass River (backwater from Nantucket Sound).	Cold Storage Rd.....	10	550 ft east of intersection with North St.	
	Saltworks Rd.....	10	500 ft south of intersection with Sea St.	
	Capt. Harding.....	10	(¹)	100
Kelleys Bay (backwater from Nantucket Sound).	Route 28.....	10	(¹)	825
	Highbank Rd.....	10	(¹)	100
	Route 6.....	10	(¹)	150
Follins Pond (backwater from Nantucket Sound).	Hawthorne St.....	10		150
	Nerseman Dr.....	10		225
	Mayfair Rd.....	10	From intersection with Fairmount to 150 ft south of intersection with Colonial.	
	Fairmount.....	10		325
	Oyster.....	10		600
Bass River (backwater from Nantucket Sound).	Quaker Beach.....	10		100
	Nerseman Beach Rd.....	10		500
	Follins Pond Rd.....	10		400
	Geosebay Lane.....	10	Entire street.	
Grand Cove (backwater from Nantucket Sound).	Main St.....	10	From intersection with Illig Rd. to 100 ft south of intersection with Farm Lane.	
	Cove Lane.....	10	Entire street.	
	Cove Rd.....	10	To intersection with Stephan Lane.	
Ware Creek (backwater from Nantucket Sound).	Main St.....	10	From 250 ft east of intersection with Buccaneer to 600 ft west of intersection with Trotting Rd.	
	South Main St. (Lower County Rd.).....	10	300	(²)
Swan Pond River (backwater from Nantucket Sound).	Lower County Rd.....	10	(²)	550
	Mayflower.....	10	Entire street.	
	Honeysuckle.....	10	100 ft west of intersection with Beth Ann.	
	Myrtle.....	10	Do.	
	Bayberry.....	10	150 ft west of intersection with Beth Ann.	
	Whortleberry.....	10	200 ft west of intersection with Beth Ann.	
	Dexter Snow.....	10	Entire street.	
	Nipigion.....	10	100 ft west of intersection with Greeneldie.	
	Lone Tree Rd.....	10	150 ft north of intersection with Michaels Ave.	
	Route 28.....	10	300	550
	Baxter St.....	10	150 ft south of intersection with Ann's Place.	
	Upper County Rd.....	10	300	2,100
	Aunt Debby's Rd.....	10	From intersection with Center St. to intersection with Cedar Lane.	
	Treasure Bay.....	10	Entire street.	
	Crestwood Lane.....	10	Do.	
Indian Ter.....	10	Do.		

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Source of flooding	Location	Elevation— Feet above mean sea level	Width—From shoreline or bank of stream (facing downstream) to 100-yr flood boundary (feet)
	Corn.....	10	Do.
	Mound.....	10	Do.
	Chief.....	10	Do.
	Knot Rd.....	10	Do.
	Stafford Circle.....	10	Do.
	Vester.....	10	Do.
Nantucket Sound.....	Southwest of Kelleys Pond.....	10	To intersection of Garfield Lane and Thirzas, intersection of Merchant and Santucket, and intersection of Santucket and Loring Ave.
	Loring Ave.....	10	To intersection with Flak St.
	Between Ware Creek and Swan Pond River.....	10	Entire area south of Lower County Rd. between Lighthouse Rd. and Rhyspah Ave.
	Oakleaf.....	10	Entire street.
	Colonial.....	10	Do.
	Gull.....	10	Do.
	South Village Rd.....	10	To 100 ft north of intersection with South Village Circle.
	South Village Dr.....	10	Entire street.
	Sumac.....	10	Do.
	Swan Pond River Rd.....	10	To intersection with Uncle Zeke's.
	Fletcher.....	10	Entire street.
	Old Wharf Rd.....	10	From 150 ft west of Uncle Rolf Rd. to 150 ft east of Oak St. extended.
	Huckleberry.....	10	Entire street.
	Chase Ave.....	10	From 150 ft east of intersection with Birch Hill Rd. to 200 ft east of intersection with Calab St.

- ¹ To corporate limits.
- ² To intersection with Rhyspah Ave.
- ³ 100 ft west of intersection with School St.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: March 10, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance
Administrator.

[FR Doc.75-7825 Filed 3-26-75; 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 THE TREASURY

Office of the Secretary BUTADIENE ACRYLONITRILE RUBBER FROM JAPAN

Antidumping Proceeding Notice

On February 26, 1975, information was received in a proper form pursuant to §§ 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), indicating a possibility that butadiene acrylonitrile rubber from Japan is being, or is likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.).

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States. Available information indicates that through 1973 and 1974 domestic production capacity has been at 95 percent utilization with imports from Japan during 1974 amounting to less than 1 percent of domestic production. U.S. production decreased in late 1974 and early 1975, but this would appear to be more attributable to the decline in domestic automobile production than to imports from Japan. On the basis of such evidence, there appears to be substantial doubt as to whether there is injury to, likelihood of injury to, or prevention of establishment of an industry in the United States by reason of such importations from Japan. Accordingly, the United States International Trade Commission is being advised of such doubt pursuant to sec. 201(c)(2) of the Act (19 U.S.C. 160(c)(2)).

Having conducted a summary investigation as required by § 153.29 of the Customs Regulations (19 CFR 153.29) and having determined as a result thereof that there are grounds for so doing, the U.S. Customs Service is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value. Should the International Trade Commission, within 30 days of receipt of the information cited in the preceding paragraph, advise the Secretary that there is no reasonable indication that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States, the Department will publish promptly in the FEDERAL REGISTER a notice terminating the investigation. Otherwise the investigation will continue to conclusion.

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

The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption.

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

Dated: March 24, 1975.

[SEAL] DAVID R. MACDONALD,
Assistant Secretary
of the Treasury.

[FR Doc. 75-8031 Filed 3-26-75; 8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs COLVILLE RESERVATION, WASHINGTON Hunting and Fishing Ordinance

MARCH 21, 1975.

This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2.

Notice is hereby given that the Colville Business Council of the Confederated Tribes of the Colville Reservation, Washington, duly enacted the North Half Colville Hunting and Fishing Ordinance on March 4, 1974 under authority contained in Article V, sec. 1(a) of the Constitution of the Confederated Tribes of the Colville Reservation which was ratified by the Colville Indians on February 26, 1938, and approved by the Commissioner of Indian Affairs on April 19, 1938. The North Half Colville Hunting and Fishing Ordinance reads as follows:

CHAPTER 1. GENERAL PROVISIONS

1.1 *Title.* This ordinance shall be known as the North Half Colville Hunting and Fishing Ordinance.

1.2 *Policies.* 1.2.1 Hunting and fishing rights of the Colville people on the "North Half" have existed since before the coming of the white man. These rights were further secured by the establishment of a Reservation by the Executive Order of July 2, 1872, and were reserved in the Cession Agreement of May 9, 1891.

1.2.2 It is the policy of the Colville Tribes to preserve, protect and perpetuate wildlife resources of the North Half. To the extent that such resources are to be hunted, such shall be primarily for the purpose of providing food for Indian families and only secondarily for the sport and recreation of non-Indians.

1.2.3 Many Colville families have inadequate income and below-average living standards. Hunting and fishing for wildlife on the North Half are essential to these families for maintenance of an adequate diet.

1.3 *Jurisdiction.* 1.3.1 This ordinance shall be applicable to all enrolled members of the Colville Tribe and reciprocating tribes.

1.3.2 Special regulations may be promulgated from time to time establishing special areas, seasons, gear and limits applicable to members of the Colville Tribes and members of reciprocating tribes.

1.3.3 No act prohibited by this ordinance or by any other tribal ordinance may be committed, even though such act would be lawful under laws of the State of Washington.

1.4 *Definitions.* 1.4.1 "Animals, birds and fish", as used herein, shall mean any animals, birds or fish which are not domesticated.

1.4.2 "Bag limit" means the maximum number of animals, birds or fish which may be taken, caught, killed, or possessed by any person, specified and fixed by regulation of the Council for any particular period of time, or so specified and fixed as to size, sex, or species.

1.4.3 "Closed area" means any place on the North Half described or designated by regulation of the Council wherein it shall be unlawful to hunt or trap for animals or birds.

1.4.4 "Closed season" means all of the time during the entire year excepting the "open season" as specified by regulation of the Council.

1.4.5 "Closed waters" means any lake, river, stream, body of water, or any part thereof within the North Half described or designated by regulation of the Council wherein it shall be unlawful to fish.

1.4.6 "Council" means the Colville Business Council of the Confederated Tribes of the Colville Reservation.

1.4.7 "Colville, Colvilles, Colville people" shall refer to enrolled members of the tribes.

1.4.8 "Fish" and its derivatives, "fishing," "fished," etc., means any effort made to kill, injure, disturb, capture, or catch fish in waters on the North Half.

1.4.9 "Hunt" and its derivatives, "hunting," "hunted," etc., and "trap" and its derivatives, "trapping," "trapped," etc., means any effort to kill, injure, capture, or disturb a wild animal or wild bird.

1.4.10 "Member" shall mean any person whose name appears on the records of the Colville Confederated Tribes as an enrolled member of the Tribes.

1.4.11 "Member of reciprocating tribes" means any person who is a member of any other Indian tribe which grants reciprocal hunting and fishing privileges to members of the Colville Confederated Tribes as determined by the Colville Business Council and who

secures from the Colville Tribal Office and has in his possession any appropriate identification as to his status which shall be provided by the Colville Confederated Tribes.

1.4.12 "North Half" means that portion of the original Colville Indian Reservation of 1872, described as follows:

Beginning at a point on the Eastern boundary line of the Colville Indian Reservation where the township line between township 34 and 35 North of Range 37 East of the Willamette Meridian if extended West would intersect the same, said point being in the middle of the Channel of the Columbia River, and running thence West parallel with the forty ninth (49th) parallel of latitude to the Western boundary line of the said Colville Indian Reservation in the Okanogan River, thence North following the said Western boundary line to the said forty ninth (49th) parallel of latitude to the Northeast corner of the said Colville Indian Reservation, thence South following the Eastern boundary of said Reservation to the place of beginning containing by estimation one million five hundred thousand acres, the same being a portion of the Colville Indian Reservation created by Executive Order dated April 9, 1872.

1.4.13 "Open season" means the time specified by rule and regulation of the Council when it shall be lawful to hunt, trap, or fish for any animals, birds or fish. Each period of time specified as an open season shall include the first and last days thereof.

1.4.14 "Regulation" means any rule, regulation, resolution or ordinance promulgated by the Colville Business Council.

1.4.15 "Reservation" shall mean the Colville Indian Reservation.

1.4.16 "Tribes" means Confederated Tribes of the Colville Indian Reservation.

CHAPTER 2. TRIBAL REGULATION

2.1 *Council Empowered to Regulate.* The Council shall promulgate such regulations as it deems proper and necessary to carry out the policy of the Colville Tribes with respect to hunting and fishing on the North Half. Such regulations may establish closed and open areas, closed and open seasons, bag limits, gear restrictions, and any other provisions which the Council deems necessary to carry out the policies and provisions of this ordinance.

2.2 *Notice of Regulations.* All regulations promulgated by the Council with respect to hunting and fishing shall be communicated to the public as widely as possible, including providing information with respect to such regulations to newspapers, magazines and any other publications which are likely to bring such news to the attention of members of the general public; posting notices as to such regulations wherever possible on the Reservation and in adjoining communities; and making copies of such regulations available to all persons.

CHAPTER 3. PERMITS

3.1 *Permit Required.* It shall be unlawful for any member to hunt, trap or fish on the North Half without first having procured and having in force and in his personal possession and on his person while hunting, trapping or fishing, a permit so to do issued to him by the Council. The Council may issue appropriate permits to members of the Colville Tribes and members of other tribes granting reciprocal privileges to members of the Colville Tribes.

3.2 *Permit Nontransferable; Identification of Permit Holder.* Any permits issued by the Council shall be nontransferable. Any member hunting, trapping or fishing, shall, upon the demand of any game protector, or other tribal law enforcement officer, exhibit his permit and tribal identification card to such officer, and write his name for the purpose of comparison with the signature on the permit or tribal identification card and his failure or refusal to exhibit his permit or tribal identification card and write his name upon demand shall be prima facie evidence that such member has no permit or tribal identification card or is not the person named in the permit or tribal identification card in his possession.

CHAPTER 4. PROHIBITED ACTS

4.1 *Hunting and Fishing Unlawful: When.* It shall be unlawful for any member to hunt, trap, or fish during the respective closed seasons therefor. It shall also be unlawful for any person to kill, take, or catch any species of birds, animals, or fish in excess of the number fixed as the bag limit. It shall also be unlawful for any person to hunt or trap for any birds or animals within the boundaries of any closed area. It shall be unlawful for any person to fish within any closed waters.

4.2 *Closed Seasons.* It shall be unlawful for any member to have in his possession or under his control any bird, animal or fish during the closed season or in excess of the bag limit.

4.3 *Hunting While Intoxicated.* It shall be unlawful for any person to hunt with firearms while under the influence of intoxicating liquor.

4.4 *Wasting Wildlife.* It shall be unlawful for any person to permit any animal, bird or fish needlessly to go to waste after killing the same.

4.5 *Obstructing Law Enforcement Officers.* It shall be unlawful for any member to resist or obstruct any game protector or other duly authorized tribal law enforcement officer or other peace officer in the discharge of his duty while enforcing the provisions of this ordinance or other tribal regulations pertaining to hunting and fishing.

4.6 *Interference with Game Control Signs.* It shall be unlawful for any person to destroy, tear down, shoot at, deface or erase any printed matter or signs placed or posted by or under the instructions of the Council to assist in the enforcement of tribal hunting and fishing regulations.

4.7 *Shooting Persons or Livestock.* It shall be unlawful to shoot any other per-

son or any domestic livestock while hunting. Violation of this section shall subject the violator to revocation of the tribal hunting permit in addition to any other penalties imposed by the Colville Law and Order Code.

4.8 *Violation of Other Regulations.* It shall be unlawful and it shall constitute a violation of this ordinance for any person to violate any regulation or resolution of the Council now in effect or hereafter promulgated pertaining to hunting and fishing.

CHAPTER 5. ENFORCEMENT

5.1 *General Powers of Officers.* It shall be the duty of every tribal game protector or other law enforcement officer to enforce this ordinance and all regulations adopted by the Council governing hunting and fishing on the North Half, and such officer may issue citations and/or make arrests of any persons violating this ordinance or any regulations of the Council pertaining to hunting and fishing.

5.2 *Arrest Without Warrant.* Any game protector or tribal law enforcement officer may, without warrant, arrest any person found violating this ordinance or any regulation of the Council pertaining to hunting and fishing pursuant to section 2.2.04 (Criminal Actions) of the Colville Law and Order Code.

5.3 *Search Without Warrant.* Any tribal game protector or other tribal law enforcement officer may search without warrant any conveyance, vehicle, game bag, game basket, game coat or other receptacle for game animals, birds or fish, or any package, box, tent, camp or other similar place which he has reason to believe contains evidence of violations of this ordinance or regulations of the Council pertaining to hunting and fishing.

5.4 *Search Warrants.* The Tribal Court may also issue a search warrant and direct a search to be made in any place wherein it is alleged that any bird, animals or fish taken or in possession contrary to this ordinance or regulations of the Colville Tribes is concealed or illegally kept. Such warrant shall issue pursuant to the provisions of Section 2.2.05 of the Colville Law and Order Code.

5.5 *Seizure.* Any game protector or other tribal law enforcement officer may seize without warrant all birds, animals, fish or parts thereof taken, killed, transported, or possessed contrary to this ordinance or any regulation of the Council pertaining to hunting and fishing, and any dog, gun, trap, net seine, decoy, bait, boat, light, fishing tackle, motor vehicle, or other device unlawfully used in hunting, fishing or trapping, or held with intent to use unlawfully in hunting, fishing or trapping.

5.6 *Forfeiture—Procedures.* Any contraband game or fish seized shall be subject to forfeiture at the order of the Tribal Court of the Colville Confederated Tribes after notice and opportunity for hearing or trial as hereafter set forth. In case it appears upon the sworn complaint of the officer making the seizures

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that any articles seized were not in the possession of any person and that the owner thereof is unknown, the court shall have power and jurisdiction to forfeit such articles so seized upon a hearing duly had after service of summons on the unknown owner by publishing such summons in any newspaper of general circulation in Ferry or Okanogan County, or the *Colville Tribal Tribune* for a period of 4 successive issues. The summons shall describe the articles seized and shall give the owner 15 days from the date of last publication to appear before the Tribal Court and contest the forfeiture.

5.7 Forfeiture—Disposition of Property. In the event the Tribal Court orders forfeiture of any articles seized, such articles shall be turned over to the Council for the use and benefit of the Colville Tribes. If any articles are not declared forfeited by order of the Tribal Court, they shall be returned to the person from whom seized, after the completion of the case and the fines, if any, have been paid.

CHAPTER 6. ARRESTS: CITATIONS: TRIALS: PENALTIES

6.1 Arrests: Citations and Trials: Generally. Arrests may be made and citations issued for violations of this ordinance pursuant to the provisions of Title 2 of the Colville Law and Order Code. Hearings and trials for violations shall be held pursuant to the provisions of Titles 1, 2 and 4 of that Code.

6.2 Penalties. In the event a defendant pleads guilty or is found guilty, the court may impose all or any of the following penalties:

6.2.1 A fine of not less than \$10 nor more than \$250.

6.2.2 A jail term of not less than 1 day nor more than 30 days.

6.2.3 Forfeiture of any articles seized by reason of use of illegal activities.

6.2.4 Suspension or revocation of tribal hunting and fishing license or permit.

CHAPTER 7. MISCELLANEOUS PROVISIONS

7.1 Permits—Standards—Revocation. In issuing permits the Council shall seek to meet the needs of Colville people for food consistent with conservation of the resource. The Council may adopt any reasonable method of permitting designed to achieve an equitable distribution of the resource, including lotteries, drawings, and the like. Nothing herein shall bar suspension or revocation of outstanding permits for any reason.

7.2 Severability. If any provisions of this ordinance or the application thereof to any person or circumstance is held invalid, this ordinance can be given effect without the invalid provision or application; and to this end the provisions of this ordinance are declared to be severable.

MORRIS THOMPSON,
Commissioner of Indian Affairs.

[FR Doc.75-7986 Filed 3-26-75;8:45 am]

Bureau of Land Management

[N-11030]

NEVADA

Airport Lease Application

MARCH 20, 1975.

1. Notice is hereby given that pursuant to the act of May 24, 1928 (49 U.S.C. 211-214) The Anaconda Company has applied for an airport lease for the following land:

MOUNT DIABLO MERIDIAN, NEVADA

T. 28 N., R. 67 E.,
Sec. 22, S $\frac{1}{2}$, S $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 23, W $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 27, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$.

2. The purpose of this notice is to inform the public that the filing of this application segregates the described land from all other forms of appropriation under the public land laws.

3. Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, 2002 Idaho Street, Elko, Nevada 89801.

WILLIAM J. MALENCIK,
Chief,
Division of Technical Services.

[FR Doc.75-7999 Filed 3-26-75;8:45 am]

[NM 23949]

NEW MEXICO

Application

MARCH 20, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), City of Socorro has applied for a 4 inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN,
NEW MEXICO

T. 1 S., R. 1 W.
Sec. 15, Lot 1, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 27, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 34, W $\frac{1}{2}$ NE $\frac{1}{4}$.
T. 2 S., R. 1 W.
Sec. 3, Lot 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 14, W $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 15 NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 23, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 26, E $\frac{1}{2}$ NW $\frac{1}{4}$.

This pipeline will convey natural gas across 5.014 miles of natural resource lands in Socorro County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, PO Box 1456, 200 Neel Avenue, NW, Socorro, NM 87801.

FRED E. PADILLA,
Chief, Branch of Lands and
Minerals Operations.

[FR Doc.75-8000 Filed 3-26-75;8:45 am]

[NM 24740]

NEW MEXICO

Application

MARCH 20, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Continental Oil Company has applied for a 4 inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN,
NEW MEXICO

T. 19 S., R. 31 E.,
Sec. 15, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 22, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$.

This pipeline will convey natural gas across 1.313 miles of national resource lands in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

FRED E. PADILLA,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc.75-8001 Filed 3-26-75;8:45 am]

[NM 24828]

NEW MEXICO

Application

MARCH 19, 1975.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), K. B. Kennedy Engineering Co., Inc., has applied for 3-inch, 6-inch, and 10-inch natural gas pipelines rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 14 S., R. 29 E.,
Sec. 23, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 13 S., R. 30 E.,
Sec. 1, lots 1, 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 11, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 12, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 13, NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 14, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 15, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 22, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 23, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 27, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 34, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 14 S., R. 30 E.,
Sec. 3, lot 4;
Sec. 4, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 9, NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 16, W $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 21, W $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 28, W $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 33, W $\frac{1}{2}$ W $\frac{1}{2}$.

T. 15 S., R. 30 E.,
 Sec. 4, lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 5, lot 1, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 8, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$.
 T. 12 S., R. 31 E.,
 Sec. 17, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
 SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 20, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 30, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 31, lots 1, 2, 3, and NE $\frac{1}{4}$ NW $\frac{1}{4}$.
 T. 13 S., R. 31 E.,
 Sec. 7, lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 8, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 18, lot 1.

These pipelines will convey natural gas across 22.526 miles of national resource lands in Chaves County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

FRED E. PADILLA,
 Chief, Branch of Lands
 and Minerals Operations.

[FR Doc.75-8002 Filed 3-26-75; 8:45 am]

Bureau of Reclamation
TWIN BUTTES RESERVOIR,
SAN ANGELO, TEXAS

Public Hearing for Designating Certain
Areas for Off-Road Vehicle Use

Pursuant to Title 43, subtitle B, part 420, of the Code of Federal Regulations and Executive Order No. 11644, dated February 8, 1972, a public hearing will be held in San Angelo, Texas, at San Angelo City Hall, City Commission Chamber, April 16, 1975, 9 a.m., to receive views and comments from interested individuals and organizations on designating lands for off-road vehicle areas and trails in the Twin Buttes Reservoir area near San Angelo, Texas. The area is further described as being located on a portion of section 101 of the David Lloyd Survey, Tom Green County, Texas.

Each oral statement made at the hearing will be limited to a period of 10 minutes. Speakers will not trade their time to obtain a longer oral presentation; however, the person authorized to conduct the hearing may allow any speaker to provide additional oral comments after all persons wishing to comment have been heard. Speakers will be scheduled according to the time preference mentioned in their requests, whenever possible. Any scheduled speaker not present when called will lose his privilege in the scheduled order and his name will be recalled at the end of the scheduled speakers. Requests for scheduled presentations will be accepted up to 4:30 p.m., April 10, 1975. All subsequent requests will be handled on a first-come-first-served basis following the scheduled presentations.

Organizations or individuals desiring to present their statements at the hearing should contact the Regional Director, Bureau of Reclamation, Southwest Region, Room 1418, Herring Plaza, Box H-4377, Amarillo, Texas 79101, telephone number (806) 376-2401, and announce their intentions to participate. Written comments from those unable to attend and from those wishing to supplement their oral presentation at the hearing should be received by April 24, 1975, for inclusion in the records of the hearing.

Dated: March 21, 1975.

E. F. SULLIVAN,
 Acting Commissioner,
 Bureau of Reclamation.

[FR Doc.75-7921 Filed 3-26-75; 8:45 am]

Office of the Secretary

[Int Des 75-14]

BELLE AYR SOUTH MINE, CAMPBELL
COUNTY, WYOMING

Availability of Draft Environmental
Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental impact statement on a proposed expansion of coal mining operations at Amax Coal Company's Belle Ayr South Mine, Campbell County, Wyoming. The draft statement assesses the environmental impacts of the lessee's plan for the strip mining of federally owned coal and the concurrent reclamation and revegetation of surface lands. The proposed action is an extension and expansion of present mining operations in the Belle Ayr South Mine, including a further extension thereof onto Federal coal lease Wyoming 0317682, Ts. 47 and 48 N., R. 71 W., 6th Prin. Mer.

The draft environmental statement is available for public review in the U.S. Geological Survey Public Inquiries Office, Room 1012, Federal Building, Denver, Colorado 80202; the U.S. Geological Survey Library, Building 25, Denver Federal Center, Denver, Colorado 80225; the U.S. Geological Survey Library, Room 4A100, USGS National Center, Reston, Virginia; the Converse County Library, 300 Walnut Street, Douglas, Wyoming 82633; the George Amos Memorial Library, 412 South Gillette Avenue, Gillette, Wyoming 82716; the Library of Natrona County, 307 East Second, Casper, Wyoming 82601; and the State Library, State of Wyoming, Supreme Court Building, Cheyenne, Wyoming 82002.

Limited numbers of copies of the statement are available from the U.S. Geological Survey Public Inquiries Office, Room 1012, Federal Building, Denver, Colorado 80202 and the United States Geological Survey, National Center, Mailstop 108, Reston, Virginia 22092.

The Department will accept written comments on the draft environmental impact statement on the Belle Ayr South

Mine for a period of 45 days subsequent to the date of this notice, and will consider any comments received in preparing the final environmental statement on this proposal. Written comments should be addressed to Director, United States Geological Survey, National Center, Mailstop 108, Reston, Virginia 22092.

The proposed mining and reclamation plan assessed in this statement was one of the mining proposals identified in the preparation of the regional analysis (Part I) of the Department's final environmental statement, FES 74-55, entitled "Proposed Development of Coal Resources in the Eastern Powder River Coal Basin of Wyoming," which was filed with the Council on Environmental Quality on October 18, 1974. Public hearings on the draft of that statement were held as follows: June 24-25, 1974 at Cheyenne, Wyoming; June 26, 1974 at Casper, Wyoming; and June 27-28, 1974 at Gillette, Wyoming.

The Department has deferred a decision on the need for public hearings on the draft environmental statement at this time. If sufficient interest in holding such hearings becomes evident, the Department will consider the matter further.

Dated: March 24, 1975.

ROYSTON C. HUGHES,
 Assistant Secretary of the Interior.

[FR Doc.75-7987 Filed 3-26-75; 8:45 am]

CHARLES A. CAMPBELL
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) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of February 4, 1975.

Dated: February 4, 1975.

CHARLES A. CAMPBELL.
 [FR Doc.75-8003 Filed 3-26-75; 8:45 am]

DAVID G. JETER
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) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of January 1, 1975.

Dated: January 30, 1975.

DAVID G. JETER.

[FR Doc.75-8004 Filed 3-26-75;8:45 am]

J. W. KEPNER

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) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of January 28, 1974.

Dated: January 28, 1975.

J. W. KEPNER.

[FR Doc.75-8005 Filed 3-26-75;8:45 am]

ROBERT E. KERGER

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) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of February 7, 1975.

Dated: February 7, 1975.

ROBERT E. KERGER.

[FR Doc.75-8006 Filed 3-26-75;8:45 am]

OWEN A. LENTZ

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) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of January 30, 1975.

Dated: January 30, 1975.

O. A. LENTZ.

[FR Doc.75-8007 Filed 3-26-75;8:45 am]

ROBERT R. McLAGAN

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) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of January 28, 1975.

Dated: January 28, 1975.

R. R. McLAGAN.

[FR Doc.75-8008 Filed 3-26-75;8:45 am]

HARRY H. MOCHON, JR.

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) No change.
- (2) Tiger Intl (delete).
- (3) No change.
- (4) No change.

This statement is made as of January 27, 1975.

Dated: January 27, 1975.

H. H. MOCHON, Jr.

[FR Doc.75-8009 Filed 3-26-75;8:45 am]

JULIO A. NEGRONI

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) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of January 30, 1975.

Dated: January 30, 1975.

JULIO NEGRONI.

[FR Doc. 75-8010 Filed 3-26-75;8:45 am]

WILLIAM K. PENCE

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 January 28, 1975.

Dated: January 28, 1975.

WILLIAM K. PENCE.

[FR Doc.75-8011 Filed 3-26-75;8:45 am]

LEROY J. SCHULTZ

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) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of January 27, 1975.

Dated: January 27, 1975.

L. J. SCHULTZ.

[FR Doc.75-8012 Filed 3-26-75;8:45 am]

CHARLES W. WATSON

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) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of January 27, 1975.

Dated: January 27, 1975.

CHARLES W. WATSON.

[FR Doc.75-8013 Filed 3-26-75;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.)

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 73-00424-00-66700. Applicant: Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, Mass. 02139. Article: Spare parts for prevost projector consisting of 18 condenser lenses and 18 flat pieces. Manufacturer: Officine Prevost, Italy. Intended use of article: The articles are spare parts to an existing prevost projector used in conjunction with AEC basic research for scanning and measuring spark chamber and bubble chamber film.

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

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

Reasons: The application relates to compatible components for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used and is pertinent to the applicant's purposes.

The Department of Commerce knows of no similar components being manufactured in the United States, which is interchangeable with or can be readily adapted to the instrument with which the foreign article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director, Special
Import Programs Division.

[FR Doc. 75-7972 Filed 3-26-75; 8:45 am]

UNIVERSITY OF MIAMI, ET AL.
**Applications for Duty-Free Entry of
Scientific Articles**

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before April 16, 1975.

Amended regulations issued under cited Act, as published in the February 24, 1972 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket number: 75-00375-00-17500. Applicant: University of Miami, Rosenstiel School of Marine & Atmospheric Science, 4600 Rickenbacker Causeway, Miami, Florida 33149. Article: Replacement Parts for Recording Current Meter. Manufacturer: Ivar Aanderaa, Norway. Intended use of article: The articles are replacement parts to an existing recording current meter which is being used in an experiment to distinguish between motions of the density surface due to internal waves and apparent motions of a temperature surface. This study has a significant bearing on the usual method of measuring internal waves by measuring the temperature field. Application received by Commissioner of Customs: February 12, 1975.

Docket number: 75-00395-33-46040. Applicant: City of Hope National Medical Center, Department of Pathology, 1500 East Duarte Road, Duarte, California 91010. Article: Electron Microscope, Model EM 301 with Anticontamination System. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for (1) ultrastructural identification of intramitochondrial virus-like particles in human mammary carcinoma, (2) continued studies into the determination of possible diagnostic criteria for a wide variety of soft tissue sarcomas and other solid malignant tumors and associated morphologic characterization and localization of virus-like particles, (3) elucidation of ultrastructural characteristics of Reed-Sternberg cells in Hodgkin's Disease and so-called Reed-Sternberg-like cells which have been described in non-neoplastic disorders, with a careful search for E.B. viral particles in cases of Hodgkin's disease, (4) combined study of their ultrastructure, histochemistry and membrane receptor sites, with special emphasis on "histiocytic" lymphoma, and (5) a combined study of the transmission and scanning electron microscopy with ultra-histochemistry of Hodgkin's disease and non-Hodgkin's lymphomas and studies of membrane receptor sites. The objectives pursued in the course of these investigations is to determine the morphologic diagnostic criteria for a wide variety of pathologic malignant disorders and to determine the morphologic characterization and location of associated virus particles. The article will also be used in teaching post-doctorate fellows in Pathology and Surgical Pathology residents the basic information in reference to techniques in tissue preparation, sectioning, and basic electron microscopy operation via rotation through the electron microscopy laboratory. Application received by Commissioner of Customs: March 4, 1975.

Docket number: 75-00396-33-46040. Applicant: Columbia University, College

of Physicians and Surgeons, Dept. of Physiology, 630 West 168th Street, New York, New York 10032. Article: Electron Microscope, Model EM 301 and Accessories. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article:

The article is intended to be used for the following studies:

- (1) The ultrastructure of identified synapses in Aplysia nervous system.
- (2) The study of axoplasmic transport in single identified neurons of Aplysia.
- (3) The morphology of individual macromolecular protein complexes. Application received by Commissioner of Customs: March 4, 1975.

Docket number: 75-00397-33-90000. Applicant: Santa Rosa Medical Center, 519 W. Houston, San Antonio, Texas 78285. Article: EMI Scanner with Magnetic Tape Storage System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used to scan patients' heads in series of either 0.8 cm or 1.3 cm wide slices, and thereby yield information on brain tissue for presentation in the most useful form for evaluation by neurologists and neurosurgeons. The article will also be used for the teaching of residents from the University of Texas at San Antonio. Application received by Commissioner of Customs: March 4, 1975.

Docket number: 75-00398-33-83600. Applicant: Cornell University, Department of Physics, Ithaca, New York 14850. Article: PLM-3 Pulsed Platinum NMR Thermometer with Plug in Cards. Manufacturer: Instruments for Technology Ltd., Finland. Intended use of article: The article is intended to be used to measure the nuclear magnetic susceptibility of platinum and the nuclear magnetic spin lattice relaxation time of the platinum powder. Application received by Commissioner of Customs: March 4, 1975.

Docket number: 75-00399-01-77040. Applicant: Grand Forks Energy Research Center, Energy Research and Development Administration, Box 8213, University Station, Grand Forks, N.D. 58202. Article: Mass Spectrometer, Model MS 3074 and Data System, DS-50. Manufacturer: AEI Scientific Apparatus Inc., United Kingdom. Intended use of article: The article is intended to be used for studies of organic products resulting from the liquefaction and gasification of lignite. The phenomena to be studied include the kinetics of the liquefaction of lignite during both batch and continuous processing studies. The article will enable the obtaining of specific information concerning the type of organic compounds present in the product. Application received by Commissioner of Customs: March 4, 1975.

Docket number: 75-00400-00-80050. Applicant: National Radio Astronomy Observatory, Associated Universities, Inc., Edgemont Road, Charlottesville, Virginia 22901. Article: Coupling Sleeves for 60 mm Helical Circular Waveguide. Manufacturer: Furukawa Electric Co. Ltd., Japan. Intended

NEW YORK UNIVERSITY MEDICAL CENTER
ET ALConsolidated Decision on Applications for
Duty Free Entry of Scientific Articles

The following is a consolidated decision on applications for duty-free entry of EMI Scanner Systems pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.). (See especially section 701.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 75-00211-33-90000. Applicant: New York University Medical Center, 550 First Avenue, New York, N.Y. 10016. Article: EMI Scanner System. Manufacturer: EMI Limited, United Kingdom. Intended Use of Article: The article is intended to be used for the investigation of cerebral diseases such as tumors, cysts and hemorrhages which overcome the limitations of conventional X-ray techniques in brain tissue investigations. The article will provide the diagnostician with accurate information on the nature and location of diseased or damaged tissue and eliminate the principal physical and psychological discomforts to patients which have been unavoidable with some other techniques. Application Received By Commissioner of Customs: November 19, 1974. Advice Submitted by the Department of Health, Education, and Welfare on: February 21, 1975. Article Ordered: June 25, 1973.

Docket Number: 75-00221-33-90000. Applicant: Delaware Valley Neurosurgical Association—Episcopal Hospital, C-111 Episcopal Hospital, Front Street and Lehigh Avenue, Philadelphia, Pa. 19125. Article: EMI Scanner System. Manufacturer: EMI Limited, United Kingdom. Intended Use Of Article: The article will be used to study the brain by computerized transaxial tomography (CTT). Examples of planned projects are the study of traumatic and/or spontaneous intracranial hemorrhage, management of cerebral edema, the effect of immunotherapy on the growth of brain tumors, dementia, isotope brain scan versus CTT and ultrasound versus CTT. The article will also be used to train neurological, neurosurgical and radiological residents, as well as medical students and physicians in the use of CTT. Application Received By Commissioner Of Customs: November 20, 1974. Advice Submitted By The Department Of Health, Education, And Welfare on: February 21, 1975. Article Ordered: November 19, 1973.

Docket number: 75-00247-33-90000. Applicant: Children's Hospital of Pittsburgh, 125 DeSota Street, Pittsburgh, Pa. 15213. Article: EMI Scanner System with

use of article: The articles are accessories to an existing helical circular waveguide which is intended to be used as part of the Very large Array radio telescope to transmit radio wavelength radiation received from extraterrestrial objects to recording apparatus. The study of this radiation enables astronomers to study the sources of energy, origin, and evolution of the universe. Application received by Commissioner of Customs: March 4, 1975.

Docket number: 75-00401-85-40600. Applicant: University of Georgia, Department of Geology, Athens, Georgia 30602. Article: Double Collecting Mass Spectrometer-V.G. Micromass 602C with Digital Printer, Small Sample Adapter. Manufacturer: V.G. Micromass, United Kingdom. Intended use of article: The article is intended to be used for examination of the influence of surface meteoric waters upon subsurface volcanic processes through the study of variations in $^{18}\text{O}/^{16}\text{O}$ in rocks and minerals. Special emphasis will be placed upon the study of samples obtained from various localities in Antarctica. The article will also be used for isotope geochemistry studies.

The article will serve as an education tool for student research in many fields of geology. In addition the article will be used in a course titled: "Isotope geology and geochronology" serving to educate students in the general aspects of this subject area. Application received by Commissioner of Customs: March 4, 1975.

Docket number: 75-00402-75-49400. Applicant: Brookhaven National Laboratory, Associated Universities, Inc., Upton, Long Island, New York 11973. Article: Neutron Guide Tube. Manufacturer: Universitat Munchen Geschafsfuhrer, West Germany. Intended use of article: The article is intended to be used in a program of investigating the properties of atomic nuclei. In particular, nuclei in high states of excitation are produced at charged particle accelerators and at the Brookhaven High Flux Research Reactor and the various properties of their excited energy levels are determined and compared with the predictions of nuclear models. Application received by Commissioner of Customs: March 4, 1975.

Docket number: 75-00403-33-46040. Applicant: University of California, San Diego, P.O. Box 109, La Jolla, California 92037. Article: Electron Microscope, Model EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used in studies of structural adaptations in marine organisms by staff and students in Scripps Institution of Oceanography. The course entitled "Cell Physiology of Marine Organisms" is being offered and deals with (1) how methods of cell biology can solve problems peculiar to marine animals and (2) how marine animals provide favorable systems for elucidation of general problem cell biology (sic). Students being trained in electron microscopy will be familiarized with

principles, construction, and operation of the electron microscope. Application received by Commissioner of Customs: March 4, 1975.

Docket number: 75-00404-00-46040. Applicant: Arizona State University, Tempe, Arizona 85281. Article: Heating Specimen Stage for JEM 100B Electron Microscope. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for studies of small crystals and thin films of inorganic compounds (mostly oxides) and alloys as a function of temperature. High resolution electron microscopy of the specimens will allow the study of the changes in the arrangements of atoms related to structural transformation. Application received by Commissioner of Customs: March 4, 1975.

Docket number: 75-00405-33-90000. Applicant: Tucson Medical Center, 5301 E. Grant Road, Tucson, Arizona 85712. Article: EMI Scanner with Magnetic Tape Storage System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used in the examination of the patient's head through the use of a narrow beam of x-rays. This unit will make it possible to analyze the brain visually far more accurately than has been heretofore possible. The article will be used in conjunction with the present neurological and neurosurgical and radiological training programs as an educational tool to assist in properly training residents in the diagnosis of certain medical problems such as headaches, seizure activity, brain tumor suspects, head injuries, stroke and intracerebral bleeding. Application received by Commissioner of Customs: March 4, 1975.

Docket number: 75-00406-44-01100. Applicant: Tulane University School of Medicine, 1430 Tulane Avenue, New Orleans, Louisiana 70112. Article: Morgan Transfertest Model B with Associated Gas Analyzers. Manufacturer: P. K. Morgan, Ltd., United Kingdom. Intended use of article: The article is intended to be used for the measurement of lung volume and capacities and for the determination of single-breath diffusing capacity. The purpose of this measurement is to assess damage of the alveolar capillary interspace which is experimentally detected by decrease in the transfer of gas from the air to the blood. The article will also be used to teach National Institutes of Health trainees the technique of measuring pulmonary diffusing capacity, which will enable them to set up and supervise their own pulmonary function laboratory when they complete training. Application received by Commissioner of Customs: March 4, 1975.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc. 75-7973 Filed 3-26-75; 8:45 am]

Magnetic Tape System and High Density Display Unit. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used, in addition to performing clinical studies on patients, in the postgraduate medical training programs of Children's Hospital of Pittsburgh and Presbyterian-University Hospitals. It will be used primarily in the training of neuroradiology fellows, neurosurgery residents, neurology residents and neuropathology fellows. Application received by Commissioner of Customs: December 4, 1974. Advice submitted by the Department of Health, Education, and Welfare on: February 21, 1975. Article ordered: September 12, 1974.

Docket number: 75-00249-33-90000. Applicant: The Swedish Hospital Medical Center, 747 Summit, Seattle, Washington 98104. Article: EMI Scanner System with Magnetic Tape Storage Option. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used to investigate lesions of the orbit, multiple sclerosis, migraine headaches, tumors of the sella and acoustic neuromas. The article will also be used to train technologists in the operation of the article. Application received by Commissioner of Customs: December 4, 1974. Advice submitted by the Department of Health, Education, and Welfare on: February 21, 1975. Article ordered: October 16, 1974.

Comments: No comments have been received with respect to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for such purposes as these articles are intended to be used, were being manufactured in the United States at the time the articles were ordered. Reasons: Each foreign article is a newly developed system which is designed to provide precise transverse axial X-ray tomography. The Department of Health, Education, and Welfare (HEW) advises in its respectively cited memoranda that the sensitivity and the non-invasive methodology of each article are pertinent to the purposes for which each foreign article is intended to be used. HEW also advises that it knows of no domestic instrument of equivalent scientific value to any of the articles to which the foregoing applications relate for such purposes as these articles are intended to be used which was being manufactured in the United States at the time the articles were ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which were being manufactured in the United States at the time the articles were ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc.75-7978 Filed 8-26-75; 8:45 am]

UNIVERSITY OF CALIFORNIA AND IOWA STATE UNIVERSITY

Consolidated Decision on Applications for Duty Free Entry of Scientific Articles

The following is a consolidated decision on applications for duty-free entry of THE Neutron Spectrometers pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.). (See especially Section 701.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 74-00050-75-77025. Applicant: University of California, Purchasing Department, P.O. Box 1500, Berkeley, California 94701. Article: "The Fast Neutron Spectrometer. Manufacturer: Seforad-Applied Radiation Ltd., Israel. Intended use of article: The foreign article will be used in research studies of delayed neutron spectra from decay of short-lived fission products. It is intended the studies will include as many spectra as are accessible under the available experimental conditions. Application received by Commissioner of Customs: July 30, 1973. Advice submitted by the National Bureau of Standards on: May 10, 1974.

Docket Number: 74-00292-75-77025. Applicant: Iowa State University, Ames Laboratory, Ames, Iowa 50010. Article: Neutron Spectrometer. Manufacturer: Technion Research Foundation, Israel. Intended use of article: The article is intended to be used to study the neutron energy spectrum of various mass-separated fission products nuclides. Application received by Commissioner of Customs: January 14, 1974. Advice submitted by the National Bureau of Standards on: May 13, 1974.

Comments: No comments have been received with respect to either of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for such purposes as these articles are intended to be used, is being manufactured in the United States. Reasons: Each foreign article provides the highest resolution available which is significantly superior to the resolution capability provided by neutron spectrometers of the proportional counter type (i.e., each foreign article provides an energy resolution of better than 20 keV (kiloelectronvolts) for thermal neutrons). The National Bureau of Standards (NBS) advised in the respectively cited memoranda that the capabilities described above are pertinent to the purposes for which each of the foreign articles cited above is intended to be used. NBS also advised that it knows of no domestically manufactured instrument which is scientifically equivalent to any of the foreign articles to which the foregoing applications relate for such

purposes as these articles are intended to be used.

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

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director, Special Import
Programs Division.

[FR Doc.75-7975 Filed 8-26-75; 8:45 am]

UNIVERSITY OF CALIFORNIA—LOS ALAMOS

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 75-00231-75-68495. Applicant: University of California, Los Alamos Scientific Laboratory, P.O. Box 990, Los Alamos, New Mexico 87544. Article: Pump: Electric Drive. Manufacturer: Standed Eng. Co. Ltd., United Kingdom. Intended use of article: The article is intended to be used to extend P-V-T data on the molecular hydrogens up to 40 kbar to better understand the processes leading to laser fusion and the creation of metallic hydrogen.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: This application is a resubmission of Docket Number 74-00493-01-68495 which was denied without prejudice to resubmission on September 17, 1974 for informational deficiencies. The foreign article, a hydraulic pump, provides the specification of constant pressure characteristics. The National Bureau of Standards (NBS) advises in its memorandum dated February 27, 1975 that the specification described above is pertinent to the applicant's intended purpose. NBS also advises that it knows of no domestic constant pressure pump of equivalent scientific value to the foreign article for the applicant's intended use.

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

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director, Special Import
Programs Division.

[FR Doc.75-7974 Filed 3-26-75;8:45 am]

UNIVERSITY OF ILLINOIS

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 75-00188-00-46040. Applicant: University of Illinois, Urbana-Champaign Campus, Purchasing Division, 223 Admin. Bldg., Urbana, Illinois 61801. Article: Low Temperature Specimen Stage, Type KH-4BM (Modified). Manufacturer: Hitachi Perkin-Elmer, Japan. Intended use of article: The article is an accessory device for an existing electron microscope which will allow the general observation of specimens at low temperatures (in addition to room temperature) for the study of nucleation and growth of martensitic phases at low temperatures; pre-transformation lattice instabilities as observed at room temperatures and below.

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

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

Reasons: The application relates to a compatible accessory for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used and is pertinent to the applicant's purposes.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with or can be readily adapted to the instrument with which the foreign article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director, Special Import
Programs Division.

[FR Doc.75-7976 Filed 3-26-75;8:45 am]

YALE UNIVERSITY

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 75-00241-00-46040. Applicant: Yale University, Purchasing Department, 20 Ashmun Street, New Haven, Conn. 06520. Article: 35mm Roll Film Camera. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is an accessory to an existing electron microscope being used to examine the ultrastructural characteristics of a variety of transporting epithelia. The article will allow for 45 additional exposures of specimens on 35mm film thus allowing for better utilization of stereopair photography of the intra-cellular contacts which are to be studied and also allowing for better recording of serial reconstructions of the transporting epithelia studied by both standard transmission and freeze etch electron microscopy.

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

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

Reasons: The application relates to a compatible accessory for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument with which the article is intended to be used and is pertinent to the applicant's purposes.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with or can be readily adapted to the instrument with which the foreign article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director, Special Import
Programs Division.

[FR Doc.75-7977 Filed 3-26-75;8:45 am]

SEMICONDUCTOR TECHNICAL ADVISORY COMMITTEE

Partially Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act, 5 U.S.C.

App. I (Supp. III, 1973), notice is hereby given that a meeting of the Semiconductor Technical Advisory Committee will be held on Wednesday, April 30, 1975, at 9:30 a.m. in Room 3708, Main Commerce Building, 14th and Constitution Avenue NW., Washington, D.C.

The Semiconductor Technical Advisory Committee was initially established on January 3, 1973. On December 20, 1974, the Acting Assistant Secretary for Administration, approved the recharter and extension of the Committee for two additional years, pursuant to section 5 (c) (1) of the Export Administration Act of 1969, as amended, (50 U.S.C. App. 2404 (c) (1)) (Supp. III, 1973) and the Federal Advisory Committee Act.

The Committee advises the Office of Export Administration, Bureau of East-West Trade with respect to questions involving technical matters, world-wide availability and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to semiconductor products, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls.

The Committee meeting agenda has four parts:

GENERAL SESSION

- (1) Opening remarks by the Chairman.
- (2) Presentation of papers or comments by the public.
- (3) Discussion of integrated circuits.

EXECUTIVE SESSION

- (4) Discussion of matters properly classified under Executive Order 11652 dealing with the U.S. and COCOM control program and strategic criteria related thereto.

The public will be permitted to attend the General Session, at which a limited number of seats will be available to the public. To the extent time permits members of the public may present oral statements to the Committee. Written statements may be submitted at any time before or after the meeting.

With respect to agenda item (4), the Assistant Secretary of Commerce for Administration, with the concurrence of the delegate of the General Counsel, formally determined on December 16, 1974, pursuant to section 10(d) of the Federal Advisory Committee Act that the matters to be discussed in the Executive Session should be exempt from the provisions of the Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552(b) (1), i.e., it is specifically required by Executive Order 11652 that they be kept confidential in the interest of the national security. All matters have been properly classified under the Executive Order. All Committee members have appropriate security clearances.

Minutes of the open portion of the meeting will be available upon written request addressed to the Central Reference and Records Inspection Facility, Room 7043, U.S. Department of Commerce.

For further information, contact Mr. Charles C. Swanson, Director, Operations Division, Office of Export Administration, Domestic and International Business Administration, Room 1620, U.S. Department of Commerce, Washington, D.C. 20230, telephone: A/C 202-967-4196.

In accordance with paragraph (4) of the Order of the United States District Court for the District of Columbia in *Aviation Consumer Action Project, et al., v. C. Langhorne Washburn, et al.*, September 10, 1974, as amended, September 23, 1974 (Civil Action No. 1838-73), the Complete Notice of Determination to close portions of the series of meetings of the Semiconductor Technical Advisory Committee and of any subcommittees thereof, was published in the FEDERAL REGISTER (40 FR 18, appearing in the issue of January 2, 1975).

Dated: March 21, 1975.

RAUER H. MEYER,
Director, Office of Export Administration, Bureau of East-West Trade.

[FR Doc.75-7961 Filed 3-26-75;8:45 am]

**National Bureau of Standards
FEDERAL INFORMATION PROCESSING
STANDARDS TASK GROUP 15 COM-
PUTER SYSTEMS SECURITY
Meeting**

Pursuant to the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. III, 1973), notice is hereby given that the Federal Information Processing Standards Task Group 15 (FIPS TG-15), Computer Systems Security, will hold a

Committee name	Date/time/place	Type of meeting and/or contact person
Safety and Occupational Health Study Section.	Apr. 9-11, 1975, 9 a.m., Bldg. 1, Room 207, Center for Disease Control, 1600 Clifton Rd. NE., Atlanta, Ga. 30333.	Open 9 a.m. to 12 noon on Apr. 9, closed remainder of meeting; contact: Dr. John F. Bester, NIOSH, Room 2-44 Park Bldg., 5600 Fishers Lane, Rockville, Md. 20852, Code: 301-443-4488.

Purpose: The committee is charged with the initial review of research, training, demonstration, and fellowship grant applications for Federal assistance in program areas administered by the National Institute for Occupational Safety and Health, and with advising the Institute staff on training and research needs.

Agenda: From 9 a.m. to 12 noon on April 9, the Study Section meeting will be open to reading of minutes of previous meeting, administrative and staff reports, presentation of certificates to retiring members and presentations by staff of the Center for Disease Control. From 12 noon until the end of the meeting, the Study Section will review research, demonstration, and training grant applications and will not be open to the public, in accordance with the determination by the Director, Center for Disease Control, pursuant to the provisions of Public Law 92-463, section 10(d).

Agenda items are subject to change as priorities dictate.

meeting from 9 a.m. to 4 p.m. on Tuesday, May 6, 1975 and Wednesday, May 7, 1975, in Room B-163, Building 222, of the National Bureau of Standards at Gaithersburg, Maryland.

The purpose of this meeting is to continue drafting guidelines in four areas of computer systems security: information management; internal controls; teleprocessing and network control; and requirements.

The public will be permitted to attend, to file written statements, and, to the extent that time permits, to present oral statements. Persons planning to attend should notify Dr. Dennis K. Branstad, Institute for Computer Sciences and Technology, National Bureau of Standards, Washington, D.C. 20234 (Phone 301-921-3861).

Dated: March 21, 1975.

RICHARD W. ROBERTS,
Director.

[FR Doc.75-7920 Filed 3-26-75;8:45 am]

**DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE
Center for Disease Control
SAFETY AND OCCUPATIONAL HEALTH
STUDY SECTION
Meeting**

Pursuant to Pub. L. 92-463, the Director, Center for Disease Control announces the meeting dates and other required information for the following National Advisory body of the National Institute for Occupational Safety and Health which is scheduled to assemble during the month of April 1975.

A roster of members and other relevant information regarding the meeting may be obtained from the contact person listed above.

Dated: March 19, 1975.

DAVID N. SENCE,
Director,
Center for Disease Control.

[FR Doc.75-7913 Filed 3-26-75;8:45 am]

**Food and Drug Administration
[FAP 5B3078]**

BORG-WARNER CORP.

Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b) (5), 72 Stat. 1786; (21 U.S.C. 348(b) (5))), notice is given that a petition (FAP 5B3078) has been filed by Carr, Bonner, O'Connell, Kaplan and Thompson, 900 Seventeenth St. NW., Washington, DC 20006, on behalf of Borg-Warner

Corp. proposing that § 121.2627 Acrylonitrile/butadiene/styrene/methyl methacrylate copolymer (21 CFR 121.2627) be amended to provide for additional safe uses of the copolymer. Use of the copolymer, currently restricted to low moisture fats and oils, would be expanded to include contact with all types of food, except that it could not be used in fabricating bottles intended to hold carbonated beverages or beer.

The environmental impact analysis report and other relevant material have been reviewed, and it has been determined that the proposed use of the additive will not have a significant environmental impact. Copies of the environmental impact analysis report may be seen in the office of the Assistant Commissioner for Public Affairs, Rm. 15B-42 or the office of the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, during working hours, Monday through Friday.

Dated: March 18, 1975.

HOWARD R. ROBERTS,
Acting Director, Bureau of Foods.
[FR Doc.75-7955 Filed 3-26-75;8:45 am]

**PANEL ON REVIEW OF TOPICAL
ANALGESICS
Meeting Place**

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776; (5 U.S.C. App. D)), the Food and Drug Administration announced in a notice published in the FEDERAL REGISTER of March 17, 1975 (40 FR 12142), public advisory committee meetings and other required information, in accordance with provisions set forth in section 10(a) (1) and (2) of the act.

Notice is hereby given that the Panel on Review of Topical Analgesics scheduled for April 17 and 18, 1975, will be held in Conference Rm. M, Parklawn Bldg., 5600 Fishers Lane, Rockville, MD 20852, at 9 a.m.

Dated: March 21, 1975.

SAM D. FINE,
Associate Commissioner
for Compliance.
[FR Doc.75-7954 Filed 3-26-75;8:45 am]

**PANEL ON REVIEW OF VIRAL VACCINES
AND RICKETTSIAL VACCINES
Meeting Change**

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776; (5 U.S.C. App. I)), the Food and Drug Administration announced in a notice published in the FEDERAL REGISTER of March 17, 1975 (40 FR 12142), public advisory committee meetings and other required information, in accordance with provisions set forth in section 10(a) (1) and (2) of the act.

Notice is hereby given that the Panel on Review of Viral Vaccines and Rickettsial Vaccines scheduled for April 11 and 12, 1975, is rescheduled for April 10, 11, and 12; the open session is on April 10, 1975.

Dated: March 21, 1975.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.75-7953 Filed 3-26-75;8:45 am]

Food and Drug Administration
ADVISORY COMMITTEES
Meeting

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776; 5 U.S.C. App. I), the Food and Drug Administration announces the following public advisory committee meetings and other required information in accordance with provisions set forth in section 10(a) (1) and (2) of the act:

Committee name	Date, time, place	Type of meeting and contact person
1. Panel on Review of Miscellaneous External Drug Products.	April 20 and 21, 9 a.m., Conference Room A, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Closed April 20, open April 21, 9 a.m. to 10 a.m., closed April 21 after 10 a.m., Thomas D. DeCillis (HFD-510), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4860.

Purpose. Reviews and evaluates available data on the safety and effectiveness of active ingredients of currently marketed nonprescription drug products containing miscellaneous external drug products.

Agenda. Open session: Comments and presentations by interested persons. Closed session: Continuing review of over-the-counter miscellaneous external drug products under investigation.

Committee name	Date, time, place	Type of meeting and contact person
2. Pediatric Advisory Panel of the Psychopharmacological Agents Advisory Committee.	April 25, 9 a.m., Hospitality House, Motor Inn, 2000 Jefferson Davis Hwy., Arlington, Va.	Open—Julius Cinque (HFD-120), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3800.

Purpose. Reviews and evaluates all available data concerning the safety and effectiveness of presently marketed and new prescription drug products proposed for marketing for use in the practice of psychiatry and related fields.

Agenda. Subpanel reports on phenothiazines and the mentally retarded; the development of long term protocols; and the pediatric guidelines.

Agenda items are subject to change as priorities dictate.

During the open sessions shown above, interested persons may present relevant information or views orally to any committee for its consideration. Information or views submitted to any committee in writing before or during a meeting shall also be considered by the committee.

A list of committee members and summary minutes of meetings may be obtained from the contact person for the committee both for meetings open to the public and those meetings closed to the public in accordance with section 10(d) of the Federal Advisory Committee Act.

Most Food and Drug Administration advisory committees are created to advise the Commissioner of Food and Drugs on pending regulatory matters. Recommendations made by the committees on these matters are intended to result in action under the Federal Food, Drug, and Cosmetic Act, and these committees thus necessarily participate with the Commissioner in exercising his law enforcement responsibilities.

The Freedom of Information Act recognized that the premature disclosure of regulatory plans, or indeed internal discussions of alternative regulatory approaches to a specific problem, could

have adverse effects upon both public and private interests. Congress recognized that such plans, even when finalized, may not be made fully available in advance of the effective date without damage to such interests, and therefore provided for this type of discussion to remain confidential. Thus, law enforcement activities have long been recognized as a legitimate subject for confidential consideration.

These committees often must consider trade secrets and other confidential information submitted by particular manufacturers which the Food and Drug Administration by law may not disclose, and which Congress has included within the exemptions from the Freedom of Information Act. Such information includes safety and effectiveness information, product formulation, and manufacturing methods and procedures, all of which are of substantial competitive importance.

In addition, to operate most effectively, the evaluation of specific drug or device products requires that members of committees considering such regulatory matters be free to engage in full and frank discussion. Members of committees have frequently agreed to serve and to provide their most candid advice on the understanding that the discussion would be private in nature. Many experts would be unwilling to engage in candid public discussion advocating regulatory action against a specific product. If the committees were not to engage in the deliberative portions of their work on a confidential basis, the consequent loss of frank and full discussion among committee members would severely hamper the value of these committees.

The Food and Drug Administration is relying heavily on the use of outside experts to assist in regulatory decisions. The Agency's regulatory actions uniquely affect the health and safety of every citizen, and it is imperative that the best advice be made available to it on a continuing basis in order that it may most effectively carry out its mission.

A determination to close part of an advisory committee meeting does not mean that the public should not have ready access to these advisory committees considering regulatory issues. A determination to close the meeting is subject to the following conditions: First, any interested person may submit written data or information to any committee, for its consideration. This information will be accepted and will be considered by the committee. Second, a portion of every committee meeting will be open to the public, so that interested persons may present any relevant information or views orally to the committee. The period for open discussion will be designated in any announcement of a committee meeting. Third, only the deliberative portion of a committee meeting, and the portion dealing with trade secret and confidential information, will be closed to the public. The portion of any meeting during which nonconfidential information is made available to the committee will be open for public participation. Fourth, after the committee makes its recommendations and the Commissioner either accepts or rejects them, the public and the individuals affected by the regulatory decision involved will have an opportunity to express their views on the decision. If the decision results in promulgation of a regulation, for example, the proposed regulation will be published for public comment. Closing a committee meeting for deliberations on regulatory matters will therefore in no way preclude public access to the committee itself or full public comment with respect to the decisions made based upon the committee's recommendation.

The Commissioner has been delegated the authority under section 10(d) of the Federal Advisory Committee Act to issue a determination in writing, containing the reasons therefor, that any advisory committee meeting is concerned with matters listed in 5 U.S.C. 552(b), which contains the exemptions from the public disclosure requirements of the Freedom of Information Act. Pursuant to this authority, the Commissioner hereby determines, for the reasons set out above, that the portions of the advisory committee meetings designated in this notice as closed to the public involve discussion of existing documents falling within one of the exemptions set forth in 5 U.S.C. 552(b), or matters that, if in writing, would fall within 5 U.S.C. 552(b), and that it is essential to close such portions of such meetings to protect the free exchange of internal views and to avoid undue interference with Agency and committee operations. This determination shall apply only to the designated portions of such meetings which relate

to trade secrets and confidential information or to committee deliberations.

Dated: March 24, 1975.

A. M. SCHMIDT,
Commissioner of Food and Drugs.
[FR Doc.75-8070 Filed 3-26-75;8:45 am]

TOXICOLOGY ADVISORY COMMITTEE Request for Nominations for Members

A notice was published in the FEDERAL REGISTER of December 24, 1974 (39 FR 44473), announcing establishment of the Food and Drug Administration's Toxicology Advisory Committee. This notice requests nominations for members of that advisory committee, to be submitted to the Commissioner of Food and Drugs by April 28, 1975. The charter of the Toxicology Advisory Committee is on public display in the office of the Hearing Clerk and is available upon request from the Associate Commissioner for Science.

The purpose of the Toxicology Advisory Committee is to advise the Commissioner in discharging his responsibilities under the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act as they relate to safety evaluation of the potential toxicity of chemicals present in food, drugs, medical devices, and cosmetics. The committee will review and evaluate all available data relating to evaluation of the safety of such chemicals, advise the Commissioner on matters concerning the safety of specific chemicals, and recommend the development of standardized methodology for the toxicity testing of such materials.

Whenever the Commissioner concludes that it is appropriate to obtain an independent review of any scientific issue involving application of the anticancer clauses in the Federal Food, Drug, and Cosmetic Act, he will ordinarily refer such matter to the Toxicology Advisory Committee for advice and recommendations except as specifically required by section 706(b)(5)(C) of the act.

The advisory committee will consist of the Associate Commissioner for Science, as chairman, and 12 members who are expert in one or more of the following disciplines:

Toxicology
Pharmacology
Oncology (carcinogenesis)
Mutagenesis
Teratogenesis
Pathology
Metabolism
Biochemistry
Biostatistics
Immunology
Medicine
Laboratory Animal Science

The Commissioner hereby invites the submission of nominations for members for this advisory committee. Any interested person may nominate one or more qualified persons. A complete curriculum vitae of the nominee shall be enclosed with the nomination. Nominations shall

state that the nominee is aware of the nomination, is willing to serve as a member of the advisory committee, and appears to have no conflict of interest which would preclude membership on the advisory committee. Nominations should state the particular field of expertise, listed above, for which the nominee is qualified.

Members of the advisory committee will be invited to serve for overlapping terms of four years, with initial appointments terminating at different times to permit orderly rotation of members. All members who are not already full-time or part-time Federal employees will be special government employees for this purpose. Members who are not full-time Federal employees will be paid \$128.80 per day for time spent at meetings, plus travel and per diem expenses, in accordance with pertinent government regulations.

Nominations are invited from individuals and from consumer, industry, government, and professional organizations. To be considered, nominations shall be mailed no later than April 28, 1975 to: Associate Commissioner for Science (HFS-1), Food and Drug Administration, Rm. 14-57, 5600 Fishers Lane, Rockville, MD 20852.

Dated: March 24, 1975.

A. M. SCHMIDT,
Commissioner of Food and Drugs.
[FR Doc.75-8069 Filed 3-26-75;8:45 am]

Office of the Secretary THE PRESIDENT'S COMMITTEE ON MENTAL RETARDATION Meeting

The President's Committee on Mental Retardation was established to provide advice and assistance in the area of mental retardation to the President including evaluation of the adequacy of the national effort to combat mental retardation; coordination of activities of Federal agencies; provision of adequate liaison between Federal activities and related activities of state and local governments, foundations and private organizations; and develop information designed for dissemination to the general public. The Committee will meet on Thursday, May 8, 1975, 9 a.m. to 5 p.m. and on May 9, 1975, 9 a.m. to 3 p.m., at the Crystal City Marriott Hotel, 1999 Jefferson-Davis Highway, Arlington, Virginia 22202. This meeting will be the quarterly meeting of the Committee. They will discuss full citizenship, minimum occurrence, humane services, and public awareness as they relate to the mentally retarded. These meetings are open to the public.

Dated: March 19, 1975.

FRED J. KRAUSE,
Executive Director, President's
Committee on Mental Retardation.
[FR Doc.75-7948 Filed 3-26-75;8:45 am]

NATIONAL COMMISSION FOR THE PROTECTION OF HUMAN SUBJECTS OF BIOMEDICAL AND BEHAVIORAL RESEARCH

Meeting

Notice is hereby given that the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research will meet on April 11 and 12, 1975, and, if an additional meeting day is required, on April 13, 1975, in Conference Room 6, C Wing, Building 31, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20014. The meeting will convene at 9 a.m. each day and will be open to the public, subject to the limitations of available space.

The agenda will include further discussion of research on the fetus and, time permitting, discussion of other issues identified in the legislative mandate to the Commission under Pub. L. 93-348.

Requests for information should be directed to Ms. Anne Ballard (301-496-7776), Room 125, Westwood Building, 9000 Rockville Pike, Bethesda, Maryland 20014.

Dated: March 20, 1975.

CHARLES U. LOWE,
Executive Director, National
Commission for the Protection
of Human Subjects of Bio-
medical and Behavioral Re-
search.

[FR Doc.75-7949 Filed 3-26-75;8:45 am]

CENTER FOR DISEASE CONTROL Statement of Organization, Functions, and Delegations of Authority

Part 9 (Center for Disease Control) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare (39 FR 1461, January 9, 1974) is hereby amended to reflect the transfer of the Center's facilities planning functions from the Office of the Center Director (9A01) to the Engineering Services Office (9A1904) as indicated in the following changes to Section 9-B, *Organization and Functions*, under the heading entitled "Office of the Director (9A00)":

1. Revise the mission statement of the Office of the Center Director (9A01) by deleting item (8) and renumbering items (9) and (10) to items (8) and (9), respectively.

2. Revise the mission statement of the Engineering Services Office (9A1904) by deleting items (5), (6), and (7) and inserting new items (5) and (6). The revised statement reads as follows:

Engineering Services Office (9A1904).
(1) Operates, maintains, repairs, and modifies the Center's Atlanta area plant facilities; and conducts a maintenance and repair program for the Center's program support equipment; (2) develops services for new, improved, and modified

equipment to meet program needs; (3) maintains physical security for the Chamblee and Lawrenceville facilities; (4) provides technical assistance for and reviews maintenance and operation programs of field installations and recommends appropriate action; (5) carries out facilities planning functions of the Center, including new or expanded facilities, and a major repair and improvement program; (6) maintains liaison with the Division of Health Facilities Planning of the Office of the Assistant Secretary for Health, and the Office of Facilities Engineering and Property Management, Office of the Secretary.

Dated: March 20, 1975.

THOMAS S. MCFEE,
Acting Assistant Secretary
for Administration and Management.
[FR Doc. 75-7947 Filed 3-26-75; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration BOSTON AIR TRAFFIC CONTROL ADVISORY COMMITTEE Establishment

Notice is hereby given of the establishment of the Boston Air Traffic Control Advisory Committee. The Air Traffic Division of the FAA, New England Region, is the sponsor of the committee. The committee is composed of representatives of the military services, the Federal Aviation Administration, and civil users of the air traffic control system. The committee provides a forum for discussion and solution of air traffic control service problems arising within the FAA, New England Region. The chairman of the committee is designated by the Chief, Air Traffic Division, FAA, New England Regional Office.

The Secretary of Transportation has determined that the formation and use of this Advisory Committee are necessary in the public interest in connection with the performance of duties imposed on the Federal Aviation Administration by law. Meetings of the committee will be open to the public.

Issued in Burlington, Massachusetts, on March 5, 1975.

QUENTIN S. TAYLOR,
Director.

[FR Doc. 75-7918 Filed 3-26-75; 8:45 am]

CIVIL AERONAUTICS BOARD

[Dockets 27548, 27551; Order 75-3-84]

DELTA AIR LINES, INC.

Order Dismissing Complaints

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 24th day of March, 1975.

By tariff revisions¹ marked to become effective April 1, 1975, Delta Air Lines, Inc. (Delta) proposes to establish 7-30 day excursion fares in midwest/east coast-Florida markets of 750 miles or more during the period April 1-December

18, 1975. Similar fares are currently in effect in Delta's remaining markets of 750 miles or more.² The discount is a uniform 25 percent during the entire off-peak season; the fares would apply on all days of the week; require ticketing and reservations 7 days in advance; and provide a 50 percent reduction from regular coach fares for children under 12. Eastern Air Lines, Inc., (Eastern) has filed to match Delta, except that it would require a 3-day minimum stay (or the following Monday, whichever is later) rather than 7 days.

In proposing to extend its 7-30 day excursion fares to the Florida market, Delta alludes to the need for generating additional off-season north-south traffic and the necessity of competing with National's midweek proposal, and a midweek tour-basing fare earlier proposed but since withdrawn by Eastern. Delta concedes the more restrictive application of its competitors' proposals, but argues that the more proper approach would be simply to extend to Florida the same discount fare available in most other domestic markets.

Eastern and National Airlines, Inc. (National) have filed complaints which essentially rest on the argument that the discount should not be available every day of the week as Delta proposes. The complainants allege that fares restricted to midweek application are preferable because they serve to smooth out day-of-week traffic fluctuations, whereas fares available on all days of the week have the counter effect of accentuating weekend peaks. Since Delta's proposal goes beyond that required to meet those of National and Eastern, it is contended that Delta should have submitted a profit-impact estimate which it has not done and that the existence of the 7-30 day excursion fares in other domestic markets does not justify the same fare in the Florida market, which has traditionally been treated and considered separately by the Board.

Delta answers that its proposal is consistent with recent Board precedent, and that there is no valid basis for discriminating against one of the forty-eight contiguous states on the ground that its so-called uniqueness warrants its ostracism from an industrywide and virtually nationwide program of excursion fares. Delta alleges that neither complainant has advanced facts to show that the fares should be confined to midweek days; rather, they simply assert that tradition requires this. Delta alleges that reality demands a break with tradition; that with the advent of excursion fares of general nationwide applicability, limiting the excursion fare to Florida to midweek days would create unnecessary complexity and confusion; and that uniformity, simplicity, consistency, and reduction of consumer uncertainty far outweigh vague assertions concerning Florida's unique status. Finally, Delta

¹ Revisions to Airline Tariff Publishers Company, Agent, C.A.B. No. 202.

² Order 75-2-124.

contends that a profit impact is unnecessary to support its proposal since similar excursion fares have previously been justified and permitted in all but the few remaining north-south Florida markets.

Upon consideration of the proposal, the complaints and answer thereto, and all relevant matters, the Board finds that the complaints do not set forth sufficient facts to warrant investigation and the requests therefor, and consequently the requests for suspension will be denied and the complaints dismissed.

As indicated, Delta's proposal is an extension to its north-south Florida markets of fares which all carriers have been permitted to establish in markets of 750 miles in distance and, in our opinion, the complainants have not made a persuasive case for restricting the fares to midweek periods. It is true that available evidence has rather consistently shown a significant day-of-week traffic imbalance in the Florida market. However, it is also true that carriers have generally had a significant amount of unused space on peak as well as off-peak days of the week during the off-season. We have no reason to suspect otherwise this year in view of the generally slack domestic traffic. As for liberalization of the minimum-stay requirement to 3 days (or the following Monday), Eastern has consistently claimed that its past weekend excursion fares have had good generative results and we see no reason to suspend on this count, particularly since the complaints are silent on the question.

Accordingly, pursuant to the Federal Aviation Act of 1958, as amended, and particularly sections 204(a), 403, 404, and 1002 thereof,

It is ordered, That: 1. The complaints of Eastern Air Lines, Inc., and National Airlines, Inc. in Dockets 27548 and 27551 are dismissed; and

2. Copies of this order be served on Delta Air Lines, Inc., Eastern Air Lines, Inc., and National Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc. 75-8020 Filed 3-26-75; 8:45 am]

[Docket No. 27613]

POMPANO BEACH SURF RIDER, INC., d/b/a ALTAIR VACATIONS LTD.

Prehearing Conference and Hearing

Notice is hereby given that a prehearing conference in this proceeding is assigned to be held on April 14, 1975, at 10 a.m. (local time), in Room 503, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C., before Administrative Law Judge Greer M. Murphy. Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before April 7, 1975.

Ordinary transcript will be adequate for the proper conduct of this proceeding.

Dated at Washington, D.C., March 24, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.
[FR Doc. 75-7685 Filed 3-26-75; 8:45 am]

[Dockets 26057 and 26075; Agreement CAB 24929; Order 75-3-67]

TRANS WORLD AIRLINES, INC., AND SWISSAIR

Order Approving Agreement

Issued under delegated authority March 21, 1975.

Joint application of Trans World Airlines, Inc., and Swissair for prior approval of a fuel-saving capacity-limitation agreement concerning U.S.-Switzerland markets.

By application dated January 29, 1975, Trans World Airlines, Inc. (TWA), and Swissair request prior Board approval pursuant to section 412 of the Federal

Aviation Act of 1958, as amended (the Act), and Subpart P of the Board's rules of practice, 14 CFR 302.1601, of an agreement (Agreement CAB 24929) between them which would establish maximum scheduled weekly frequency levels in the New York-Switzerland and Chicago/Boston-Switzerland markets. The discussions which led to the adoption of the agreement were held pursuant to the authority granted by the Board in order 73-11-34, dated November 8, 1973, as extended and expanded by order 74-4-29, dated April 4, 1974, order 74-7-33, dated July 8, 1974, and order 74-11-132, dated November 25, 1974.¹

The agreement will be implemented, subject to prior Board approval, on April 1, 1975, and will continue in effect until October 31, 1975. The agreement establishes maximum weekly scheduled frequencies in the New York-Switzerland and Chicago/Boston-Switzerland markets as follows:

¹ A report of these discussions has been filed with the Board.

	April 1 to mid-June	Mid-June to mid-September	Mid-September to October 31
New York-Switzerland:			
Swissair.....	10 round trips with B-747 aircraft.	11 round trips with B-747 aircraft.	10 round trips with B-747 aircraft.
TWA.....	10 round trips with B-707 aircraft.	14 round trips with B-707 aircraft.	12 round trips with B-707 aircraft.
Chicago/Boston-Switzerland:			
Swissair.....	5 round trips with DC-10 aircraft for 11 weeks.		6 round trips with DC-10 aircraft for 20 weeks.

Provision is made for the temporary suspension of the above frequency limitations during a period of cessation or curtailment of service by either party resulting from a labor dispute or other cause beyond the control of the affected party. Additionally, allowance is made for the use of unpublished extra sections for operational reasons or to meet periods of unusual demand. Either party may terminate the agreement on 30 days' notice.

In support of the application the applicants assert that the agreement will result in fuel savings of 2,300,000 gallons. The applicants also note that the Board, in order 74-7-33, broadened the basis for international capacity discussions to include the radical price increase in, as well as the availability of, international aviation fuel.² In this connection, TWA and Swissair have provided data which show that their per-gallon fuel costs in these markets have tripled in the past year and which indicate that the aforementioned fuel savings will be translated into a fuel-cost savings amounting to \$900,000 during the term of the agreement.

² See order 74-7-33, dated July 8, 1974; second full paragraph on p. 3 therein and ordering paragraph 1. The applicants also cite the Board's language on p. 5 of order 74-4-149, dated Apr. 26, 1974, wherein the Board, in approving certain capacity-limitation agreements, stated that such conservation measures take on added significance in light of the financial crisis threatening both TWA and Pan American World Airways, Inc.

However, the applicants emphasize that achieving these fuel and fuel-cost savings will not unwarrantedly reduce the level of services offered to the public in these markets, and state that the frequency of flights will still be high with an estimated average load factor for the markets involved of 58 percent.

The city of Chicago, Ill. (Chicago), has filed an answer to the application requesting the Board to disapprove the agreement absent the submission of additional information. Specifically, Chicago requests that the applicants provide a specific load-factor estimate for the Chicago/Boston-Switzerland market. Chicago also requests that the carriers explicitly delineate which weeks the city will be provided with five DC-10 round trips and which weeks it will be provided with six.

TWA has filed a reply to Chicago's answer. TWA estimates that the load factor in the Chicago/Boston-Switzerland market will be 61.3 percent assuming no drop in traffic from 1974. TWA also asserts that Swissair will operate responsibly in this market and arrange its schedules so as to provide reasonable service throughout the term of the agreement.

No other comments relative to the application have been received.

In consideration of the foregoing the Board notes that to the extent that the applicants have justified the proposed capacity-limitation agreement on both a fuel and fuel-cost savings basis, the application appears to raise issues which are currently being considered in the *Capacity Reduction Agreements Case*,

docket 22908. However, the agreements relate to international markets and in each of these markets the proposed service appears adequate to meet the needs of the traveling public. Therefore, recognizing the special circumstances applicable with respect to both excess capacity and the financial losses of the U.S.-flag carriers in the transatlantic markets, and the responsibility of the Board, in accordance with the national program for fuel conservation, to consider measures which will avoid superfluous or extravagant utilization of fuel supplies, we have decided to approve the subject capacity agreement.³ Our decision herein, however, should not be construed as prejudging in any manner the Board's final decision with respect to any of the issues currently being considered in the *Capacity Reduction Agreements Case*.⁴

With respect to Chicago's answer, it appears that most of the desired information has been provided. Further, we do not believe that it is essential for the carriers to specifically identify which weeks the city will receive six round trips and which weeks only five. Generally, of course, we would anticipate that the 20 weeks with six round trips will run consecutively during the peak season with the 11 weeks of only five frequencies being divided between the spring and fall shoulder periods. The fact that the actual weeks of each service are not specifically designated appears to be an effort to provide flexibility with respect to the operations of Swissair. In any event, the proposed service appears adequate, and we shall retain jurisdiction for the purpose of further amending or revoking the approval granted herein⁵ at any future date should a showing be made that the public interest so requires.⁶ Therefore, we will deny Chicago's request for disapproval of the agreement to the extent that said request still remains in light of the absence of all the additional information asked for.

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.3 and 385.13, it is found that

³ See order 74-4-149, dated Apr. 26, 1974, order 74-7-33, dated July 8, 1974, and order 75-1-140, dated Jan. 31, 1975.

⁴ As noted, the term of this agreement extends through Oct. 31, 1975. In this connection, the Board wishes to make it as clear as possible that the decision herein is based on the circumstances of the current situation and that any change in those circumstances, such as a final decision in the *Capacity Reduction Agreements Case*, may be a cause for review of this agreement and the approval granted herein.

⁵ Section 412(b) of the Act (49 U.S.C. 1382) requires the Board to disapprove any agreement, whether or not previously approved by it, which it finds to be adverse to the public interest or in violation of the Act.

⁶ We have also considered the impact of the agreement on the employees of TWA. Based on the limited amount of information currently before us, we are unable to conclude that the public interest requires the imposition of any labor protective conditions. As noted, however, jurisdiction shall be retained for the purpose of, *inter alia*, imposing such a condition should a showing be made that the public interest so requires.

the capacity-reduction agreement discussed herein is neither adverse to the public interest nor in violation of the Act and should be approved subject to appropriate terms and conditions, and that to the extent still extant, Chicago's request for disapproval of said agreement should be denied.

Accordingly, It Is Ordered That:

1. Agreement CAB 24929 be and it hereby is approved pursuant to section 412 of the Act, subject to the following terms and conditions:

(a) Jurisdiction shall be retained to modify or revoke the approval granted herein at any time, or to take whatever action as may be appropriate in the public interest;

(b) Schedule deletions resulting from the agreement considered herein, which occur at any of the controlled, high-density airports¹ and which result in the vacating of slots allocated by the Airline Scheduling Committees of the respective airports pursuant to authority granted in order 72-11-72, shall not be refilled by the air carrier applicants, nor be reallocated to other carriers by the respective Airline Scheduling Committee; *Provided, however,* That slots originally vacated may be reinstated by the vacating carrier to the extent such carrier vacates another flight at the same airport which operates plus or minus 3 hours of the flight to be reinstated;²

(c) All schedule changes resulting from this agreement shall be reported to the Board within 15 days of the end of each month, in accordance with the format of Appendix A³ hereto, and copies of such reports shall be provided to all carriers requesting them;

(d) Within 28 days of the date of service of this order, the air carrier applicants shall file with the Board's Docket Section a report containing the following additional data for the subject markets:

- a. Seats operated in 1974 (April through September).
- b. Passengers carried in 1974 (April through September).
- c. Forecast passengers in 1975 (April through September).
- d. Projected seats in 1975 (April through September).
- e. Fuel use by month for the system of each carrier in 1974 (April through September).

1. Fuel use by month in the subject agreement markets in 1974 (April through September);

2. Copies of this order shall be served upon the United States Departments of Defense, Justice, and Transportation; the United States Postal Service; the Port Authority of New York and New Jersey; the Massachusetts Port Author-

ity; the City of Chicago, Department of Aviation; and all certificated route and supplemental air carriers; and

3. To the extent still extant, Chicago's request for disapproval of Agreement CAB 24929, be and it hereby is denied.

Persons entitled to petition the Board for review of this order may file such petitions within 5 days of the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order shall be published in the FEDERAL REGISTER.

WILLIAM B. CALDWELL, JR.,
Director, Bureau of
Operating Rights.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-8021 Filed 3-26-75; 8:45 am]

CIVIL SERVICE COMMISSION

DEPARTMENT OF AGRICULTURE

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 Agriculture to fill by non-career executive assignment in the excepted service the position of Assistant Administrator, Pub. L. 480 Programs, Foreign Agricultural Service.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to the
Commissioners.

[FR Doc.75-7963 Filed 3-26-75; 8:45 am]

DEPARTMENT OF AGRICULTURE

Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 920 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 the position of Assistant Administrator, Foreign Market Development, Foreign Agricultural Service.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to the
Commissioners.

[FR Doc.75-7964 Filed 3-26-75; 8:45 am]

DEPARTMENT OF AGRICULTURE

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 Agriculture to

fill by noncareer executive assignment in the excepted service the position of Associate General Sales Manager, Export Marketing Service.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to the
Commissioners.

[FR Doc.75-7968 Filed 3-26-75; 8:45 am]

FEDERAL ENERGY ADMINISTRATION

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 Federal Energy Administration to fill by non-career executive assignment in the excepted service the position of Associate Assistant Administrator for International Energy Production and Logistics, Office of the Assistant Administrator for International Energy Affairs.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to the
Commissioners.

[FR Doc.75-7966 Filed 3-26-75; 8:45 am]

GENERAL SERVICES ADMINISTRATION

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 General Services Administration to fill by non-career executive assignment in the excepted service the position of Director of Congressional Affairs, Office of Congressional Affairs, Office of the Assistant Administrator, Office of the Administrator.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to the
Commissioners.

[FR Doc.75-7965 Filed 3-26-75; 8:45 am]

GENERAL SERVICES ADMINISTRATION

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 General Services Administration to fill by non-career executive assignment in the excepted service the position of Director of Communications, Office of the Administrator.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to the
Commissioners.

[FR Doc.75-7967 Filed 3-26-75; 8:45 am]

¹ Airport scheduling agreements affect John F. Kennedy International Airport, O'Hare International Airport, Washington National Airport, and La Guardia Airport. See order 72-11-72, dated Nov. 16, 1972.

² Compare order 73-12-32, Dec. 7, 1973, at p. 7.

³ Appendix A filed as part of the original document.

DEPARTMENT OF HEALTH, EDUCATION,
AND WELFARETitle Change in Noncareer Executive
Assignment

By notice of June 5, 1973, FR Doc. 73-11183, the Civil Service Commission authorized the Department of Health, Education, and Welfare to fill by noncareer executive assignment the position of Director of Policy Services, Office of the Secretary. This is notice that the title of this position is now being changed to Director, Editorial Operations Division, Office of the Assistant Secretary for Public Affairs, Office of the Secretary.

UNITED STATES CIVIL SERVICE
COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to the
Commissioners.

[FR Doc. 75-7969 Filed 3-26-75; 8:45 am]

FEDERAL EMPLOYEES PAY COUNCIL
Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Pub. L. 92-463, notice is hereby given that the Federal Employees Pay Council will meet at 2 p.m. on Wednesday, April 30, 1975. This meeting will be held in room 5323 of the U.S. Civil Service Commission Building, 1900 E Street, NW., and will consist of continued discussions on the fiscal year 1976 comparability adjustment for the statutory pay systems of the Federal Government.

The Chairman of the U.S. Civil Service Commission is responsible for the making of determinations under section 10(d) of the Federal Advisory Committee Act as to whether or not meetings of the Federal Employees Pay Council shall be open to the public. He has determined that this meeting will consist of exchanges of opinions and information which, if written, would fall within exemptions (2) or (5) of 5 U.S.C. 552(b). Therefore, this meeting will not be open to the public.

For the President's Agent.

RICHARD H. HALL,
Advisory Committee Management
Officer for the President's Agent.

[FR Doc. 75-7970 Filed 3-26-75; 8:45 am]

CONSUMER PRODUCT SAFETY
COMMISSION

CHILDREN'S SLEEPWEAR

Sizes 7 Through 14 (FF5-74);
Affirmative Labeling

Correction

In FR Doc. 75-7455, appearing at page 12811, in the issue for Friday, March 21, 1975 should have appeared in the Notices section. Also, in the last paragraph, the second line was omitted and should read as follows: "in sizes 7 through 14 complying with this".

DEFENSE MANPOWER COMMISSION
MEETING

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that the Commissioners of the Defense Manpower Commission will meet on April 18, 1975, at 2 p.m. in the New Executive Office Building, Room 2010, 726 Jackson Place, NW., Washington, D.C. 20036.

The purpose of the meeting will be to conduct an in-progress review of issues in the Requirements Functional Area and such other business as may be presented by the members.

The meeting will be open to the public. Since meeting space is limited, interested persons wishing to attend should telephone 202/254-7803 before close of business April 16, 1975.

Dated: March 18, 1975.

BRUCE PALMER, Jr.,
General, USA (Ret.),
Executive Director.

[FR Doc. 75-7884 Filed 3-26-75; 8:45 am]

ENVIRONMENTAL PROTECTION
AGENCY

[FRL 353-2]

EFFLUENT STANDARDS AND WATER
QUALITY INFORMATION
ADVISORY COMMITTEE

Meeting

The Effluent Standards and Water Quality Information Advisory Committee is undertaking the development of an information base to establish feasible technical and economic applications of Best Available Technology (BAT) under Pub. L. 92-500 for U.S. Industry.

A series of workshops will be scheduled on selected industries in order to develop the inputs.

Task Forces will be established at these workshops consisting of ES&WQIAC and industry representatives for the purposes of assembling available data and establishing needs for additional data. A range of data formats have been developed by ES&WQIAC and will be mailed to interested parties on request. Comments on the utility and availability of the data prescribed on these forms should be directed to the ES&WQIAC headquarters. Call A.C. 703-557-7390 or write to Dr. Martha Sager, Chairman, ES&WQIAC or Mr. Martin Brossman, Executive Secretary, ES&WQIAC, EPA, Room 821, Crystal Mall, Bldg. #2, Washington, D.C. 20460.

The Planning Meeting for the workshops will be held on April 24, 1975 at 9 a.m. in Room 1112, Crystal Mall, Bldg. #2, 1921 Jefferson Davis Highway, Arlington, Virginia. The agenda for the meeting includes: a presentation by the Industrial Pollution Control Division of the Office of Research & Development (EPA) on its programs directed toward Best Available Technology (BAT); a discussion of proposed topics for BAT work-

shops received by ES&WQIAC; a review of comments on the data formats suggested by ES&WQIAC; and the establishment of task forces and industry workshops for future meetings on Best Available Technology.

The meeting will be open to the public and under the overall direction of the Committee Chairman. Since space is limited, call or write to Dr. Martha Sager, Chairman, or Mr. Martin Brossman, Executive Secretary, ES&WQIAC, EPA, Room 821, Crystal Mall, Bldg. #2, Washington, D.C. 20460 Telephone: A.C. 703-557-7390.

MARTHA SAGER,
Chairman, ES&WQIAC.

[FR Doc. 75-8125 Filed 3-26-75; 8:45 am]

RECEIPT OF APPLICATIONS FOR
PESTICIDE REGISTRATIONData To Be Considered in Support of
Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street SW, Washington D.C. 20460.

On or before May 27, 1975, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street SW., Washington D.C. 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However,

If claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after May 27, 1975.

Dated: March 21, 1975.

JOHN B. RITCH, JR.,
Director, Registration Division.

APPLICATIONS RECEIVED (OPP-32000/214)

- EPA File Symbol 2749-URG. Aceto Chemical Co., Inc., Agri. Chemicals Div., 126-02 Northern Blvd., Flushing NY 11368. FENTHION SPRAY CONCENTRATE INSECTICIDE. Active Ingredients: Fenthion (0,0-Dimethyl 0-[4-methylthio]-m-tolyl]phosphorothioate 45%; Xylene 47%. Method of Support: Application proceeds under 2(c) of interim policy. PM14
- 126-021-
- EPA Reg. No. 14651-4. Agricultural Enterprises, Inc., 933 West 6th, Fremont NB 68025. AGRI-BON LIVESTOCK SHAKER DUSTER. Active Ingredients: 2-chloro-1-(2,4,5-trichlorophenyl)vinyl dimethyl phosphate 3.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM14
- EPA File Symbol 12016-RR. Anderson-Stolz Corp., 1733 Walnut St., Kansas City, MO 64108. SOL-VET 302. Active Ingredients: Sodium pentachlorophenate 79%; Sodium salts of other chlorophenols and related compounds 11%. Method of Support: Application proceeds under 2(c) of interim policy. PM32
- EPA File Symbol 5667-A. Barrett Chemical Co., H & Luzerne Sts., Philadelphia, PA 19124. BARRETT'S DISINFECTANT CLEANER NO. 11. Active Ingredients: Didecyl dimethyl ammonium chloride 4.5%; Tetrasodium ethylenediamine tetraacetate 2.0%; Sodium carbonate 1.0%; Sodium metasilicate, anhydrous 0.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31
- EPA File Symbol 5667-L. Barrett Chemical Co. BARRETT'S DISINFECTANT CLEANER NO. 14. Active Ingredients: Didecyl dimethyl ammonium chloride 2.5%; Tetrasodium ethylenediamine tetraacetate 2.0%; Sodium carbonate 1.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31
- EPA File Symbol 5667-T. Barret Chemical Co. BARRETT'S DISINFECTANT CLEANER NO. 12. Active Ingredients: Didecyl dimethyl ammonium chloride 4.25%; Tetrasodium ethylenediamine tetraacetate 1.80%; Sodium carbonate 2.00%; Sodium metasilicate, anhydrous 0.50%. Method of Support: Application proceeds under 2(b) of interim policy. PM31
- EPA File Symbol 4313-LR. Carroll Co., 2900 W. Kingsley Rd., Garland TX 75041. OCIDE HOSPITAL CLEANER-DISINFECTANT. Active Ingredients: Isopropyl alcohol 15.5%; Disodium dodecylsulfate 8.4%; Tetrasodium ethylenediamine tetraacetate dodecyl benzene sulfonate 5.0%; Ortho-phenylphenol 4.5%; Ortho-benzyl para-chlorophenol 2.2%; Para-tertiary-pentylphenol 1.0%; Tetrasodium ethylenediamine tetraacetate 0.6%; Essential oils 0.1%. Method of Support: Application proceeds under 2(c) of interim policy. PM32
- EPA Reg. No. 5736-40. DuBois Chemicals, Div. of Chemed Corp., DuBois Tower, Cincinnati OH 45202. WATER BASE TROUNCE SYNTHETIC INSECT KILLER. Active Ingredients: (5-Benzyl-3-furyl) methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 0.200%; Related compounds 0.028%; d-trans Allethrin (allyl homolog of Cinerin I) 0.150%; Related compounds 0.012%; Aromatic petroleum hydrocarbons 0.272%. Method of Support: Application proceeds under 2(c) of interim policy. PM17
- EPA File Symbol 9444-UN. Cline-Buckner, Inc., 16317 Pluma Ave., Cerritos CA 90701. PURGE-REPELL CONCENTRATED AEROSOL INSECT KILLER. Active Ingredients: Pyrethrins 0.75%; Piperonyl Butoxide Technical 1.50%; N-Octyl bicycloheptene dicarboximide 2.50%; Di-n-propyl isocinchomeronate 1.00%; Petroleum Hydrocarbons 10.25%. Method of Support: Application proceeds under 2(c) of interim policy. PM17
- EPA Reg. No. 1927-43. Terminix/Div. of Cook Industries, Inc., PO Box 16902, Memphis TN 38112. TERMINIX MFG CONCENTRATE. Active Ingredients: Deodorized Kerosene 81.5%; Technical Piperonyl Butoxide 5.0%; Pyrethrins 1.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM17
- EPA File Symbol 6900-RLR. J. J. Dill Co., PO Box 788, Kalamazoo MI 49005. MALATHION 1-D MALATHION PREMIUM GRADE 1% DUST. Active Ingredients: Malathion (O,O-dimethyl phosphorodithioate of diethylmercaptosuccinate) 1.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM16
- EPA File Symbol 9232-RA. Federal International Chemicals, 1191 S. Wheeling Rd., Wheeling IL 60090. CONQUEST 256 NEUTRAL FRAGRANCE CLEANER-DISINFECTANT-DEODORANT. Active Ingredients: N-Alkyl (Myristyl 60%, Palmitoyl 30%, Lauryl 5%, Stearyl 5%) Dimethyl Benzyl Ammonium Chlorides 6.25%; N-Alkyl (Lauryl 68%, Myristyl 32%) Dimethyl Ethylbenzyl Ammonium Chlorides 6.25%; Tetrasodium Ethylenediamine Tetraacetate 3.60%; Ethanol 3.12%. Method of Support: Application proceeds under 2(b) of interim policy. PM31
- EPA File Symbol 11932-R. Good Housekeeper Maintenance Supplies, 906 Jacob St., Thomasville NC 27360. GHK DISINFECTANT CLEANER (19-a). Active Ingredients: Didecyl dimethyl ammonium chloride 4.5%; Tetrasodium ethylenediamine tetraacetate 2.0%; Sodium carbonate 1.0%; Sodium metasilicate, anhydrous 0.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31
- EPA File Symbol 1021-RGGL. McLaughlin Gormley King Co., 8810 Tenth Ave., N, Minneapolis MN 55427. D-TRANS INTERMEDIATE 2047. Active Ingredients: d-trans Allethrin (allyl homolog of Cinerin I) 7.2%; Piperonyl butoxide, technical [Equivalent to 25.92% (butylcarbityl) (6-propylpiperonyl) ether and 6.48% other related compounds] 32.4%; N-octyl bicycloheptene dicarboximide 18.0%; Petroleum distillate 2.4%. Method of Support: Application proceeds under 2(c) of interim policy. PM17
- EPA File Symbol 1021-RGVI. McLaughlin Gormley King Co., 8810 Tenth Ave., N, Minneapolis MN 55427. PYROCIDE INTERMEDIATE 7246. Active Ingredients: Pyrethrins 6.20%; Piperonyl butoxide, technical [Equivalent to 24.96% (butylcarbityl) (6-propylpiperonyl) ether and 6.24% related compounds] 31.20%; Petroleum distillate 62.60%. Method of Support: Application proceeds under 2(c) of interim policy. PM17
- EPA File Symbol 3298-EL. Murd Co., 2155 N. American St., Philadelphia PA 19122. ZURD CRAWLING INSECT KILLER. Active Ingredients: o-Isopropoxyphenyl methylcarbamate. 1.0%; Petroleum distillate 84.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM12
- EPA File Symbol 4029-EG. Oil Specialties & Refining Co., Inc., 18 Bridge St., Brooklyn NY 11201. DAIRY & LIVESTOCK SPRAY. Active Ingredients: Pyrethrins 0.15%; Piperonyl Butoxide, Technical 1.50%; Petroleum Distillate 98.35%. Method of Support: Application proceeds under 2(c) of interim policy. PM17
- EPA File Symbol 4029-ET. Oil Specialties & Refining Co., Inc. COMPACTOR AND KITCHEN INSECTICIDE SPRAY. Active Ingredients: Pyrethrins 0.12%; Piperonyl Butoxide, Technical 1.20%; Petroleum Distillate 0.48%. Method of Support: Application proceeds under 2(c) of interim policy. PM17
- EPA File Symbol 4029-EU. Oil Specialties & Refining Co., Inc. INDUSTRIAL WATER COOLING TOWER ALGAEICIDE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%. Method of Support: Application proceeds under 2(c) of interim policy. PM31
- EPA File Symbol 491-EEN. Selig Chemical Industries, PO Box 43106, Atlanta GA 30336. ULVP. Active Ingredients: (5-Benzyl-3-furyl)methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 4.22%; Related compounds 0.57%; Aromatic petroleum hydrocarbons 5.59%; Refined petroleum distillate 89.45%. Method of Support: Application proceeds under 2(c) of interim policy. PM17
- EPA File Symbol 499-RIA. Whitmire Research Laboratories, Inc., 3568 Tree Court Industrial Blvd., St. Louis, MO 63122. WHITMIRE PRESCRIPTION TREATMENT NO. 583. Active Ingredients: Pyrethrins 1.20%; Piperonyl butoxide, technical 2.40%; N-Octyl bicycloheptene dicarboximide 3.96%; Petroleum distillate 87.44%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

APPLICATIONS RECEIVED (OPP-32000/215)

- EPA File Symbol 34149-A. Beaumont Chem. Co., PO Box 509, Beaumont TX 77704. BUGHOUSE ROACH & ANT SPRAY. Active Ingredients: Pyrethrins 0.052%; Piperonyl Butoxide, Technical 0.260%; Chlorpyrifos (0,0-diethyl 0-(3,5,6-trichloro-2-pyridyl) Phosphorothioate 0.500%; Petroleum Distillate 98.736%. Method of Support: Application proceeds under 2(c) of interim policy. PM17
- EPA Reg. No. 106-44. Brullin & Co., Inc., PO Box 270-B, Indianapolis IN 46206. BRULLIN CDQ. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 1.6%; n-Alkyl (50% C12, 30% C14, 17% C16, 3% C18) dimethyl ethylbenzyl ammonium chlorides 1.6%; Essential Oils 0.6%; Monoethanolamine 3.5%. Method of Support: Application proceeds under 2(a) of interim policy. PM31
- EPA File Symbol 14794-G. Consolidated Water Treatment Corp., 5500 Government Blvd., Mobile AL 36609. FORMULA 400. Active Ingredients: Disodium cyanodithioimidocarbonate 4.90%; Potassium N-methylthiocarbamate 6.76%. Method of Support: Application proceeds under 2(b) of interim policy. PM22
- EPA Reg. No. 8446-3. McInnis Lab., 1300 B St., Meridan MS 39301. SUPER ANTI-FLY BLOCK. Active Ingredients: Phenothiazine 2.000%. Method of Support: Application proceeds under 2(c) of interim policy. PM14

EPA Reg. No. 2139-99. Nor Am Agricultural Products, Inc., Research & Development Center, 11710 Lake Ave., Woodstock IL 60098. CARZOL SP. Active Ingredients: Formetanate Hydrochloride 92%. Method of Support: Application proceeds under 2(a) of interim policy. PM12

EPA File Symbol 2217-AGE. PBI Gordon Corp., 300 S. 3rd St., Kansas City KS 66118. A U S 90 WET TECHNICAL 2,4-DICHLOROPHENOXACETIC ACID. Active Ingredients: 2,4-Dichlorophenoxyacetic Acid 90%. Method of Support: Application proceeds under 2(c) of interim policy. PM23

EPA File Symbol 773-LU. Pitman-Moore, Inc., PO Box 344, Washington Crossing NJ 08560. TELMIN B EQUINE WORMER. Active Ingredients: Trichlorfon [O,O-Dimethyl(2,2,2-trichloro-1-hydroxy ethyl)phosphonate] 37.50%; Mebendazole [Methyl 5-benzoyl-benzimidazole-2-carbamate] 8.33%. Method of Support: Application proceeds under 2(c) of interim policy. PM14

EPA Reg. No. 904-153. B. G. Pratt Div., Gabriel Chem. Ltd., 204 21st Ave., Paterson NJ 07509. EG 5 MALATHION SPRAY. Active Ingredients: Malathion 57%; Aromatic Petroleum Derivative Solvent 36%. Method of Support: Application proceeds under 2(c) of interim policy. PM16

EPA File Symbol 10742-A. Prinova Co., Inc., 982 Terminal Way, San Carlos CA 94070. LADRIN MILDEW PREVENTATIVE. Active Ingredients: Didecyl Dimethyl Ammonium Chloride 25%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA File Symbol 842-RRU. G. S. Robins & Co., 126 Chouteau Ave., St. Louis MO 63102. ROBINS 57% EMULSIFIABLE MALATHION. Active Ingredients: Malathion 57%; Aromatic Petroleum Derivative Solvent 34%. Method of Support: Application proceeds under 2(c) of interim policy. PM16

[FR Doc.75-7897 Filed 3-26-75;8:45 am]

[FRL 351-3; OPP-32000/216 & 217]

RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered In Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c) (1) (D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street SW., Washington, D.C. 20460.

On or before May 27, 1975, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c) (1) (D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the

data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street SW., Washington, D.C. 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after May 27, 1975.

Dated: March 21, 1975.

JOHN B. RITCH, JR.,
Director,
Registration Division.

APPLICATIONS RECEIVED (OPP-32000/216)

EPA File Symbol 4-EUE. Bonide Chem. Co., Inc., 2 Wurz Ave., Yorkville NY 13495. SLUG & SNAIL KILLER W/MESUROL. Active Ingredients: 3,5-Dimethyl-4-(methylthio)phenol methylcarbamate 2.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM12

EPA File Symbol 6959-UE. Cessco, Inc., PO Box 12452, Charlotte NC 28205. ACCUDOSE SPECIFIC DOSAGE AEROSOL FOR LARGE SCALE TREATMENT. Active Ingredients: Malathion (O,O-dimethyl dithiophosphate of diethyl mercaptosuccinate) 22.8000%; Betabutoxy beta-thiocycano diethyl ether 8.2680%; Petroleum Distillate 8.5320%; Pine Oil 0.4000%. Method of Support: Application proceeds under 2(c) of interim policy. PM16

EPA File Symbol 7478-UG. Chem Pak Co., PO Box 757, S. Miami FL 33143. SPRINGHILL ROSE FUNGICIDE SPRAY. Active Ingredients: Tetrachloroisophthalonitrile 50.0%; Dinitro (1-methylheptyl phenyl crotonate) 0.9%; Other nitro phenols and derivatives chiefly dinitro (1-methylheptyl) phenol 0.1%. Method of Support: Application proceeds under 2(c) of interim policy. PM13

EPA File Symbol 7478-UR. Chem Pak Co. FLORIDA CITRUS SPRAY. Active Ingredients: Copper Salts of Rosin and Fatty Acid (Copper as metallic % 24.0%; 1,1-bis (chlorophenyl) 2,2,2-trichloroethanol 4.0%; Malathion (O,O-dimethyl dithiophosphate of diethyl mercaptosuccinate) 12.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM13

EPA File Symbol 7478-UU. Chem Pak Co. SPRINGHILL ROSE SPRAY. Active Ingredients: Tetrachloroisophthalonitrile 15.00%; 1,1, Bis (Chlorophenyl) 2,2,2 Trichloroethanol 3.60%; Lindane (Gamma Isomer of Benzene Hexachloride) 5.00%; Toxaphene 10.00%; Dinitro (1-methylheptyl) phenyl crotonate and Dinitro (1-

methylheptyl) phenol and related compounds 1.25%; Sulphur 10.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM15

EPA Reg. No. 239-2211. Chevron Chem. Co., Ortho Div., 940 Hensley St., Richmond CA 94804. ORTHO DIFOLATAN 4 FLOWABLE. Active Ingredients: Captafol (cis-N-[(1,1,2,2-tetrachloroethyl) thio]-4-cyclohexene-1,2-dicarboximide) 39%. Method of Support: Application proceeds under 2(c) of interim policy. PM21

EPA File Symbol 6754-AA. Dettelbach Pesticide Corp., PO Box 9986, 4103 Peachtree Rd., N.E., Atlanta GA 30319. PROFESSIONAL ORKINICIDE PREPARED ANTI-COAGULANT RODENT BAIT #5. Active Ingredients: 3-(alpha-acetonylfurfuryl)-4-hydroxycoumarin 0.025%. Method of Support: Application proceeds under 2(c) of interim policy. PM11

EPA File Symbol 6754-AT. Dettelbach Pesticide Corp., PO Box 9986, 4111 Peachtree Rd., N.E., Atlanta GA 30319. PROFESSIONAL ORKIN MICE BAIT. Active Ingredients: 2-Pivalyl-1, 3-Indandione 0.025%. Method of Support: Application proceeds under 2(c) of interim policy. PM11

EPA File Symbol 5905-UUG. Helena Chem. Co., Clark Tower, 5100 Poplar Ave., Memphis TN 38137. HELENA MALATHION 8. Active Ingredients: Malathion (O,O-Dimethyl dithiophosphate of diethyl mercaptosuccinate) 80.4%. Method of Support: Application proceeds under 2(c) of interim policy. PM16

EPA File Symbol 20375-RN. Nutmeg Chem. Co., 125 Market St., New Haven CT 06513. NUTMEG NC-151. Active Ingredients: Sodium, 2,4,5-Trichlorophenate 85%. Method of Support: Application proceeds under 2(c) of interim policy. PM32

EPA File Symbol 3330-RL. Park-Hill Chem. Corp., 29 Bertel Ave., Mount Vernon NY 10560. PARKO RAT-BAN KILLS RATS AND MICE. Active Ingredients: Warfarin 3 - (a - acetonilybenzyl)-4-hydroxycoumarin 0.025%. Method of Support: Application proceeds under 2(c) of interim policy. PM11

EPA File Symbol 904-EGI. B. G. Pratt Div. Gabriel Chem. Ltd., 204 21st Ave., Paterson NJ 07509. PRATT RESMETHRIN MOSQUITO CONCENTRATE 40. Active Ingredients: (5-Benzyl-3-furyl)methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropane carboxylate 40.00%; Related compounds 5.45%; Aromatic Petroleum Hydrocarbons 52.95%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA File Symbol 4981-LU. Redwood Chem. Co., PO Box 45916, Houston TX 77045. REDWOOD CMTA ANT AND ROACH RESIDUAL AND CONTACT SPRAY. Active Ingredients: (5 - Benzyl - 3 - furyl)methyl 2, 2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 0.100%; Related compounds 0.014%; 0,0-diethyl-0-(2-isopropyl-4-methyl-6-pyrimidinyl)phosphorothioate 0.500%; Aromatic petroleum hydrocarbons 0.132%; Petroleum distillate 98.750%. Method of Support: Application proceeds under 2(c) of interim policy. PM14

EPA File Symbol 36488-R. Reuter Labs., 7555 Gary Rd., Manassas VA 22110. MILKY SPORE. Active Ingredients: A mixed culture of not less than 100 million viable spores of resistant stages of either or both Bacillus popilliae or Bacillus lentimorbus per gram of inert powder. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA File Symbol 707-REA. Rohm and Haas, Independence Mall W., Philadelphia PA 19105. Active Ingredients: 5-chloro-2-methyl-4-isothiazolin-3-one calcium chloride 56.0%; 2-methyl-4-isothiazolin-3-one calcium chloride 15.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM22

APPLICATIONS RECEIVED (OPP-32000/217)

EPA File Symbol 36532-R. Better Water Corp., 500 C Allied Dr., Nashville TN 37211. BIO-209. Active Ingredients: Disodium cyanodithiolimidocarbonate 3.68%; Potassium N-methylthiocarbamate 5.07%. Method of Support: Application proceeds under 2(b) of interim policy. PM22

EPA File Symbol 30948-RT. Bionomical Chem. and Services, Inc., 1003 Pineville Rd., Chattanooga TN 37405. PB-101 READY-TO-USE LIQUID WEED KILLER. Active Ingredients: Pentachlorophenol 1.76%; 2,3,4,6-Tetrachlorophenol 0.24%; Aromatic Petroleum Derivative 23.00%; Petroleum Distillate 75.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM24

EPA File Symbol 7478-UE. Chem-Pak Co., PO Box 767, S. Miami FL 33143. KOPPER KOTE EMULSIFIABLE LIQUID COPPER FUNGICIDE. Active Ingredients: Copper Salts of Rosin and Fatty Acids (Copper as Metallic 4%) 48.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM22

EPA File Symbol 7478-GO. Chem-Pak Co., PO Box 757, S. Miami FL 33143. LAWN KEEPER TURF FUNGICIDE. Active Ingredients: Tetrachloroisophthalonitrile 50.0%; Thiram (Tetra Methyl Thiram Disulfide) 7.0%; Captan (N-trichloromethylmercapto-4-cyclohexene-1, 2-bicarboximide) 10.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM21

EPA Reg. No. 1109-20. Cities Service Co., Copperhill Operations, PO Drawer 50360, Atlanta GA 30302. COPPER SULFATE GRANULAR CRYSTALS. Active Ingredients: Copper Sulfate (Pentahydrate) 99%. Method of Support: Application proceeds under 2(c) of interim policy. PM24

EPA File Symbol 9444-UE. Cline-Buckner, Inc., 16317 Pluma Ave., Cerritos CA 90701. PURGE INSPECT REPELLENT LOTION. Active Ingredients: N,N-Diethyl-m-toluamide 8.31%; Other Isomers 0.44%; N-Octyl bicycloheptene dicarboximide 2.50%; 2,3,4,5-Bis (2-butylene) tetrahydro-2-furaldehyde 0.62%; Di-n-propyl isochromeronate 0.62%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA File Symbol 9444-UG. Cline-Buckner, Inc., 16317 Pluma Ave., Cerritos CA 90701. NEW PURGE IV ONCE-A-DAY CONCENTRATED AEROSOL INSECT KILLER. Active Ingredients: Pyrethrins 1.00%; Piperonyl Butoxide Technical 2.00%; N-octyl bicycloheptene dicarboximide 3.34%; Petroleum Hydrocarbons 13.66%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA File Symbol 35911-R. Richard Conn, Inc., 17200 W. 10 Mile Rd., Southfield MI 48075. R-C ADSAN HEAVY-DUTY GERMICIDE. Active Ingredients: Octyl Decyl Dimethyl Ammonium Chloride 4.50%; Dioctyl Dimethyl Ammonium Chloride 2.25%; Didecyl Dimethyl Ammonium Chloride 2.25%; Tetrasodium Ethylenediamine Tetraacetate 2.40%; Isopropyl Alcohol 3.60%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA File Symbol 2496-EN. The General Pest Control Co., 3561 W. 105th St., Cleveland OH 44111. MYSTIC GENERAL PURPOSE INSECT SPRAY AQUEOUS. Active Ingre-

dients: Pyrethrins 0.1%; Piperonyl Butoxide, Technical 1.0%; Petroleum Distillate 0.4%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA File Symbol 6993-LL. Germain's Inc., 4820 E., 50th St., Los Angeles CA 90058. GERMAIN'S INSECT SPRAY FOR TENDER FOLIAGE PLANTS. Active Ingredients: Tetramethrin 0.250%; Related compounds 0.034%; (5-Benzyl-3-furyl)methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 0.106%; Related compounds 0.014%; Petroleum Distillate 9.000%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA Reg. No. 5905-217. Helena Chem. Co., Suite 2900 Clark Tower, 5100 Poplar Ave., Memphis TN 38137. HELENA HEL-FIRE. Active Ingredients: Dinoseb (2-sec-butyl-4,6-dinitrophenol) 24.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM23

EPA File Symbol 6905-UUU. Helena Chem. Co., Suite 2900 Clark Tower, 5100 Poplar Ave., Memphis TN 38137. HELENA DIAZINON 40W INSECTICIDE. Active Ingredients: 0,0-diethyl 0-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 40%. Method of Support: Application proceeds under 2(c) of interim policy. PM14

EPA File Symbol 84774-R. Hertz Pools, 7206 N. Western Ave., Oklahoma City OK 73116. ALGI-RID CONCENTRATE. Active Ingredients: Poly(oxyethylene(dimethyliminio)ethylene(dimethyliminio)-ethylene dichloride) 60.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM34

EPA File Symbol 9369-R. D. L. Johnson Co., Route 9 Box 268, Pensacola FL 32503. JOHNSON'S MANGE MAGIC FOR DOGS. Active Ingredients: Lined Oil 92.00%; Sulfur 4.00%; Gum Thus 2.00%; Oil of Pine 1.00%; Iodine 0.125%; Creosote 0.50%; Phenol 0.25%; Camphore 0.125%. Method of Support: Application proceeds under 2(c) of interim policy. PM14

EPA File Symbol 8220-EU. Lambert Kay Div. of Carter-Wallace, Inc., PO Box 11523, Santa Ana CA 92711. CONCENTRATED TICK & FLEA POWDER FOR DOGS. Active Ingredients: Pyrethrins 0.10%; Piperonyl Butoxide, Technical 1.00%; Carbaryl (1-Naphthyl N-methylcarbamate) 5.00%; Silica Gel 40.00%; Base Oil 4.90%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA File Symbol 8220-EL. Lambert Kay Div. of Carter-Wallace, Inc., PO Box 11523, Santa Ana CA 92711. CONCENTRATED FLEA & TICK POWDER FOR CATS AND DOGS. Active Ingredients: Pyrethrins 0.10%; Piperonyl Butoxide, Technical 1.00%; Carbaryl (1-Naphthyl N-methylcarbamate) 5.00%; Silica Gel 40.00%; Base Oil 4.90%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA File Symbol 995-UT. The Mackwin Co., 25 McConnon Dr., Winona MN 55987. C-RIO PELLETED BAIT. Active Ingredients: Warfarin (3-Alpha-Acetylbenzyl)-4-Hydroxycoumarin) 0.025%. Method of Support: Application proceeds under 2(c) of interim policy. PM11

EPA File Symbol 4476-TU. Morton Pharmaceuticals, Inc., 1625-39 N. Highland, Memphis TN 38108. INSECT SPRAY. Active Ingredients: (5-Benzyl-3-furyl)methyl 2,2-dimethyl-3-(2-methylpropenyl)cyclopropanecarboxylate 0.200%; Related compounds 0.028%; d-trans Allethrin (allyl homolog of Cinerin I) 0.150%; Related compounds 0.012%; Aromatic petroleum hydrocarbons 0.272%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA File Symbol 4476-TG. Morton Pharmaceuticals, Inc. PET SPRAY. Active Ingredients: (5-Benzyl-3-furyl)methyl 2,2-dimethyl-3-(2-methylpropenyl)cyclopropanecarboxylate 0.200%; Related compounds 0.028%; d-trans Allethrin (allyl homolog of Cinerin I) 0.150%; Related compounds 0.012%; Aromatic Petroleum hydrocarbons 0.272%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA File Symbol 4476-TE. Morton Pharmaceuticals, Inc. HOUSE & GARDEN SPRAY. Active Ingredients: (5-Benzyl-3-furyl)methyl 2,2-dimethyl-3-(2-methylpropenyl)cyclopropanecarboxylate 0.200%; Related compounds 0.028%; d-trans Allethrin (allyl homolog of Cinerin I) 0.150%; Related compounds 0.012%; Aromatic petroleum hydrocarbons 0.272%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA File Symbol 1706-RUL. Nalco Chem. Co., 6216 W. 66th Place, Chicago IL 60638. NALCO 45W-375. Active Ingredients: n-alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5%; n-alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%. Method of Support: Application proceeds under 2(c) of interim policy. PM31

EPA File Symbol 1769-EAA. National Chemsearch, Div. of USACHEM, Inc., 2727 Chemsearch Blvd., Irving TX 75062. NATIONAL CHEMSEARCH AL-CHEK WATER TREATMENT MICROBIOCID. Active Ingredients: Didecyl dimethyl ammonium chloride 5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA File Symbol 904-EUN. B. G. Pratt Div. Gabriel Chem. Ltd., 204 21st Ave., Paterson NJ 07509. DURSBAN 2 EC. Active Ingredients: Chlorpyrifos [O,O-diethyl O-(3,5,6-trichloro-2-pyridyl) phosphorothioate] 24.9%; Aromatic petroleum derivative solvent 53.7%. Method of Support: Application proceeds under 2(c) of interim policy. PM12

EPA File Symbol 904-EGO. B. G. Pratt Div. Gabriel Chem. Ltd., 204 21st Ave., Paterson NJ 07509. PRATT 3610 FOGGING CONCENTRATE. Active Ingredients: Pyrethrins 3%; Piperonyl butoxide, technical 6%; N-octyl bicycloheptene dicarboximide 10%; Petroleum distillate 81%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA File Symbol 21270-RE. E. Targosz & Co., 736 Estes, Schaumburg IL 60172. CONSERVE II. Active Ingredients: Didecyl dimethyl ammonium chloride 2.5%; Tetrasodium ethylenediamine tetraacetate 2.0%; Sodium carbonate 1.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA File Symbol 21270-RR. E. Targosz & Co., 736 Estes, Schaumburg IL 60172. TARGOSZ GERMICIDE PLUS. Active Ingredients: Octyl Decyl Dimethyl Ammonium Chloride 3.750%; Dioctyl Dimethyl Ammonium Chloride 1.875%; Didecyl Dimethyl Ammonium Chloride 1.875%; Alkyl (C14 50%, C12 40%, C16 10%) Benzyl Dimethyl Ammonium Chloride 5.000%; Tetrasodium Ethylenediamine Tetraacetate 3.420%; Isopropyl Alcohol 3.000%; Ethyl Alcohol 1.000%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA File Symbol 27588-E. Water Conditioning Consultants, PO Box 8208, 1651 E. Edinger Ave., Fountain Valley CA 92708. FORMULA 30 CONTAINS 2.25% ELEMENTAL COPPER. Active Ingredients: Copper Sulfate 5.625%. Method of Support: Application proceeds under 2(c) of interim policy. PM24

EPA Reg. No. 2935-363. Wilbur-Ellis Co., Agricultural Chem. Div., Old Highway 99 at Cedar, PO Box 1286, Fresno CA 93715. RED-TOP METHYL PARATHION 5 SPRAY. Active Ingredients: O,O-Dimethyl O-p-nitrophenyl thiophosphate 54.5%; Xylene 40.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM12

EPA File Symbol 5427-AN. Wright Chem. Corp., 1319 Wabansia Ave., Chicago IL 60622. WRICO-TQA. Active Ingredients: n-alkyl (C14 60%, C16 30%, C12 5%, C18 5%) dimethyl benzyl ammonium chlorides 20.0%; n-bis (tributyltin) oxide 4.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM31

REPUBLISHED ITEMS

The following represent changes to the list of Applications Received published in the FEDERAL REGISTER February 28, 1975 (40 FR 8598):

EPA File Symbol 11556-LR. Cutter Animal Health Lab., Div. Bayvet Corp., PO Box 390, Shawnee KS 66201. MY PAL INSECTICIDE SHAMPOO. Method of Support: Application proceeds under 2(b) of interim policy rather than 2(c) as cited.

EPA File Symbol 569-AT. Haver-Lockhart Lab., Div. Bayvet Corp., PO Box 390, Shawnee KS 66201. SENDRAN INSECTICIDE SHAMPOO FOR DOGS AND CATS. Method of Support: Application proceeds under 2(b) of interim policy rather than 2(c) as cited.

The following represents a change to the list of Applications Received published in the FEDERAL REGISTER February 27, 1975 (40 FR 8380):

EPA File Symbol 11556-LN. Cutter Animal Health Lab., Div. Bayvet Corp., PO Box 390, Shawnee KS 66201. MY PAL TICK AND FLEA DAB-ON. Method of Support: Application proceeds under 2(b) of interim policy rather than 2(c) as cited.

[FR Doc.75-7898 Filed 3-26-75; 8:45 am]

[FRL 351-5; OPP-180013A]

TENNESSEE VALLEY AUTHORITY

Amendment to Specific Exemption To Use 2,4-D To Control Eurasian Watermilfoil

On May 29, 1974, the Environmental Protection Agency (EPA) granted a specific exemption to the Tennessee Valley Authority (TVA) to use the butoxyethanol ester of 2,4-dichlorophenoxy acetic acid (2,4-D) for control of Eurasian watermilfoil (*Myriophyllum spicatum* L.). This control program was to take place in the waters of eight TVA reservoirs on the Tennessee River and its tributaries.

On March 5, 1975, the EPA received an application from the TVA requesting that the specific exemption granted be renewed for calendar year 1975. The 1975 control program calls for using 397,800 pounds of 2,4-D to treat the eight reservoirs mentioned previously. These reservoirs contain 284,600 acres of water surface; 9,870 surface acres of this total

contain Eurasian watermilfoil infestations which require herbicide treatment during the coming season.

This application is in accordance with the provisions of section 18 (40 CFR Part 166) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (86 Stat 793 U.S.C. 136). Part 166 was issued on December 3, 1973 (38 FR 33303), and prescribes the requirements for exemption of Federal and State agencies for the use of pesticides under emergency conditions.

This notice does not indicate a decision by this Agency on the application. Interested parties may review the application in the Office of the Director, Registration Division (WH-567), Office of Pesticide Programs, EPA, 401 M St. SW., Room E-347, Washington, D.C. 20460.

Dated: March 19, 1975.

JAMES L. AGEE,
Assistant Administrator for
Water and Hazardous Materials.

[FR Doc.75-7900 Filed 3-26-75; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 20260, 20261; File Nos. 5850-C2-P-(3)-70, 1104-C2-P-70; FCC 75R-116]

ANSWERPHONE, INC. AND THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH CO.

Memorandum Opinion and Order Enlarging Issues

In the matter of applications of Answerphone, Inc., Denver, Colorado, and the Mountain States Telephone and Telegraph Company, Denver, Colorado, for construction permits to establish new air-ground facilities in the Domestic Public Land Mobile Radio Service.

1. The above-captioned mutually exclusive applications for construction permits to establish new air-ground facilities in the Domestic Public Land Mobile Radio Service (DPLMRS) in Denver, Colorado, were designated for hearing by Commission Memorandum Opinion and Order, 39 FR 43245, published on December 11, 1974, on the following issues:

(a) To determine on a comparative basis the nature and extent of services proposed by each applicant.

(b) To determine, in light of the evidence adduced pursuant to the foregoing issues, which, if either, of the above-captioned applicants would better serve the public interest, convenience and necessity.

Now before the Review Board is a motion to clarify and enlarge issues,¹ filed De-

¹ Also before the Review Board are the following related pleadings: (a) petition for acceptance of late-filed motion to clarify and enlarge issues, filed December 27, 1974, by Answerphone; (b) opposition, filed January 9, 1975, by the Common Carrier Bureau; (c) opposition, filed January 9, 1975, by Mountain Bell; and (d) reply, filed January 21, 1975, by Answerphone. Answerphone's petition for acceptance of its late-filed motion to clarify and enlarge issues is unopposed, it contains an adequate showing of good cause for the brief delay in filing, and it will therefore be granted.

ember 27, 1974, by Answerphone, Inc. (Answerphone) seeking clarification of the above-designated issues and addition of the following issues against the Mountain States Telephone and Telegraph Company (Mountain Bell):

a. To determine the manner in which each applicant proposes to provide for management arrangement at the local level and the effect of such management on the efficiency of the proposed service.

b. To determine the plans of each applicant for the establishment of procedures necessary to permit local aircraft operators to obtain access to the system and its plans to promote an efficient, high quality service to the area.

c. To determine, in light of the Government's antitrust action against American Telephone and Telegraph Company and its subsidiaries and the Commission's decision in *Chastain et al. v. AT&T*, 43 FCC 2d 1079, 28 RR 2d 1343 (1973), recon. den., 49 FCC 2d 749, 31 RR 2d 1487 (1974), whether the Mountain States Telephone and Telegraph Company should be disqualified from being the licensee of its proposed station.

2. Answerphone, in support of the requested issues, essentially relies on the same allegations as are contained in a recent series of motions to clarify and enlarge issues involving Bell System operating company stations² and non-Bell stations in proceedings for construction permits to establish new air-ground DPLMRS facilities.³ Since we have already considered and ruled on almost identical requests for issues predicated on the same allegations and arguments in a Memorandum Opinion and Order, James D. and Lawrence D. Garvey, d/b/a Radiofone, FCC 75R-111, adopted this same date, no useful purpose would be served by reiterating our disposition here.

3. Accordingly, it is ordered, That the petition for acceptance of late-filed motion to clarify and enlarge issues, filed December 27, 1974, by Answerphone, Inc., is granted; and

4. It is further ordered, That the motion to clarify and enlarge issues, filed December 27, 1974, by Answerphone, Inc., is granted to the extent indicated herein, and is denied in all other respects; and

5. It is further ordered, That the issues in this proceeding are enlarged by the addition of the following issue:

To determine the effect of the Commission's decision in *Chastain et al. v. AT&T*, 43 FCC 2d 1079, 28 RR 2d 1343

² Approximately 88 percent of Mountain Bell's stock is owned by the American Telephone and Telegraph Company.

³ See Memorandum Opinion and Orders designating: (1) the air-ground applications of James D. and Lawrence D. Garvey, d/b/a Radiofone and South Central Bell Telephone Company, 39 FR 42025, published December 4, 1974; (2) the air-ground applications of Answerphone, Inc. and the Mountain States Telephone and Telegraph Company, 39 FR 43245, published December 11, 1974; and (3) the air-ground applications of Roy M. Teel d/b/a Houston Radiophone Service and Southwestern Bell Telephone Company, 39 FR 43583, published December 26, 1974.

(1973), *recon. den.*, 49 FCC 2d 749, 31 RR 2d 1487 (1974), on the basic and/or comparative qualifications of the Mountain States Telephone and Telegraph Company to be a Commission licensee.

6. *It is further ordered*, That the burden of proceeding with the introduction of evidence under the issue added herein shall be upon Answerphone, Inc., and the burden of proof shall be upon the Mountain States Telephone and Telegraph Company.

7. *It is further ordered*, That if favorable action is taken on the application of the Mountain States Telephone and Telegraph Company for construction of an air-ground station in Denver, Colorado, any such grant will be made subject to the following condition:

This grant is without prejudice to whatever action, if any, the Commission may deem appropriate as a result of the pending civil action entitled *United States v. American Telephone and Telegraph Company, Western Electric Company, Inc., and Bell Telephone Laboratories, Inc.*, (Civil No. 74-1698), filed November 20, 1974, in the United States District Court for the District of Columbia.

Adopted: March 17, 1975.

Released: March 21, 1975.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.75-7924 Filed 3-26-75;8:45 am]

CABLE TELEVISION TECHNICAL ADVISORY COMMITTEE (CTAC) STEERING COMMITTEE

Meeting

Pursuant to section 10 of the Federal Advisory Act, (5 U.S.C. App. I § 10) (Supp. II, 1972), notice is hereby given of a meeting of the CTAC Steering Committee on April 15, 1975, to be held at the Bacchus Room, Marriott Hotel, New Orleans, Louisiana. The meeting is scheduled to commence at 2 p.m.

The agenda is as follows:

(1) Review and approval of Final Steering Committee Report.

(2) New Business.

(3) Adjournment.

Any member of the public may attend or file a written statement with the Committee either before or after the meeting. Any member of the public wishing to make an oral statement must consult with the Committee prior to the meeting. Inquiries may be directed to Mr. A. M. Rutkowski, FCC, 1919 M St. NW. Washington, D.C. 20554-(202) 632-9797.

Dated: March 20, 1975.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.75-7923 Filed 3-26-75;8:45 am]

**FEDERAL COUNCIL ON THE AGING
TASK FORCE ON SERVICES TO THE
FRAIL ELDERLY**

Meeting

The Federal Council on the Aging was established by the 1973 amendments to the Older Americans Act of 1965 (Pub. L. 93-29), for the purpose of advising the President, the Secretary of Health, Education, and Welfare, the Commissioner on Aging, and the Congress on matters relating to the special needs of older Americans.

Notice is hereby given, pursuant to Pub. L. 92-463 that the Council Task Force on Services to the Frail Elderly will hold a meeting on April 16, 1975. The meeting will be in Room 4549 Donohoe Building, 400 Sixth Street, SW., Washington, D.C. from 10 a.m. to 3 p.m. Agenda: further development of issues in services to the frail elderly; clarification of the issues; elements of coordinated responsibility of efforts in the area of the problems of the frail elderly; assignment of community responsibility in the study of questions on the frail elderly; community linkages to be developed with other national bodies interested in this subject.

This meeting open for public observation.

Further information on the Council may be obtained from Cleonice Tavani, Executive Director, Federal Council on the Aging, Room 4022, Donohoe Building, 400 Sixth Street, SW., Washington, D.C. 20201, telephone: (202) 245-0441.

Dated: March 20, 1975.

CLEONICE TAVANI,
Executive Director,
Federal Council on the Aging.

[FR Doc.75-7950 Filed 3-26-75;8:45 am]

**FEDERAL ENERGY
ADMINISTRATION**

**RETAIL DEALERS ADVISORY
COMMITTEE**

Change in Meeting Date

This notice is given to advise of a change in date of the meeting for the Retail Dealers Advisory Committee. The Committee will meet at 9 a.m., Room 3400, 12th & Pennsylvania Avenue, NW., Washington, D.C., Friday, April 11, 1975, rather than Friday, March 28, 1975 as previously announced. A notice of meeting was published in the issue of March 14, 1975 (40 FR 11936).

Issued at Washington, D.C., on March 24, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel.

[FR Doc.75-8018 Filed 3-26-75;8:45 am]

TRANSFER PRICING REPORT

**Exemption From Reporting for Certain
Crudes**

The Federal Energy Administration has received a request that sales and

purchases for Argentina and Australia need not be reported on Schedule D of FEA's Transfer Pricing Report (FEA-F701-M-O). The request is based upon the following provision in the instructions for Schedule D:

A firm may request of the Office of General Counsel of FEA, pursuant to Subpart G of Part 205 of 10 CFR, that certain sales or purchases need not be reported on the grounds that the crude oil is produced in countries for which no commercial volumes are exported to the United States. Firms should, however, report such sales and purchases unless the request is granted.

FEA has determined that no commercial volumes of crude oil produced in Argentina and Australia are exported to the United States. FEA has also determined that no commercial volumes of crude oil produced in Iraq are exported to the United States. Sales and purchases for these countries, accordingly, need not be reported on Schedule D of the Transfer Pricing Report until such time as FEA determines that commercial volumes are being exported to the United States or otherwise determines that reporting shall be required.

Dated: March 24, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel,
Federal Energy Administration.

[FR Doc.75-7925 Filed 3-26-75;8:45 am]

FEDERAL MARITIME COMMISSION

D.B. TURKISH CARGO LINES

Notice of Petition Filed

Notice is hereby given that the following petition has been filed with the Commission for approval pursuant to section 14b of the Shipping Act, 1916, as amended (75 Stat. 762, 46 U.S.C. 813a).

Interested parties may inspect a copy of the current contract form and of the petition, reflecting the changes proposed to be made in the language of said contract, at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126 or at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments with reference to the proposed changes and the petition, including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, 1100 L Street, NW., Washington, D.C. 20573, on or before April 16, 1975. Any person desiring a hearing on the proposed modification of the contract form and/or the approved contract system 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 petition, (as indicated hereinafter), and the statement should indicate that this has been done.

Notice of Modification of Dual Rate Contract Filed by:

Mr. E. J. McAteer
Charrier, McAteer & Fettig
1776 K Street, NW.
Washington, D.C. 20006

The proposed modification revises D.B. Turkish Cargo Lines' Merchant's Freight Contract to conform more closely to the form of contract contained in the Commission's General Order 19.

By Order of the Federal Maritime Commission.

Dated: March 24, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-8034 Filed 3-26-75; 8:45 am]

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Certificates Issued

Notice is hereby given that the following vessel owners and/or operators have established evidence of financial responsibility, with respect to the vessels indicated, as required by section 311(p)(1) of the Federal Water Pollution Control Act, and have been issued Federal Maritime Commission certificates of Financial Responsibility (Oil Pollution) pursuant to Part 542 of Title 46 CFR.

CERTIFICATE No.	OWNER/OPERATOR AND VESSELS
01026...	Terkildsen & Olsen A/S: <i>Okapi</i> .
01069...	Oglebay Norton Co.: <i>Thomas Wilson</i> .
01426...	Kuwait Shipping Company (S.A.K.): <i>IBN Rushd</i> .
01435...	Chapman and Willan Limited: <i>Federal Wear</i> .
02146...	Pittston Marine Transport Corporation: <i>Westchester</i> .
02198...	Peninsular & Oriental Steam Navigation Company: <i>LNG Challenger</i> .
02218...	Christian Haaland: <i>Nyholt</i> .
02319...	A/R Seljan: <i>Caloric</i> .
02333...	Diamond Shamrock Corporation: <i>DSC 553, DSC 554, STAR 516, STAR 514, STAR 515, STAR 517</i> .
02358...	A/S Ganger Rolf-A/S Bonheur-A/S Gorga-Den Norske Middelhavslinje A/S-A/S Jelolinjen: <i>Sea Bure</i> .
02858...	Intermarine Inc.: <i>Ivory</i> .
02949...	Valley Towing Service Inc.: <i>Sinclair 7, Sinclair 9, Sinclair 16, Sinclair 17</i> .
02975...	Venture Shipping (Managers) Limited: <i>Belladonna Venture</i> .
03137...	The Cunard Steam-Ship Company Limited: <i>Lucellum, Lucerna</i> .
03357...	Kirno Hill Corporation: <i>Simandou</i> .
03474...	Nippon Suisan K.K.: <i>Mineshima Maru, Shikishima Maru, Keiko Maru, Kashima Maru, Suzukaze Maru, Sachikaze Maru, Suzuka Maru, Shirane Maru, Okuni Maru</i> .

CERTIFICATE No.	OWNER/OPERATOR AND VESSELS
03597...	Felicitas Rickmers-Linie Kommanditgesellschaft & Co.: <i>Sophie Rickmers, Paul Rickmers</i> .
03746...	Midwest Towing Co. Inc.: <i>Gopher State</i> .
03879...	Zapata Haynie Corporation: <i>Earl J. Conrad, Jr., Northumberland, Landcaster, John S. Dempster, Jr., Mance Lassiter, W. T. James, Jr., John D. Deihl, J. Frank Jett, Allen W. Haynie, Ammon G. Dunton, Breton Sound, Oyster Bayou, Zapata Trinity Bay, Sandy Point, Rachel Burton, Carl Burton, Zapata Shell Key, Zapata Timberlert Bay, Zapata Atchajalaya Bay, Barataria Bay, Terrebone Bay, Vermillion Bay, Tiger Point, Galveston Bay, Grand Calliou, Cote Blanche Bay, Marsh Island, Raccoon Point, W. J. Burton, Q. O. Dunn, Willard P. Leboeuf, Crochet 300, ZMS-D-10, Crochet 250</i> .
03971...	Korea Shipping Corporation: <i>Kim Hae</i> .
04113...	Mon River Towing Inc.: <i>MRBL-88, MRBL-24, MRT-110</i> .
04240...	Petroleo Brasileiro S.A.: <i>Alagoas, Amazonas, Amapa, Atalaia</i> .
04314...	Jadranska Slobodna Plovidba: <i>Podgora</i> .
04437...	Lebeouf Bros. Towing Co. Inc.: <i>Creole 1, Creole 2, Creole 3</i> .
04488...	Fukuju Kogyo Kabushiki Kaisha: <i>Fukuju Maru No. 11</i> .
04489...	Otoshiro Gyogyo K.K.: <i>Otoshtro Maru No. 7, Otoshtro Maru No. 8</i> .
04544...	Mr. Yosuke Kawaguchi: <i>Seishu Maru No. 18</i> .
04673...	Antonio Menchaca, S.A.: <i>Acuario, Geminis</i> .
04803...	Brent Towing Company, Inc.: <i>B-731</i> .
05347...	Loffland Brothers Company: <i>Orville L. Fisher, Gulf Coast No. 2, No. 9, No. 10, No. 11</i> .
05401...	Tracor Marine, Inc.: <i>F.V. Hunt, H.J.W. Fay</i> .
05577...	Far Eastern Shipping Company: <i>Vihuyes</i> .
05579...	Black Sea Shipping Co.: <i>Kapitan Georgiy Bagley, Kapitan Lev Solovjev, Kapitan Alekseyev</i> .
05631...	Manson Construction and Engineering Co.: <i>Mansan No. 1</i> .
05767...	Neptune Orient Lines Limited: <i>Neptune Jade</i> .
05773...	Paducah Marine Ways Inc.: <i>MV-287</i> .
06073...	Marine Drilling Co.: <i>J Storm 1, Stormdrill V, Cee Bee 15, Cee Bee 16, Cee Bee 17, Cee Bee 18, Cee Bee 19, Cee Bee 20, Cee Bee 21, Cee Bee 22, Vermillion Bay Rig 6, Rig 8, J. Storm III</i> .
06114...	Masahel Yamamoto: <i>Seishumaru No. 28</i> .
06188...	Idemitsu Tanker, K.K.: <i>Akama Maru, Miyata Maru, Tokuyama Maru</i> .
06248...	Commercial Corporation "Sovrybflot": <i>Kvadrant, Polsk, Lira</i> .
06409...	India Steamship Co. Ltd.: <i>Indian Prestige</i> .
06806...	Korea Marine Transport Co., Ltd.: <i>Korean Pearl</i> .
06937...	K.K. Usufuku Honten: <i>Shofuku Maru No. 68</i> .
06995...	Novorossiysk Shipping Company: <i>Maikop</i> .
07145...	Dal-Ho Industrial Co. Ltd.: <i>Sunlight No. 26</i> .
07151...	Sea Containers Chartering Ltd.: <i>Dorli</i> .

CERTIFICATE No.	OWNER/OPERATOR AND VESSELS
07290...	Hollywood Terminals, Inc.: <i>Debbie</i> .
07307...	Nagashiki Kisen K.K.: <i>Takushio Maru</i> .
07361...	Mr. Yasochi Nakamura: <i>Kaicomaru No. 55</i> .
07527...	Korea Line Corporation: <i>Blue Bell</i> .
07593...	Oleandrus Shipping Company Ltd.: <i>Hyacinth</i> .
07951...	Addax Tanker Corporation: <i>Arabian Addax</i> .
08071...	Anglo Nordic Bulkships (Management) Ltd.: <i>Nordic Leader, Nordic Mariner</i> .
08188...	Caribbean Marine Service Company, Inc.: <i>Gina Anne</i> .
08457...	Louisiana Towboat Co., Inc.: <i>Mr. Paul</i> .
08530...	Prompt Shipping Corp. Ltd.: <i>Caspian Career</i> .
08885...	Onestar shipping company S.A.: <i>Onestar</i> .
09021...	Daeyang Shipping Corp. Ltd.: <i>Enterprise Pioneer</i> .
09267...	Oy enso-Chartering AB: <i>Finnreel</i> .
09358...	Zenith Dredge Company: <i>Duluth, Adele, Faith, No. 16, No. 17</i> .
09385...	Leland Towing Corp.: <i>Glenda S, Joey Kulbeth</i> .
09395...	Interoceangas Tankers Management, S.A.: <i>Galileo, Claude</i> .
09403...	East & West Steamship Co. (1961): <i>Ruston</i> .
09433...	Hinode Gyogyo Kabushiki Kaisha: <i>Hinode Maru No. 53</i> .
09456...	Corinth Bay Shipping Company Limited: <i>Elmela</i> .
09457...	Ajax Shipping Company Limited: <i>Eljumbo</i> .
09545...	Maytide Line Co., Ltd.: <i>Yue on</i> .
09549...	Posidon Shipping Inc. Panama: <i>Aghios Gerassimos</i> .
09566...	Houshin Katun K.K.: <i>Koshin Maru</i> .
09582...	Citation Carriers Inc.: <i>Eastern Oak</i> .
09584...	Dong Sung Marine Transport Co., Ltd.: <i>Dong Moon, Dong Moon No. 3</i> .
09621...	Gatx Bulk-Carriers Belgium N.V.: <i>Martha</i> .
09622...	Man Cheung Yuen Services Limited: <i>Everjust</i> .
09673...	Duval Corporation: <i>Duval 1, Duval 2, Duval 3</i> .
09687...	Gladders Barge Line, Inc.: <i>GWG 301, GWG 302, GWG 303, GWG 304</i> .
09691...	Libra Maritima S.A.: <i>Shenandoah</i> .
09696...	Thomas & Williamson, Partnership: <i>CC-209</i> .
09736...	Efpaleon Compania Naviera S.A.: <i>Aegis Bravery</i> .
09741...	New Spirit Line S.A.: <i>New Challenger, New Venture</i> .
09765...	Compania de Navegacion Palmetta S.A.: <i>Palmetta</i> .
09814...	Pesquera Chiriqui, S.A.: <i>Chiriqui</i> .
09816...	Multitank Badenia Tankreederei Ahrenkiel GMBH & Co. KG: <i>Multitank Badenia</i> .
09817...	Multitank Rhenania Tankreederei Ahrenkiel GMBH & Co. KG.: <i>Multitank Rhenania</i> .
09823...	Afetamentamarin SA Panama: <i>Betis</i> .
09825...	Evaworld Shipping Co., S.A.: <i>Eva Sun</i> .
09848...	Armadores Mariverda, S.A.: <i>Mariheron</i> .
09854...	K/S Bewa II: <i>Sonja Bewa</i> .
09855...	K/S Bewa XI: <i>Lita Bewa</i> .
09856...	K/S Bewa VII: <i>Betty Bewa</i> .
09857...	K/S Bewa XII: <i>Alice Bewa, Kis Bewa</i> .
09860...	K/S Bewa XV: <i>Hasiach Bewa</i> .
09862...	K/S Bewa XVII: <i>Wivi Bewa</i> .

CERTIFICATE NO.	OWNER/OPERATOR AND VESSELS
09861	K/S Bewa XVI: <i>Conny Bewa.</i>
09863	K/S Bewa XVIII: <i>Sally Bewa.</i>
09864	K/S Bewa XIX: <i>Nina Bewa.</i>
09865	K/S Bewa XX: <i>Karin Bewa.</i>
09866	K/S Bewa XXIII: <i>Kirsten Bewa.</i>
09867	K/S Bewa XXV: <i>Rikke Bewa.</i>
09868	K/S Bewa XXVI: <i>Mette Bewa.</i>
09869	K/S Bewa XXVII: <i>Anne Bewa.</i>
09870	Corco Transportation Co., Inc.: <i>Marine Hope.</i>
09882	Cyclops Drilling Company: <i>Spirit of Webb.</i>
09887	Hyndae Enterprise Co., Ltd.: <i>Saloma.</i>
09894	Jaime Emilio Nunez: <i>Emma.</i>
09904	Onesky Shipping Company S.A.: <i>Onesky.</i>
09909	Alliance Carriers S.A.: <i>Grand Alliance.</i>
09910	Malucidez Armadora S.A.: <i>Filiatra Legacy.</i>
09917	Petroleum Products of Delaware, Inc.: <i>BCD-1, Husky 854.</i>

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-8033 Filed 3-26-75;8:45 am]

FEDERAL POWER COMMISSION

[Docket Nos. E-9280, E-9281, E-9282, and E-9283]

ARIZONA PUBLIC SERVICE CO.

Order Accepting for Filing and Suspending Proposed Monthly Billing Adjustments Subject to Refund, and Granting Waiver of Notice Requirements

MARCH 21, 1975.

Arizona Public Service Company (APS), on February 21, 1975, filed proposed adjustments in its billing to Salt River Agricultural Improvement and Power District (SRP), Tucson Gas and Electric Company (TGE) and Citizens Utilities Company (CUC).¹ The proposed changes in monthly billing to each of the three customers are based on the automatic adjustment provisions in APS's rates, which are currently under investigation under section 206 of the Federal Power Act pursuant to our Order issued July 15, 1974, in Docket Nos. E-8621, et al. The proposed billing adjustments reflect a finalized ad valorem tax rate for 1974, adjustments for the same period covering a change in state income tax rates, and operation and maintenance expense adjustments.

APS states that the cumulative effect of the rate filings, including some months in which there were decreases, amounts to an estimated semiannual increase of \$24,460 to TGE, and \$24,188 to SRP over July, 1974 rates, and an estimated annual increase of \$88,118 to CUC over December, 1973 rates. APS requests that the notice requirements in Section 35.11 of the Commission's Regulations be waived for their filing to allow effective dates as of the beginning of the respective billing months. APS states that the waiver of the notice requirements is necessary

¹ See Appendix A, filed as part of the original document, for rate schedule designations.

since it is impossible to anticipate an escalation until sometime after the end of the month involved, and also in order to eliminate multiplicity of monthly filings. APS further states that it agrees that the increases in charges resulting from this rate change filing shall be subject to refund pending final disposition upon the conclusion of the hearing in Docket Nos. E-8621, et al.

Notice of these rate filings was issued on March 6, 1975, with protests and petitions to intervene due on or before March 2, 1975. Comments, if any, in response to this notice will be treated by separate order.

In our July 15, 1974 order in Docket No. E-8621, we rejected previous billing adjustments filed by APS because of their failure to meet the notice requirements of the Commission's Regulations. However, we also provided that this action was without prejudice to APS filing a request that the rate change filings be accepted as of their proposed effective dates, subject to refund pending final disposition upon the conclusion of a hearing. Since APS has agreed in its present filing that the proposed changes shall be subject to refund pending the final disposition of the proceedings in Docket Nos. E-8621, et al., we believe that it would be in the public interest to grant APS's request for waiver of the notice requirements of the Commission's Regulations and to allow the proposed changes to become effective as of the beginning of the respective billing months, subject to refund pending final disposition upon the conclusion of the hearing in Docket Nos. E-8621, et al.

Meanwhile, in hearings convened in Docket Nos. E-8621, et al., upon Staff Counsel's motion proffered March 6, 1975, cross examination was postponed by the Presiding Judge until April 3, 1975, pending completion of informal negotiations which include Docket Nos. E-9280, et al.

Our review of the filing indicates that the proposed rates may result in excess revenues and that the proposed increases have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or preferential or otherwise unlawful. We shall therefore set the matter for hearing and require that the proposed changes, which we shall allow to become effective as hereinabove noted, be subject to refund pending final disposition upon the conclusion of the hearing in Docket Nos. E-8621, et al.

The Commission finds. (1) Good cause exists to grant waiver of the notice requirements of the Commission's Regulations with respect to APS's February 21, 1975 filings in Docket Nos. E-9280, et al.

(2) APS's proposed monthly billing adjustments filed on February 21, 1975, should be accepted for filing, subject to refund pending final Commission action in Docket Nos. E-8621, et al.

(3) The disposition of this proceeding should be expedited in accordance with the procedure set forth below.

The Commission orders. (A) APS's request for waiver of the notice requirements of the Commission's regulations is hereby granted.

(B) The proposed monthly billing adjustments, filed on February 21, 1975, are accepted for filing subject to hearing and refund pending final Commission action in Docket Nos. E-8621, et al. The proposed changes shall become effective as of the beginning of the respective billing months, as requested by APS.

(C) The procedural dates that have already been established in Docket Nos. E-8621, et al., shall apply to the changes proposed in APS's February 21, 1975 rate filings.

(D) The Commission Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] MARY B. KIDD,
Acting Secretary.

[FR Doc.75-7927 Filed 3-26-75;8:45 am]

[Docket No. CP74-293]

INTERSTATE TRANSMISSION ASSOCIATES (ARCTIC), ET AL.

Supplement to Application

MARCH 20, 1975.

Take notice that on February 26, 1975, Interstate Transmission Associates (Arctic) (ITAA), Pacific Interstate Transmission Company (Pacific Interstate), 720 West Eighth Street, Los Angeles, California 90017, and Northwest Alaska Company¹ (Northwest Alaska), 315 East Second South, Salt Lake City, Utah 84111, (hereinafter sometimes referred to collectively as Applicants) filed in Docket No. CP74-293, pursuant to § 1.11 of the Commission's rules of practice and procedure (18 CFR 1.11), a supplement to their application filed in that docket on May 14, 1974, for a permit pursuant to Executive Order No. 10485 to construct, operate and maintain certain natural gas facilities in the vicinity of the international boundary between the United States and Canada near Kingsgate, British Columbia, all as more fully set forth in the supplement in this proceeding which is on file with the Commission and open to public inspection.

In conjunction with the application in Docket No. CP74-293, Applicants filed on May 14, 1974, a companion application in Docket No. CP74-292, pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of facilities to transport natural gas in interstate commerce from a point near Kingsgate through the states of Idaho, Washington, and Oregon to the Nevada-California border.

¹ Northwest Alaska and Northwest Energy Company (Energy) filed on February 5, 1975, a motion to substitute Northwest Alaska for Energy in Docket Nos. CP74-292 and CP74-293, and, further, requested that said dockets be redesignated to reflect Northwest Alaska as one of the party applicants effective as of the date of said motion.

Applicants state that Northwest Alaska, as a wholly-owned subsidiary of Energy, has been designated by Energy to participate in the forming of ITAA with Pacific Interstate and, as now contemplated, Pacific Interstate and Northwest Alaska will form ITAA as a general partnership to be organized under the laws of the state of Utah.

By the instant supplement, Applicants request that Northwest Alaska be substituted for Energy in the application and submitted supplements to Exhibit A (Pro-Forma Articles of Partnership), Exhibit B (State Authorizations), Exhibit C (Partnership Officials), and Exhibit D (Subsidiaries and Affiliations) to conform the application to the aforementioned change.

Any person desiring to be heard or to make any protest with reference to said supplement should on or before April 4, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules. Persons who have heretofore filed protests, petitions to intervene, or notices of intervention in the instant docket or in the consolidated proceeding in Docket No. CP75-96, et al., need not file again.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-7936 Filed 3-26-75;8:45 am]

[Docket No. E-8264]

MAINE PUBLIC SERVICE CO.
Compliance Filing

MARCH 21, 1975.

Take notice that on March 7, 1975 the Maine Public Service Company (MPSC) tendered for filing a proposed fuel adjustment clause which is intended to conform with Section 35.14 of the Commission's regulations as amended by Order No. 517. This latest filing is made pursuant to a letter of the Secretary of the Federal Power Commission, dated February 3, 1975. As additional explanation to the present filing, MPSC states that because of the cash-flow burden created by the thirteen-month lag in the present fuel adjustment clause the proposed clause is designed to apply a billing factor each month based on the excess cost of fuel in the previous month. MPSC further states that as there were \$316,269 of excess costs unbilled at December 31, 1974, it has also included a special adder to recover such unbilled costs, at the effective date of the new fuel clause, over the following twelve-month period.

MPSC asks that inasmuch as this submission is a continuation of the initial

filing under the above-referenced docket, the formal filing requirements of § 35.13 of the Commission's regulations be waived.

MPSC states that copies of this filing have been sent to all jurisdictional wholesale customers and to the Maine Public Utilities Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 2, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-7929 Filed 3-25-75;8:45 am]

[Docket No. RP75-20 PGA 75-8]

MISSISSIPPI RIVER TRANSMISSION CORP.

Proposed Change in Rates

MARCH 21, 1975.

Take notice that Mississippi River Transmission Corporation (Mississippi) on March 10, 1975, tendered for filing Twenty-Ninth Revised Sheet No. 3A to its FPC Gas Tariff, First Revised Volume No. 1 to become effective April 1, 1975.

Mississippi states that the instant filing is being made pursuant to the provisions of Mississippi's purchased gas cost adjustment clause to its tariff to reflect rate change filings of Natural Gas Pipeline Company of America (Natural) and Trunkline Gas Company (Trunkline) and to reflect a change in Mississippi's deferred cost adjustment. Natural's and Trunkline's rate changes are proposed to become effective April 1, 1975. Mississippi also tendered Alternate Twenty-Ninth Revised Sheet No. 3A to become effective April 1, 1975. Mississippi states that such tariff sheet is being submitted in order to add the effect of the Natural and Trunkline rate changes and the deferred cost adjustment change to the rates contained on Alternate Twenty-Eighth Revised Sheet No. 3A which sheet was submitted in connection with Mississippi's motion to make rate change and tariff sheets effective at Docket No. RP75-20. Mississippi states further that Alternate Twenty-Ninth Revised Sheet No. 3A should be made effective April 1, 1975 if the Commission grants Mississippi's request that Alternate Twenty-Eighth Revised Sheet No. 3A go into effect at Docket No. RP75-20.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission in accordance with

§§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 10, 1975. 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 unless such petition has previously been filed. Copies of the filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-7930 Filed 3-26-75;8:45 am]

[Docket No. CI75-538]

MOBIL OIL CORP.

Application

MARCH 19, 1975.

Take notice that on March 10, 1975, Mobil Oil Corporation (Applicant), Three Greenway Plaza East, Houston, Texas 77046, filed in Docket No. CI75-538 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Trunkline Gas Company (Trunkline) from specified properties in the Grand Isle Block 95 Field, offshore Louisiana, pursuant to the terms of a contract between the parties dated March 4, 1975, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

Applicant proposes to sell and deliver natural gas to Trunkline at Trunkline's pipeline on Applicant's central production platforms in the field, pursuant to the subject agreement. Applicant proposes to sell to Trunkline an estimated 3,600,000 Mcf of gas per month at 15.025 psia at the nationwide rate prescribed in § 2.56a of the Commission's general policy and interpretations (18 CFR 2.56a), although the contract price is 80.0 cents per Mcf.

Applicant states that it is advised that Trunkline will be required to install additional pipelines or other facilities requiring certification to take delivery of the subject gas and that Trunkline will make the necessary filings with the Commission.

Applicant states that the gas supply from the Grand Isle Block 95 Field will serve to alleviate the shortage on Trunkline's system in substantial respects and that such additional supply can be on line and producing during the 1975-1976 winter if regulatory determinations are not unduly protracted. Applicant suggests that such determinations be made within two to three months to permit adequate time for construction and completion of all required facilities.

According to the contract, Applicant has specifically reserved 25 percent of all gas produced in the subject acreage

for its own use. Applicant states, however, that it will not exercise its right at this time and that Trunkline has agreed to purchase Applicant's reserved gas on a temporary basis under the subject gas sales agreement until such time as Applicant exercises its right. Applicant, therefore, requests that the Commission provide in the certificate that is to issue in the instant proceeding that it will not be necessary for Applicant to seek abandonment authorization for the sales of its reserved gas if and when it exercises its right to such reserved gas and seeks implementation of transportation service for its reserved gas by Trunkline to a point of use by Applicant.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 10, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-7931 Filed 3-26-75;8:45 am]

[Docket No. RP71-125 PGA75-8]

**NATURAL GAS PIPELINE COMPANY
OF AMERICA**

**PGA Filing To Track a Pipeline Supplier
Rate Increase**

MARCH 20, 1975.

Take notice that on March 4, 1975, Natural Gas Pipeline Company of America (Natural) submitted for filing as part of its FPC Gas Tariff, Third Revised Volume No. 1, Twenty-first Revised Sheet No. 5, and an alternate numbered tariff sheet (Second Substitute Nineteenth Re-

vised Sheet No. 5), to be effective April 1, 1975.

Natural states the filing was made pursuant to the provisions of section 18, Purchased Gas Cost Adjustment, of the general terms and conditions of its FPC Gas Tariff, to track the increased cost of gas purchased, effective April 1, 1975, from Colorado Interstate Gas Company, a pipeline supplier to Natural. Colorado's filing was made on February 28, 1975 to track the effect on Colorado of the uniform national rate approved by the Commission in Opinion No. 699 *et seq.*

Natural states that as notice of the supplier filing was not received by Natural in time to permit it to meet the 45 day filing requirement of its PGA tariff provision, it requests that that provision be waived to permit Natural's PGA unit adjustment to become effective April 1, 1975.

In regards to the above mentioned alternate numbered tariff sheet (Second Substitute Nineteenth Revised Sheet No. 5) Natural requests that it be substituted for the tariff sheet filed on a contingent basis on February 25, 1975. This alternate sheet is being submitted in order to include the 0.43¢ unit adjustment filed for herein to the rate levels previously filed on that date to be effective April 1, 1975. Natural recognizes that the substitution of this alternate sheet is dependent on the Commission's acceptance of the conditions in its February 25, 1975 request for approval to defer to April 1, 1975 the PGA unit adjustments previously filed to be effective February 5, and March 1, 1975. Natural respectfully requests waiver of the Commission's regulations to the extent necessary to permit this substitution. There is no difference between the currently effective rates on the alternate tariff sheet and the twenty-first Revised Sheet No. 5 also submitted.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 8, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-7932 Filed 3-26-75;8:45 am]

[Docket No. E-9319]

**NORTHERN STATES POWER CO.
Interconnection and Interchange
Agreement With United Power Association**

MARCH 20, 1975.

Take notice that Northern States Power Company, on March 12, 1975, tendered for filing an interconnection

and interchange agreement, dated March 5, 1975, with United Power Association.

United Power Association, Rural Cooperative Power Association, and Northern Minnesota Power Association were merged with United Power Association the surviving organization. Northern States states that the filed agreement incorporates the language and interconnections provided for in the present Interconnection and Interchange Agreements with Rural Cooperative Power Association and United Power Association, and adds interconnections near Corcoran, Minnesota, and St. Cloud, Minnesota.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions and protests should be filed on or before April 2, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-7933 Filed 3-26-75;8:45 am]

[Docket No. E-9324]

NORTHERN STATES POWER CO.

Initial Rate Filing

MARCH 21, 1975.

Take notice that on March 13, 1975, Northern States Power Company (NSPC) tendered for filing a Short Term Power Agreement with the City of New Ulm, Minnesota. NSPC states that The Agreement provides that either party may purchase power from the other for periods of seven days or longer. NSPC further states that the rates for such purchases are the same as the rates contained in NSPC's Rate Schedule FPC No. 275.3.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 4, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-7934 Filed 3-26-75;8:45 am]

[Docket No. CP75-266]

PANHANDLE EASTERN PIPE LINE CO.**Application**

MARCH 21, 1975.

Take notice that on March 10, 1975, Panhandle Eastern Pipe Line Company (Applicant) filed in Docket No. CP75-266 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to deliver to and exchange with Phillips Petroleum Company (Phillips) certain volumes of natural gas, all as more fully set forth in the application which is on file with the Commission and open for public inspection.

Applicant seeks authorization to exchange residue gas which Applicant proposes to have delivered to Phillips processing plant located in Weld County, Colorado. Pursuant to certain gas purchase and sales agreements Applicant states it has acquired the right to purchase gas from nine wells located in Weld County, Colorado. The application indicates that five of these nine wells are oil wells producing casinghead gas, and the balance are gas wells. The application states such wells are located approximately eighteen miles from Applicant's Colorado pipeline system, and the volumes of gas available are such that it is not now economically feasible to connect these wells to Applicant's existing facilities. Applicant states it has been advised by Phillips that the Phillips pipeline system has sufficient capacity to accommodate the gas produced from the five oil wells and that its plant has capacity to process gas produced from all nine wells.

The application indicates that Applicant and Phillips have entered into a gas exchange agreement under the terms of which Phillips will connect the five casinghead gas producing wells to its low pressure gathering system and will gather, compress and process such gas. Applicant proposes to pay Phillips for this service 8.5 cents per Mcf plus a fuel volume equal to 8 percent of the volume delivered to the plant. Applicant states the thermal equivalent of the residue gas attributable to the casinghead gas, up to 20,000 Mcf per day, will be redelivered by Phillips to Applicant through existing interconnecting facilities at Applicant's Sneed, Texas, Compressor Station.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 11, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a hearing or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-7935 Filed 3-26-75;8:45 am]

[Docket No. E-9290]

**PUBLIC SERVICE COMPANY OF
NEW HAMPSHIRE****Revision of Wholesale Rates**

MARCH 21, 1975.

Take notice that by letter dated March 12, 1975, Public Service Company of New Hampshire (Public Service) re-rendered for filing increased rates previously filed on February 26, 1975, to all of its firm wholesale for resale customers: the Towns of Ashland and Wolfboro, New Hampshire; the New Hampton (New Hampshire) Village Precinct; Exeter & Hampton Electric Company; Concord Electric Company; and New Hampshire Electric Cooperative, Inc.

Public Service states that its filing is based on a 1973 cost of service study, and Public Service states that it is presently unable to develop a cost of service study for a test period consisting of split calendar years without considerable delay, primarily because entries to its plant accounts other than major items are not distributed to function until the end of a calendar year. Public Service states that the Secretary, by letter dated March 5, 1975, rejected Public Service's February 26, 1975, filing as based on the most recent available calendar year data rather than on the most recent 12 consecutive months of available data and as lacking a request for waiver. Public Service states that the calendar year 1973 data are the most recent available 12 consecutive months of cost of service data. Public Service asks for waiver of § 35.13 (b) (4) (iii).

Public Service asks that its February 26, 1975, filing be treated as incorporated by reference. There, Public Service states that, based on a 1973 test period, the proposed rates involve an increase of \$992,840, or 8.61 percent above presently effective rates. Public Service states that the proposed rates represent the first step of a two-step increase to bring its wholesale rates to the affected customers up to a compensatory level. According to Public Service the proposed rates would produce an overall return of 7.706 percent and a return on equity of

8.94 percent. Public Service requests that the increase be allowed to become effective on April 12, 1975.

Public Service states that the proposed rates are unchanged in basic structure and design from the rates presently in effect. The proposed rates, according to Public Service, involve the following changes in the present level of charges and present fuel adjustment clause:

1. An increase in the demand charge from \$2.95 to \$3.22 per kilovolt-ampere of billing demand;
2. An increase in the energy charge of 0.73 to 0.91 cents per kilowatt hour;
3. A revision of the fuel adjustment clause to conform with § 35.14 of the Commission's regulations under the Federal Power Act as effective January 1, 1975; and
4. An increase in the minimum charge.

Public Service states that the presently effective minimum charge is equal to the billing demand charge but not less than \$200. Public Service states that the proposed minimum charge is equal to the billing demand but not less than \$300. Public Service states that this increase in minimum charge is proposed to bring the charge up to the level presently applicable to the Company's industrial customers served under retail rates and that no resale customers would be affected by the change in the minimum charge.

Any persons desiring to be heard or to make any protest with reference to said filing should, on or before April 8, 1975, file with the Federal Power Commission, Washington, D.C. 20002, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 C.F.R. 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 participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The documents filed by Public Service Company of New Hampshire are on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-7937 Filed 3-26-75;8:45 am]

[Project No. 796; Docket No. E-9305]

**SALT RIVER PIMA-MARICOPA INDIAN
COMMUNITY v. CITY OF PHOENIX, ARIZONA****Petition To Intervene and for Declaratory
Order and Complaint**

MARCH 20, 1975.

Public notice is hereby given that a filing captioned petition to intervene and petition for a declaratory order or in the alternative, a complaint was filed on February 3, 1975, by the Salt River Pima-Maricopa Indian Community (Petitioner) in Project No. 796 licensed by the City of Phoenix, Arizona. (Correspondence to: Mr. Phillip J. Shea, 114 W. Adams, Suite 310, Phoenix, Arizona 85003).

The petition to intervene claims that the Commission did not have jurisdiction to issue a license covering the transmission line from the power distribution system of the Salt River Valley Water Users Association at Granite Reef Diversion Dam to the Fort McDowell Reservation because the line is a minor part of a project distribution system. The line, which is 7.76 miles in length, goes from the eastern boundary of petitioners reservation to the northern boundary. They ask that the Commission declare that it does not have jurisdiction and that the license be cancelled.

In its complaint the petitioner alleges that the City of Phoenix conveyed the licensed right-of-way and power transmission line to the Salt River Project Agriculture Improvement District (successor to Salt Water River Valley Water Users Association) on May 1, 1953 without the consent of the Commission. Petitioner further alleges that the Licensee is in violation of the license in that it suffered the District to increase the power capacity of the line to 69 kilovolts without Commission approval. It is also alleged that the line was enlarged without Commission approval by adding a new leg which runs from a point near the intersection of the original line and the north boundary of the reservation and then westerly along a line parallel to the north boundary for about 2 miles.

The relief requested in the complaint is that the Commission issue a show cause order as to why action should not be initiated for cancellation of the license.

Any person desiring to be heard or to make protest with reference to said application should on or before April 28, 1975, 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 a 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. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-7928 Filed 3-26-75; 8:45 am]

[Docket No. E-8823]

SOUTH CAROLINA ELECTRIC & GAS CO.
Settlement Agreement

MARCH 21, 1975.

Take notice that on March 5, 1975, South Carolina Electric & Gas Company (SCE&G) tendered for filing an unexecuted Settlement Agreement (Settlement) agreed to by SCE&G and the Department of Public Utilities of the City

of Orangeburg, South Carolina, and the Saluda Electric Cooperative, Inc., Berkeley Electric Cooperative, and Palmetto Electric Cooperative, Inc., all of the intervenors in the above-captioned case.

SCE&G states that approval of the Settlement will effectuate the following principal changes in SCE&G's rates:

(1) The demand charge will be \$630.00 for the first 200 kw of billing demand and \$3.15 for all additional kw of billing demand;

(2) The energy charge shall be \$0.01046 for all kwh;

(3) The fuel clause attached to the Settlement will become the operative fuel clause.

SCE&G states that the Settlement fuel clause is designed to conform to the requirements of Section 35.14 of the Commission's regulations, as amended by Order No. 517.

SCE&G requests an effective date of August 4, 1974 and states that it will make appropriate refunds for the period from and after August 4, 1974. SCE&G finally states that as part of the Settlement, the intervenors have agreed to withdraw their interventions in this proceeding.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 22, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-7939 Filed 3-26-75; 8:45 am]

[Docket Nos. CI74-734, CI74-749, CI75-22,
CI75-24, CP75-82, CP70-224]

SUPERIOR OIL CO., ET AL.

Order Providing for Hearing, Setting Procedures, Consolidating Proceedings, and Granting Rehearing

MARCH 20, 1975.

By order issued January 17, 1975, the Commission granted certificates of public convenience and necessity to The Superior Oil Company (Superior), Placid Oil Company (Placid), Kewanee Oil Company (Kewanee), and Ashland Oil Company (Ashland) in Docket Nos. CI74-734, CI74-749, CI75-22, and CI75-24, respectively, to sell natural gas to Michigan Wisconsin Pipe Line Company (Mich Wis) in Block 182, Vermilion Area, Federal Domain Offshore Louisiana. In the same order Mich Wis was granted a certificate of public convenience and necessity to construct and operate

\$944,980 worth of facilities to attach the entire production of such offshore gas from Block 182. In addition, the Commission amended Sea Robin Pipe Company's (Sea Robin) certificate of public convenience and necessity in Docket No. CP70-224 by authorizing the use of an additional delivery point on its system to effect an exchange of gas with Columbia Gas Transmission Corporation (Columbia), delivery of the volumes of gas supplied to Sea Robin by Mich Wis from Block 182 to a point on Sea Robin's system in Block 181, East Cameron Area.

By letter order dated December 20, 1974, temporary certificates were granted to each Applicant. Mich Wis, Sea Robin, Ashland, Kewanee, and Superior accepted their temporary certificates on December 20, 1974, January 2, 1975, January 6, 1975, January 10, 1975, and January 20, 1975, respectively.

Applications for rehearing have been filed by Superior, Placid, and Ashland¹ on February 18, 1975, in which these Applicants seek modification of the Commission order of January 17, 1975, in their respective dockets. These Applicants object to the condition imposed by the Commission in ordering paragraph (J) upon their gas sales certificates. Said condition reads:

(J) The certificates issued in paragraph (A) above authorize the sale of warranted volumes of natural gas as specifically stated herein and in the applicable contracts. The applicants in these proceedings may not reduce said volumes by use of the reserve re-determination clauses of said contracts. Should any applicant desire to reduce the warranted volumes, it must file for Commission authorization pursuant to section 7(b) of the Natural Gas Act.

Superior, Placid and Ashland assert that the imposition of the warranty qualification in paragraph (J) serves to abrogate the Commitment of Gas Terms of their gas sale contracts. Superior further states that deletion of the warranty requirement from the Commission's certificate should allow the parties to re-evaluate and adjust the volumetric ceilings themselves, as per their contracts, without need for Commission authorization under section 7(b).

Superior and Ashland contend in their applications for rehearing that their gas sales contracts specifically state, "seller shall have the right, but not the obligation, to commit * * *" the following volumes to Mich Wis:

Producer: ¹	Volume (thousand cubic feet)
Superior	5,376,000
Placid	3,112,000
Kewanee	1,866,000
Ashland	6,906,000

¹ These are the volumes of maximum dedication each producer is obligated to deliver under the gas sales contract to Mich Wis. As mentioned above Kewanee has filed no application for rehearing, and Placid does not join in the specific contentions of Superior and Ashland in its application for rehearing.

Therefore, each contract commits up to, but not in excess of, these quantities

² Kewanee has filed no application for rehearing of said order.

of reserves found in the specified reservoirs. The contracts provide that the contract term will be 20 years or until the stated quantity is delivered, whichever occurs first. In addition, no contract permits the seller to reserve any of the dedicated gas, except for gas required for operational needs by each producer. Daily contract quantity for each producer is 1,000 Mcf for each 3.65 million Mcf of established reserves for the first 5 years of delivery and 1,000 Mcf for each 7.3 million Mcf of established reserves thereafter.

A further provision in each of the contracts permits redeterminations of reserve levels to be made once a year. Where these redeterminations show the reservoirs to have originally contained less gas than previously thought, the volumetric ceiling in the appropriate contracts will be lowered accordingly. In no instance will the ceilings be raised from those initially fixed in the contracts. Where a redetermination in fact shows the volume of a producer's reserves to be less than last previously determined, said producer has the contractual right, but not the obligation, to commit additional reserves from other locations so as to enable Mich Wis to obtain an overall volume of gas approximately equal to the volume last previously determined.

We declined to permit the gas sales contracts to go into effect as written because we were concerned that

(1) The producers may withhold greater volumes than necessary to meet their "operational demands", or that (2) the redetermination provision may allow buyer and seller to jointly approve a lowered determination without opportunity for scrutiny, the effect of either or both of which may be to (a) lessen the utility, and thus inflate the cost over time, of the 2.6 miles of connecting pipeline, and/or (b) deprive the interstate market of badly needed gas supplies.

Our objective was to assure a dedicated supply of natural gas to the interstate market from offshore Louisiana by the imposition of the warranty qualification. We shall grant rehearing, however, to allow Placid, Superior and Ashland to demonstrate that the public interest is better served by allowing these contractual provisions to take effect. A further related issue in the hearing hereafter ordered is whether the upper ceiling volumetric limits proposed in Articles IV and V of the contracts are required by public convenience and necessity.

Notices of applications have been published in the FEDERAL REGISTER, and petitions to intervene have been filed by Columbia, Sea Robin and Southern Natural in Docket No. CP75-82. By the order issued on January 17, 1975, in this proceeding the petitions to intervene were granted by the Commission.

The Commission finds. The applications for rehearing by Placid, Superior and Ashland in this proceeding may be in the public interest.

The Commission orders. (A) Pursuant to the authority of the Natural Gas Act, particularly sections 7 and 15 thereof,

the Commission's rules of practice and procedure, and the Regulations under the Natural Gas Act (18 CFR Chapter 1), a public hearing shall be held commencing May 13, 1975, at 10 a.m. (edt) in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, concerning the applications listed at the head of this order.

(B) On or before April 24, 1975, Applicants and all persons in support of the applications shall each file their prepared testimony and exhibits comprising their case-in-chief upon all parties to this proceeding, the Office of Administrative Law Judges and Commission staff.

(C) The Presiding Administrative Law Judge designated by the Chief Administrative Law Judge for that purpose [see Delegation of Authority, 18 CFR 3.5(d)] shall prescribe such further procedures as may be warranted in consideration of matters involved in this proceeding.

(D) The applications for rehearing filed by Superior, Placid, and Ashland are granted by the Commission for purposes of further hearing.

(E) The proceedings in Docket Nos. CI74-734, CI74-749, CI75-22, CI75-24, CP75-82 and CP70-224 are hereby consolidated for hearing and decision, and will be designated as Superior Oil Co., et al., Docket No. CI74-734, et al.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-7940 Filed 3-26-75;8:45 am]

[Docket No. RP75-19]

TEXAS GAS TRANSMISSION CORP.
Conference

MARCH 21, 1975.

Take notice that on Tuesday, April 15, 1975 a conference of all interested persons in the above-referenced docket will be convened at 10 a.m. in Room No. 5200 at the offices of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426.

The conference will be held pursuant to § 1.18 (Conferences, Offers of Settlement) of the Commission's rules of practice and procedure (18 CFR 1.18). Customers and other interested persons will be permitted to attend, but if such persons have not previously been permitted to intervene by order of the Commission, such attendance at the conference will not be deemed to authorize such intervention as a party in the proceedings.

In accordance with the provisions of § 1.18 of the rules, all parties will be expected to come fully prepared to discuss the merits of all issues concerning the lawfulness of Texas Gas Transmission Corporation's proposed tariff changes, any procedural matters preparatory to a full evidentiary hearing, or to make commitments with respect to such issues and any offers of settlement or stipulations discussed at the conference. Failure to attend the conference shall constitute a waiver of all objections to

stipulations and agreements reached by the parties in attendance at the conference.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-7941 Filed 3-26-75;8:45 am]

[Docket No. E-9317]

VERMONT ELECTRIC POWER COMPANY, INC.

Proposed Cancellation of Electric Contract
MARCH 20, 1975.

Take notice that on March 10, 1975, Vermont Electric Power Company, Inc. (Velco) tendered for filing a notice of termination for Velco's FPC Rate Schedule No. 154, Supplement No. 6 and FPC Rate Schedule No. 155, Supplement No. 6. These schedules are the contracts between the Village of Northfield, Vermont and Velco. Velco states that the reason for termination is Northfield's failure to pay its bill.

Copies of the filing have been sent to the appropriate state agency and to Northfield. The proposed date of termination is April 6, 1975.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 4, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-7942 Filed 3-26-75;8:45 am]

[Docket No. E-9317]

VERMONT ELECTRIC POWER CO., INC.
Termination

MARCH 21, 1975.

Take notice that on March 10, 1975, Vermont Electric Power Company, Inc. (Velco) tendered for filing in the above-captioned docket a notice of termination of FPC Rate Schedule No. 154, Supplement No. 6, and FPC Rate Schedule No. 155, Supplement No. 6.

Velco states that the Village of Northfield has failed to pay its bill for Vermont Yankee power for service rendered since April, 1974. Velco states that it has given the Village of Northfield ample notice of the seriousness of its failure to pay its bills and has given notice of its intention to terminate service if the bills are not paid. The March 10, 1975, filing finally states that subsequent to the preparation of the filing, Velco was advised orally that Northfield was mailing

a letter to Velco assuring prompt payment. Velco states if proper payment is received on or before April 6, 1975, it will not terminate service and will withdraw its March 10, 1975 filing.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 15, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 75-7943 Filed 3-26-75; 8:45 am]

[Docket No. CP75-83-2]

WESTERN LNG TERMINAL CO.

Supplement to Application

MARCH 21, 1975.

Take notice that on March 3, 1975 Western LNG Terminal Company (Applicant), 720 West Eighth Street, Los Angeles, California 90017, filed pursuant to section 1.11 of the Commission's rules of practice and procedure (18 CFR 1.11) and the Commission's order issued December 23, 1974, in Docket No. CP75-83 (52 FPC _____), its Los Angeles Harbor supplement to its application filed in Docket No. CP75-83 on September 17, 1974,¹ for a conditioned certificate of public convenience and necessity pursuant to section 7(c) of the Natural Gas Act authorizing the construction and operation of facilities at three proposed locations in southern California, namely, Los Angeles Harbor, Oxnard, and Point Conception, to receive, unload, store, and vaporize liquefied natural gas (LNG) and authorizing the construction of pipeline facilities for the transportation of such vaporized LNG in interstate commerce, all as more fully set forth in the supplement which is on file with the Commission and open to public inspection.

The application of September 17, 1974, describes Applicant's terminal company concept, its advantages, and the required facilities. Applicant therein states that it would perform a service only, would not own any of the LNG or re-vaporized gas, and would not be in the business of selling such gas for resale purposes. Applicant would, however, engage in the transportation of natural gas in interstate commerce, it states. Further, in the application of September 17, 1974, Applicant states that it would make

supplemental filings at the time agreements were entered into to provide terminal services and that the supplemental filings would set out the specific facilities required, cost estimates, tariff, financing, and other pertinent data.

Applicant, in the instant supplement, states that on September 18, 1974, it signed a letter agreement with Pacific Alaska LNG Company (Pacific Alaska) to provide terminal services for the latter's South Alaska LNG project.

On November 11, 1974, Pacific Alaska filed in Docket No. CP75-140 an application for a certificate of public convenience and necessity authorizing its project and showing that the South Alaska LNG project proposes to use Applicant's terminal services. Pacific Alaska's application proposes a two-phase project. Phase I is to encompass facilities to liquefy, transport and sell 200,000 Mcf of natural gas per day and Phase II is to encompass the additional facilities for a second increment of 200,000 Mcf per day, for a total of 400,000 Mcf per day.

The order of December 23, 1974, granted interventions and established certain procedures to follow in carrying out Commission responsibilities in connection with Applicant's project. While mostly agreeing with the procedures suggested by Applicant, the Commission rejected Applicant's conditioned certificate request and indicated that it would not have sufficient record evidence at the completion of contemplated hearings, no matter how extensively such certificates might be conditioned. The Commission indicated, however, that it could proceed to examine issues of site location and safety, including an evaluation of the most environmentally advantageous locations for the three sites and issue a preliminary opinion on these limited issues after hearing, initial decision, and briefs.

Applicant states that on February 26, 1975, it entered into a definitive agreement to provide terminal service to Pacific Alaska at its proposed Los Angeles terminal site located in Los Angeles Harbor. Applicant further states that this agreement provides that Applicant will receive, unload, store, and vaporize in Phase I up to an annual agreed quantity of 74,018,000,000 Btu of liquefied natural gas, and in Phase II an additional annual agreed quantity of 74,891,000,000,000 Btu, and redeliver during each contract year the resulting volumes requested and designated by Pacific Alaska to Southern California Gas Company at a delivery point in Los Angeles, California.

Applicant requests authorization to construct and operate facilities in two phases at the Los Angeles Harbor site to receive, unload, store, and vaporize liquefied natural gas for Pacific Alaska at an average rate in Phase I of 200,000 Mcf per day and at an average rate of 400,000 Mcf per day in Phase II, and to construct pipeline facilities for and the transportation of the vaporized LNG from the Los Angeles Harbor site to the Los Angeles delivery point. Applicant states that its Los Angeles Harbor facili-

ties will be located on a 94-acre site on the south side of Terminal Island and that the Los Angeles Harbor Department (Harbor Department) will provide a level site and build the ship-berthing facilities for the plant on city-owned land. These facilities will be leased to Applicant, it is stated, and Harbor Department will also dredge a channel and turning basin in the outer harbor to provide LNG ship access to the facilities. Applicant proposes to construct and operate, in two phases, facilities designed to receive LNG transported by ship, unload and transfer it into insulated storage tanks, and withdraw and vaporize it for delivery into gas transmission systems. Applicant states that the Phase I facilities will be capable of handling up to 200,000 Mcf of natural gas per day, with a peaking capacity of an additional 200,000 Mcf daily, and proposes, in addition, in Phase I to construct and operate a pipeline from the Los Angeles Harbor LNG terminal to existing transmission facilities in southern California. In Phase II, Applicant proposes to construct and operate the additional facilities consisting of four submerged-combustion gas-fired vaporizers with a peaking capacity of 400,000 Mcf per day. Applicant indicates that, upon completion of Phase II, the facilities will have an average capacity of 400,000 Mcf of gas per day and a peaking capacity of 800,000 Mcf daily.

Specifically, Applicant proposes to construct and operate in Phase I marine facilities to accommodate and unload an LNG ship of up to 165,000 cubic meters capacity.

Applicant also proposes to construct and operate in Phase I the following:

- (1) An LNG transfer system which will carry the LNG from the ships to the storage tanks. This system, Applicant states, will consist of one 36-inch diameter insulated cryogenic line and one 16-inch vapor-return line.
- (2) Two tanks of 550,000 barrels each which will be required at the site to handle the Pacific Alaska volumes. Each tank will have the following approximate dimensions: Diameter—240 feet; shell height—80 feet; overall height—129 feet.
- (3) A vaporization plant which will consist of vaporizers, an odorizing and metering system, and required peripheral equipment. It will be situated adjacent to the LNG storage tanks.
- (4) One 8-foot diameter seawater pipeline which will be constructed between the inner harbor and the LNG plant to deliver about 87,000 gallons per minute of harbor seawater for base load vaporization.
- (5) 3.4 miles of 48-inch pipeline which will be used to transport gas from the Los Angeles Harbor LNG terminal. This line will tie into the existing gas transmission system of Southern California Gas Company.

Applicant states that for Phase II, four submerged-combustion gas-fired vaporizers will be constructed to provide additional capacity for vaporization at peak rates up to 800,000 Mcf per day.

The supplement indicates the total cost for the Phase I facilities is estimated to be \$156,654,000 and the total capital cost for the Phase II facilities is estimated to be \$7,970,000. Applicant presently proposes the issuance of first mortgage bonds by private sale and the sale

¹The application was noticed in the FEDERAL REGISTER on October 9, 1974 (39 FR 36387).

of common stock to Pacific Lighting Corporation, its parent. Anticipated interim financing for capital improvements during the construction period will be provided by (1) construction loans from banks and from others, (2) open account advances from Pacific Lighting Corporation, and (3) the sale of common stock to Pacific Lighting Corporation. Applicant states that the actual financing plans and related costs will be determined by market conditions and other circumstances at the time of financing.

Applicant proposes to render its terminal service at the Los Angeles facility on a cost-of-service basis pursuant to its FPC tariff.

Any person desiring to be heard or to make any protest with reference to said supplement should on or before April 3, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-7944 Filed 3-26-75;8:45 am]

[Docket No. E-9313]

WISCONSIN POWER & LIGHT CO.
Supplement to Wholesale Power Agreement

MARCH 21, 1975.

Take notice that on March 11, 1975, the Wisconsin Power & Light Company (WPL) tendered for filing with the Commission a supplement to its wholesale power agreement with the Adams-Marquette Electric Cooperative, dated May 28, 1970, as amended July 15, 1971. The supplement will, among other matters, provide an additional delivery point to the Adams-Marquette Electric Cooperative in the Town of Saratoga, Wood County, Wisconsin.

The supplement referred to in this notice was entered into by agreement dated November 22, 1974.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 1, 1975, 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 the proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-7945 Filed 3-26-75;8:45 am]

[Project No. 2197]

YADKIN, INC.

Application for Change in Land Rights

MARCH 20, 1975.

Public notice is hereby given that application was filed on February 2, 1975, under the Federal Power Act (16 U.S.C. 791a-825r) by Yadkin, Inc., Applicant (correspondence to: LeBoeuf, Lamb, Leiby & MacRae, Attorneys for Yadkin, Inc., One Chase Manhattan Plaza, New York, New York 10005), for permission to grant an easement to Fieldcrest Mills, Inc., to allow construction of an underground industrial wastewater outfall line within the boundary of the Yadkin Project No. 2197. The Yadkin Project is located on the lower stretch of the Yadkin-Pee Dee River in Stanly, Montgomery, Davidson, and Rowan Counties, North Carolina. The project affects navigable waters.

Applicant requests Commission approval to grant a fifty-foot wide right-of-way to Fieldcrest Mills, Inc. to construct and maintain an underground water line. The easement would be located parallel to, north of, and approximately fifty feet from Interstate Highway 85, and would extend from the project boundary (normal high water elevation of 655 feet), approximately 1300 feet to the Yadkin River mainstream, and would cover 1.46 acres.

The easement provides for an outfall line of 24-inch inside diameter asbestos cement pipe, the last 300 feet of which would be ductile iron pipe, to discharge at elevation 640 feet a maximum flow of 5.0 MGD effluent from Fieldcrest Mills' secondary treatment plant. Waste which formerly received only primary treatment would be further treated if the easement were granted. Fieldcrest Mills has not begun construction of the secondary treatment plant as yet.

The United States Environmental Protection Agency, Region IV, issued Fieldcrest Mills a National Pollutant Discharge Elimination System permit number N.C. 0005487 on October 25, 1973. North Carolina Department of Natural and Economic Resources issued to Fieldcrest Mills permit number 8024 on August 5, 1974, for construction of the secondary treatment plant and outfall line and to allow discharge into the Yadkin River.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 12, 1975 file with the Federal Power Commission, Washington, D.C. 20426, a pe-

tion to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules. The application is on file with the Commission and is available for public inspection.

Take further notice that, pursuant to the authority contained in and conferred upon the Federal Power Commission by sections 308 and 309 of the Federal Power Act (16 U.S.C. 825 and 825h) and the Commission's rules of practice and procedure, specifically § 1.32(b) (18 CFR 1.32(b)), as amended by Order No. 518, a hearing may be held without further notice before the Commission on this application if no issue of substance is raised by any request to be heard, protest or petition filed subsequent to this notice within the time required herein and if the applicant or initial pleader requests that the shortened procedure of § 1.32(b) be used. If an issue of substance is so raised or applicant or initial pleader fails to request the shortened procedure, further notice of hearing will be given.

Under the shortened procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant or initial pleader to appear or be represented at the hearing before the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-7946 Filed 3-26-75;8:45 am]

FEDERAL RESERVE SYSTEM
COMMUNITY BANCSHARES CORP.
Formation of Bank Holding Company

Community Bancshares Corporation, Woodbury, New Jersey, 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 100 per cent of the voting shares (less director's qualifying shares) of the successor by merger to National Bank and Trust Company of Gloucester County, Woodbury, New Jersey. 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 Philadelphia. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than April 17, 1975.

Board of Governors of the Federal Reserve System, March 20, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.75-7907 Filed 3-26-75;8:45 am]

**IOWA STATE BANK AND TRUST CO.
Order Denying Acquisition of Assets of
Bank**

Iowa State Bank and Trust Company, Fairfield, Iowa ("Iowa Bank"), a member State bank of the Federal Reserve System, has applied for the Board's approval pursuant to the Bank Merger Act (12 U.S.C. 1828(c)) of the acquisition of the assets and assumption of the liabilities of Farmers Savings Bank, Packwood Iowa ("Farmers Bank"). As an incident to the proposal, the present office of Farmers Bank would become a branch of Iowa Bank.

As required by the Act, notice of the proposed transaction, in form approved by the Board, has been published and the Board has requested reports on competitive factors from the Attorney General, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation. The Board has considered the application and all comments and reports received in light of the factors set forth in the Act.

The relevant geographic market in this case is approximated by Jefferson County and the Richland portion of Keokuk County. Iowa Bank is located in Fairfield, the county seat of Jefferson County. Fairfield is the shopping and commercial center of Jefferson County. Farmers Bank is located in northwest Jefferson County, and is 15 miles distant from the nearest office of Iowa Bank. Customers of Farmers Bank shop and work in Fairfield. Accordingly, Iowa Bank is a convenient banking alternative for those customers. The record indicates that a significant amount of banking business of Iowa Bank is done with customers located in the service area of Farmers Bank. Conversely, the record indicates that a significant amount of banking business of Farmers Bank derives from customers located in Iowa Bank's service area.

Iowa Bank, with deposits of roughly \$17.5 million,¹ is the second largest of five banks in the relevant banking market, and controls approximately 36.2 percent of the total deposits in commercial banks in the market. The largest bank in the relevant market controls approximately 41.8 percent of market deposits. Farmers Bank, with deposits of roughly \$3.7 million, is the fourth largest bank in that banking market, and controls approximately 7.7 percent of market deposits. Consummation of the acquisition, therefore, would eliminate one of the limited number of competitors in the market, result in Iowa Bank controlling approximately 43.9 percent of the deposits, and thereby increase the already high level of concentration of banking resources in the market. Also, existing competition between Iowa Bank and Farmers Bank would be eliminated by the proposed acquisition. The effect of the proposed transactions would be a substantial lessening of competition in

¹ All banking data are as of June 30, 1974.

the relevant market. In its considerations of this application, the Board regards such a lessening of competition as an adverse factor.

On the basis of the foregoing and the other factors in the record, the Board concludes that the proposal would increase the level of banking concentration to an undesirable level, and eliminate existing competition between the institutions involved. Accordingly, under section 1828(c), unless such anticompetitive effects are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served, the statute requires denial of the application.

The financial and managerial resources and future prospects of Iowa Bank are satisfactory. Farmers Bank does appear to have a management succession problem that would be alleviated by consummation of the proposed transaction. Therefore, banking factors are consistent with approval of the application. While community needs for banking services are not going unmet, consummation would provide a source in Farmers Bank's service area for large loans that presently exceed Farmers Bank's lending limit. While these benefits might serve the convenience and needs of the relevant area, they would not outweigh the adverse effects this proposal would have on competition in the relevant market. Further, the parties to the proposed transaction have not satisfied their burden of demonstrating the absence of less anticompetitive means to achieve such benefits to the convenience and needs of the community to be served.

On the basis of all relevant facts contained in the record, and in light of the factors set forth in the Bank Merger Act (12 U.S.C. 1828(c)), it is the Board's judgment that the anticompetitive effects of the proposed acquisition are not clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served. The Board concludes, therefore, that the proposed transaction is not in the public interest and, accordingly, the application is hereby denied.

By order of the Board of Governors, effective March 19, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.75-7908 Filed 3-26-75;8:45 am]

PEOPLES STATE HOLDING CO.

Formation of Bank Holding Company

People's State Holding Company, Westhope, North Dakota, 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

¹ Voting for this Action: Vice Chairman Mitchell and Governors Sheehan, Bucher and Wallich. Absent and not voting: Chairman Burns and Governors Holland and Coldwell.

bank holding company through acquisition of 95.94 percent or more of the voting shares of Peoples State Bank, Westhope, North Dakota. 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 Minneapolis. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received not later than April 17, 1975.

Board of Governors of the Federal Reserve System, March 20, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.
[FR Doc.75-7909 Filed 3-26-75;8:45 am]

**GENERAL SERVICES
ADMINISTRATION**

[GSA BULLETIN FPMR H-24]

**DISPOSAL OF EXCESS PERSONAL
PROPERTY**

Bulletin to Heads of Federal Agencies

1. *Purpose.* This bulletin advises agencies of updated information concerning disposal of excess personal property.

2. *Expiration date.* This bulletin contains information of a continuing nature and will remain in effect until canceled.

3. *General.* Section 3(f) of the Federal Property and Administrative Services Act of 1949, as amended, (Act) defines "foreign excess property" as any excess property located outside the States of the Union, the District of Columbia, Puerto Rico, and the Virgin Islands. Pub. L. 93-594, approved January 2, 1975, amends section 3(f) of the Act by inserting after the words "Puerto Rico" the words "American Samoa, Guam, the Trust Territory of the Pacific Islands, ". The effect of the change is that excess personal property located in American Samoa, Guam, and the Trust Territory of the Pacific Islands is subject to Title II of the Act, rather than Title IV of the Act. Accordingly, excess personal property located in American Samoa, Guam, and the Trust Territory of the Pacific Islands will now be processed in the same manner as excess personal property located in the 50 States, the District of Columbia, Puerto Rico, and the Virgin Islands. An appropriate change to the Code of Federal Regulations amending the definition of "foreign excess property" will be issued at a later date.

4. *Agency implementation.* Federal agencies should follow the same procedures to acquire or dispose of excess personal property in these territories as used for other domestic excess personal property. Agency heads are requested to inform field offices and activities concerning the inclusion of these geographic areas in the Domestic Excess Personal

Property Program, and urge their full participation.

Dated: March 17, 1975.

M. J. TIMBERS,
Commissioner,
Federal Supply Service.

[FR Doc.75-7911 Filed 3-26-75;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-367]

NORTHERN INDIANA PUBLIC SERVICE CO.
(BAILLY GENERATING STATION, NUCLEAR 1)

Oral Argument

Notice is hereby given that, in accordance with the Atomic Safety and Licensing Appeal Board's order of March 21, 1975, oral argument on the appeals from the February 21, 1975 supplemental initial decision of the Licensing Board (slurry wall proceeding) has been calendared for 10 a.m. on Tuesday, April 1, 1975 in the Appeal Panel hearing room, fifth floor, East West Towers Building, 4350 East-West Highways, Bethesda, Maryland.

For the Atomic Safety and Licensing Appeal Board.

Dated: March 24, 1975.

MARGARET E. DU FLO,
Secretary to the
Appeal Board.

[FR Doc.75-8062 Filed 3-26-75;8:45 am]

[Operating License No. DPR-43; Docket No. 50-305]

WISCONSIN PUBLIC SERVICE CORP. ET AL (KEWAUNEE NUCLEAR POWER PLANT)

Negative Declaration

The U.S. Nuclear Regulatory Commission (the Commission) has considered the issuance of a change to the Environmental Technical Specifications, Appendix B, of Facility Operating License No. DPR-43. This change would authorize the Wisconsin Public Service Corporation, Wisconsin Power and Light Company and Madison Gas and Electric Company (licensee) to operate the Kewaunee Nuclear Power Plant using a new all-volatile treatment (AVT) of the secondary coolant water in the steam generators which will result in an increase in the annual release from 125 to 325 tons of total solids consisting primarily of nontoxic sodium sulfate, and up to 300 pounds of ammonium hydroxide, the pH of which will be controlled within 6 to 9. The conversion from the original coordinated phosphate control process to the AVT process eliminates the discharge into Lake Michigan of a ton of phosphate each year, which causes eutrophication of lakes and fresh water bodies. No change in the concentration of the total solids discharged will occur.

The Commission's Division of Reactor Licensing has prepared an environmental impact appraisal for the pro-

posed changes to the Environmental Technical Specifications, Appendix B, appended to Facility Operating License No. DPR-43, for the Kewaunee Nuclear Power Plant described above. On the basis of this appraisal presented in this document, we have concluded that an environmental impact statement for this particular action is not warranted because, pursuant to the Commission's regulations in 10 CFR Part 51 and the Council of Environmental Quality's guidelines, 40 CFR 1500.6, the Commission has determined that this change in Technical Specifications is not a major federal action significantly affecting the quality of the human environment. The environmental impact appraisal, is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20555 and at the Kewaunee Public Library, 314 Milwaukee Street, Kewaunee, Wisconsin 54216.

Dated at Rockville, Maryland, this 20th day of March 1975.

For the Nuclear Regulatory Commission.

GEORGE W. KNIGHTON,
Chief, Environmental Projects
Branch No. 1, Division of Reactor Licensing.

[FR Doc.75-7752 Filed 3-26-75;8:45 am]

[Docket No. 50-305]

WISCONSIN PUBLIC SERVICE CORP. ET AL (KEWAUNEE NUCLEAR POWER PLANT)

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 3 to Facility Operating License No. DPR-43, issued to Wisconsin Public Service Corporation, Wisconsin Power and Light Company, and Madison Gas and Electric Company, which revised Technical Specifications for operation of the Kewaunee Nuclear Power Plant, located in Kewaunee County, Wisconsin. The amendment is effective as of its date of issuance.

The amendment permits the licensee to increase the amount of demineralizer regenerant solids, primarily nontoxic sodium sulfate, from 125 to 325 tons discharged annually into Lake Michigan. The increase results from conversion from a coordinated phosphate control to all-volatile treatment of the secondary water in the steam generators for the purpose of reducing tube wastage in the generators. The upper limit on the average incremental increase in the concentration of total solids in the circulating water will remain the same at 2.0 parts per million (ppm). In addition, up to 300 pounds of ammonium hydroxide will be discharged annually in the blow-down from the steam generators. The concentration of this base will be controlled within a pH range of 6 to 9. About a ton of phosphates will be eliminated

from being released annually into Lake Michigan. Present studies being conducted by the licensee of the discharges from the plant have indicated no deleterious effect on the aquatic life in the sampling area in the vicinity of the plant discharge. The results of present studies will be used to confirm this effect of the increase discharge of total solids.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see: (1) the application for the amendment dated October 3, 1974, (2) Amendment No. 3 to License No. DPR-43 with Change No. 5, and (3) the Commission's Negative Declaration with the supporting Environmental Impact Appraisal.

All of the above items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20555 and at the Kewaunee Public Library, Kewaunee, Wisconsin 54216.

A copy of items (2) and (3) may be obtained upon request addressed to the United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 20th day of March 1975.

For the Nuclear Regulatory Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors
Branch No. 1, Division of Reactor Licensing.

[FR Doc.75-7753 Filed 3-26-75;8:45 am]

[Docket Nos. STN 50-483 and STN 50-486]

UNION ELECTRIC CO.

(CALLAWAY PLANT, UNITS 1 AND 2)

Availability of Final Environmental Statement

Pursuant to the National Environmental Policy Act of 1969 and the United States Nuclear Regulatory Commission's regulations in 10 CFR Part 51, notice is hereby given that the Final Environmental Statement prepared by the Commission's Office of Nuclear Reactor Regulation, related to the proposed construction of Callaway Plant, Units 1 and 2, is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C., the Fulton County Library, 709 Market Street, Fulton Missouri and the Olin Library of Washington University, Skinker and Lindell Boulevard, St. Louis,

Missouri. The Final Environmental Statement is also being made available at the Division of State Planning and Analysis, Office of Administration, Capitol Building, Jefferson City, Missouri and the Mid-Missouri Regional Planning Commission, 830 E. High Street, Jefferson City, Missouri.

The notice of availability of the Draft Environmental Statement for the Callaway Plant, Units 1 and 2, and request for comments from interested persons was published in the FEDERAL REGISTER on October 25, 1974 (39 FR 38021). The comments received from Federal, State, local and interested members of the public have been included as an appendix to the final environmental statement.

Copies of the Final Environmental Statement (Document No. NUREG 75/011) may be purchased, at current rates, from the National Technical Information Service, Springfield, Virginia 22161.

Dated at Rockville, Maryland, this 20th day of March 1975.

For the Nuclear Regulatory Commission.

GEORGE W. KNIGHTON,
Chief, Environmental Projects
Branch No. 1, Division of Reg-
ulator Licensing.

[FR Doc. 75-7750 Filed 3-26-75; 8:45 am]

PENSION BENEFIT GUARANTY CORPORATION

[Chairman's Order No. 2]

CHAIRMAN OF THE BOARD ET AL.

Delegation of Authority and Assignment of Responsibility for Pension Benefit Guaranty Corporation

1. *Purpose.* To delegate authority and assign responsibility to the Executive Director.

2. *Background.* Title IV of the Employee Retirement Income Security Act of 1974 established the Pension Benefit Guaranty Corporation within the Department of Labor. In carrying out its functions under this Act the Corporation is administered by the Chairman of the Board of Directors in accordance with policies established by the Board. On September 3, 1974 the Chairman issued Order No. 1, entitled Delegation of Authority and Assignment of Responsibility for Pension Benefit Guaranty Corporation. The instant order supersedes Order No. 1.

3. *The Office of Executive Director.* There is to be an Executive Director for the Pension Benefit Guaranty Corporation who shall report to the Chairman. The Executive Director is empowered to appoint officers of the Corporation to act in his stead during his absence or disability. Persons so appointed or others authorized to act as Executive Director during a vacancy in that Office are governed by this Order.

4. *Delegation of Authority and Assignment of Responsibilities.* a. The Executive Director is delegated authority—including authority to redelegate—and assigned responsibilities except as here-

inafter provided, for carrying out the administrative functions to be performed by the Chairman of the Board of Directors under Title IV, Employee Retirement Income Security Act of 1974. These functions shall include, but not be limited to, the power to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records which the Corporation deems relevant or material to an inquiry under Title IV, Employee Retirement Income Security Act of 1974.

b. The Executive Director shall exercise the authority and carry out the responsibility delegated above in accordance with pertinent Governmental regulations, the bylaws and regulations of the Corporation, and the policies of the Board of Directors.

c. The General Counsel shall have the responsibility for providing legal advice and assistance to the Board of Directors, the Chairman, the Advisory Committee and the Executive Director relating to the administration of Title IV and other pertinent parts of the Employee Retirement Income Security Act of 1974.

5. *Reservation of Authority.* The following functions are reserved to the Chairman:

a. Submission of reports and recommendations to the President and the Congress concerning the administration of Title IV, Employee Retirement Income Security Act of 1974.

b. The bringing of legal action, other litigation decisions under the Act, and the determination in each case whether legal proceedings are appropriate. The initial decisions as to such legal matters are to be made by the General Counsel. When agreement is not reached between the Executive Director and the General Counsel regarding the bringing of such proceedings, the Executive Director shall refer the matter to the Chairman for decision.

c. The authorizing of any contract or agreement which would transfer the performance of a substantial portion of the Corporation's duties to persons not directly employed by the Corporation.

6. *Effective Date.* This Order is effective immediately.

Dated: March 14, 1975.

PETER J. BRENNAN,
Chairman, Board of Directors.

[FR Doc. 75-7914 Filed 3-26-75; 8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-3755]

COMSTOCK FUND, INC., ET AL.

Application for an Order To Permit an Offer of Exchange and Exemption

MARCH 20, 1975.

Notice is hereby given that Comstock Fund, Inc., Enterprise Fund, Inc., Fletcher Fund, Inc., Harbor Fund, Inc., Legal List Investments, Inc., and Pace Fund,

Inc. (collectively referred to as "Shareholders Funds") each of which is registered as an open-end investment company under the Investment Company Act of 1940 ("Act") and Channing Company, Inc. ("CCI"), 2777 Allen Parkway, Houston, Texas 77019, (collectively referred to with the Shareholders Funds as "Applicants") have filed an application for an order (1) pursuant to section 11 (a) of the Act to permit the Shareholders Funds to offer to exchange their shares for shares of American General Reserve Fund, Inc. ("AGR") on a basis other than their relative net asset value per share at the time of the exchange and (2) pursuant to section 6(c) of the Act granting exemption from section 22(d) of the Act and Rule 22d-1 thereunder, in connection with such exchanges. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

CCI, as principal underwriter for each of the Shareholders Funds, maintains a continuous public offering of the shares of the Shareholders Funds at their respective net asset value plus a sales charge. The maximum sales charge is 8.5 percent on purchases of less than \$10,000. The sales charge is reduced on larger purchases.

Shares of each of the Shareholders Funds may be exchanged for shares of any of the other Shareholders Funds on the basis of their relative net asset value per share at the time of the exchange without sales charge. There is a fee of \$5 payable to the transfer agent.

AGR is an open-end investment company registered under the Act. Its registration statement under the Securities Act of 1933 with respect to a public offering of shares of its stock was declared effective on July 12, 1974. CCI is the principal underwriter for AGR. AGR offers its shares to the public at an offering price equal to the net asset value plus a sales charge of 1 percent of the offering price.

Each of the Shareholders Funds proposes to offer its shares to shareholders of AGR in exchange for shares of AGR on the following basis: (1) shares of AGR acquired through a share exchange with one of the Shareholders Funds or through reinvestment of dividends or distributions on such shares will be exchanged for shares of any of the Shareholders Funds on the basis of their relative net asset value per share at the time of the exchange; (2) shares of AGR purchased at the public offering price, or acquired through reinvestment of dividends or distributions on such shares, will be exchanged for shares of any of the Shareholders Funds on the basis of their relative net asset value per share at the time of the exchange, plus the sales charge described in the prospectus of each of the Shareholders Funds (maximum 8½ percent), less an amount equal to the sales charge previously paid on the AGR shares being exchanged. Applicants

state that as a result, a shareholder acquiring shares of one of the Shareholders Funds through an exchange of shares of AGR purchased would pay approximately the same overall sales charge that he would have paid had he directly purchased the same dollar amount of shares of one of the Shareholders Funds.

Channing Bond Fund, Inc., Channing Income Fund, Inc., Channing Securities, Inc., Channing Shares, Inc. and Channing Venture Fund, Inc. (the "Channing Funds"), and Equity Growth Fund of America, Inc., Equity Progress Fund, Inc. and Fund of America, Inc. ("Equity Funds"), in conjunction with CCI, previously filed applications to permit similar exchanges of AGR shares for shares of the Channing Funds and Equity Funds. The requested exemptions were granted by the Commission on July 25, 1974 and November 1, 1974 (Act Release Nos. 8435 and 8567, respectively).

Applicants state that there is currently an exchange privilege offered between the Channing and Shareholders group of funds, but not with the Equity Funds. If the proposed exchange offer is permitted, an AGR shareholder could exchange his shares for shares of one of any such group of funds, and thereafter among that group and AGR. In addition, an AGR shareholder electing to exchange his shares for shares of either the Channing or Shareholders group of funds could, thereafter, exchange among that group, the other group and AGR. He would not, however, be allowed to exchange shares of a fund in the Equity Funds for AGR shares and, thereafter, exchange such AGR shares for shares of a fund in either of the two remaining groups.

In the event a shareholder desires to exchange only a portion of his shares of AGR, those shares that may be exchanged at relative net asset value without sales charge will be exchanged first. The remaining shares to be exchanged will be selected from those shares which are entitled to be exchanged upon payment of the lowest additional sales charge.

Section 11(a) of the Act provides that it shall be unlawful for any registered open-end company or any principal underwriter for such company to make or cause to be made an offer to the shareholder of a security of such a company or of any other open-end investment company to exchange his security for a security in the same or another such company on any basis other than the relative net asset values of the respective securities to be exchanged unless the terms of the offer have first been submitted to and approved by the Commission.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company or principal underwriter thereof shall sell any redeemable security issued by such company to any person except at a current offering price described in the prospectus. The sales charge described in the prospectus of each of the Shareholders Funds is greater than the sales charge which would be applicable to the proposed exchange offer.

Applicants state that the purpose of the proposed exchange offer is to permit a shareholder of AGR who changes his investment objective to change his investment to a different investment company without paying the full sales charge otherwise applicable. It is submitted that the exchange offer to AGR shareholders cannot be made at the relative net asset values of the Shareholders Fund to be acquired because the AGR shareholder would have paid substantially lower sales charges on his investment than similarly situated investors in the Shareholders Fund to be acquired. Applicants further submit that if shares of the Shareholders Funds could be acquired by an AGR shareholder at net asset value in an exchange, it is possible that the exchange would be in violation of section 22(d) of the Act since an investor would be able to purchase shares of one of the Shareholders Funds at a sales charge other than that described in its prospectus merely by purchasing shares of AGR and subsequently exchanging those shares at net asset value for shares of one of the Shareholders Funds.

Section 6(c) provides, in part, that the Commission by order upon application may conditionally or unconditionally exempt any person, security or transaction or any class or classes of persons, securities or transactions from any provision or provisions of the Act and the Rules promulgated thereunder, if and to the extent such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than April 15, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit, or in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 75-7979 Filed 3-26-75; 8:45 am]

[File No. 70-5652]

EASTERN UTILITIES ASSOCIATES,
ET AL

Proposed Stock Transactions

MARCH 20, 1975.

Notice is hereby given that Eastern Utilities Associates ("EUA"), P.O. Box 2333, Boston, Massachusetts, 02107, a registered holding company, and two of its electric utility subsidiary companies, Brockton Edison Company ("Brockton"), 36 Main Street, Brockton, Massachusetts, 02403, and Montaup Electric Company ("Montaup"), P.O. Box 391, Fall River, Massachusetts, 02722, have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating sections 6, 7, 9, 10 and 12(f) of the Act and Rules 43 and 44 as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Brockton proposes to increase its capital stock by \$15,000,000 consisting of 600,000 additional shares of its common stock, par value \$25.00 per share and to sell such additional shares to EUA at par value. This additional common stock will be pledged by EUA to The First National Bank of Boston as Trustee under EUA's Indenture and Deed of Trust dated as of October 1, 1953, as supplemented.

Montaup proposes to increase its capital stock by \$7,700,000, consisting of 77,000 additional shares of its common stock, par value \$100 per share, and to sell such additional shares to Brockton at par value.

Proceeds to Brockton from the sale of its stock to EUA will be applied to the repayment of open account advances from EUA in the amount of \$7,300,000 and to making an open account advance in the amount of \$7,700,000 from Brockton to Montaup. The advance from Brockton to Montaup will bear interest at a rate per annum equal to the rate at which EUA borrows funds on a short-term basis pursuant to authorization previously granted to EUA (Holding Company Act Release No. 18739). It is stated that if all requisite regulatory approvals for the sale of the additional Montaup stock to Brockton have been obtained prior to the sale of the new Brockton stock to EUA, the \$7,700,000 portion of the proceeds to Brockton will be applied directly to purchase additional Montaup stock and the proposed open-account advance from Brockton to Montaup will not be made.

Proceeds to Montaup from the sale of its stock to Brockton will be applied to the repayment of open account advances from Brockton or payment of short-term

notes previously issued by Montaup pursuant to prior Commission approval (Holding Company Act Release No. 18739). Proceeds of the \$7,700,000 loan from Brockton to Montaup will also be applied to payment of those short-term notes.

It is stated that the proposed issue and sale of the additional Brockton stock and the proposed open account advance from Brockton to Montaup are subject to the jurisdiction of the Department of Public Utilities of the Commonwealth of Massachusetts ("MDPU") and that the proposed issue and sale of the additional Montaup stock and the acquisition thereof by Brockton are also subject to MDPU approval. It is stated that no other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transactions. Fees and expenses to be incurred in connection with the proposed transactions will be supplied by amendment.

Notice is further given that any interested person may, not later than April 14, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated addresses 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 it may be amended, may be granted and permitted to become effective as provided in rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-7980 Filed 3-26-75; 8:45 am]

THE OPTIONS CLEARING CORP.

Proposed Amendments to Option Plans

Notice is hereby given that the Chicago Board Options Exchange, Inc. ("CBOE") and the American Stock Exchange, Inc. ("AMEX"), have filed pro-

posed changes in their respective option plans pursuant to Rule 9b-1 under the Securities Exchange Act of 1934 (17 CFR 240.9b-1). The changes concern amendments to the By-Laws and Rules of the Options Clearing Corporation ("OCC"). The OCC proposes to amend subparagraphs (u) and (y) of and add new subparagraph (hhh) to Article I, Section 1 and amend Article VI, Section 3 of the By-Laws, and Rules 101, 604(c), 802, 803, 901, 912, 913(a), 913(d) and 1104 concerning obligations of clearing members.

The proposed amendments to Rules 101, 604(c) and 1104 would, according to OCC, permit clearing members to restrict the Clearing Corporation's rights with respect to letters of credit deposited for the purpose of margining customer accounts. Under the proposed amendments, such letters of credit (referred to as "restricted letters of credit") would be treated by the Clearing Corporation in substantially the same manner as bulk deposits of securities in customer accounts. Under the proposed amendments restricted letters of credit would not qualify as margin for any account other than the customers' account in which they were deposited; and, in the event of the suspension of the depositing clearing member, the proceeds from such letters of credit would be applied only to satisfy obligations arising out of such customers' account.

Under its present Rules, the Clearing Corporation is required to assign exercise notices filed prior to the expiration date of the exercised option at approximately 3 p.m., Chicago time, on the date of filing. Exercise notices filed on the expiration date are required to be assigned at approximately 12 noon, Chicago time, on the expiration date. Assignments made prior to the expiration date are effective as of the following business day (because trading is closed before the exercising and assigned clearing members receive notice of the assignment), whereas assignments made on the exercise date are effective as of that date.

Under the proposed amendment to Rule 803, all exercise notices, whether filed on or before the expiration date, would according to OCC be assigned at or before 7 a.m., Chicago time, on the following business day, and all assignments would be effective as of such following business day. OCC explains that the change is necessary because increases in the number of exercises have made it difficult, and at times impossible, for the Clearing Corporation to complete the assignment process within existing timeframes. The OCC further explains that the proposed amendments to Rules 802, 901, 912, 913(a) and 913(d) conform those Rules to the change in Rule 803, eliminate certain redundant provisions and clarify certain other provisions, without making any substantive change.

The proposed amendments to Article I, Section 1 and Article VI, Section 3 of the By-Laws would permit clearing members carrying accounts for exchange members registered as traders with their respective exchanges pursuant to a plan

filed under Rule 11a-1 to obtain the same Clearing Corporation margin treatment as is accorded market-makers' and specialists' accounts. New subparagraph (hhh) of Article I, Section 1 defines the term "Registered Trader," and new subparagraph (e) of Article VI, Section 1 (replacing old subparagraph (e), which would be redesignated as subparagraph (f)) provides for registered trader's account, which would be treated in the same manner, and subject to the same restrictions, as market-maker's and specialist's account. References to market-makers and specialists, and their accounts, appear at many points throughout the By-Laws and Rules, so OCC determined that, in lieu of adding the term "registered trader" at each point where the other terms appear, the definitions of market-maker and specialist should be expanded to include registered traders. The amendments to subparagraphs (u) and (y) of Article I, Section 1 are intended to accomplish that result.

Rule 601(b) permits the values of options in long positions in a market-maker's account to be netted, to the extent set forth therein, against the values of options in short positions in that account for the purpose of determining required margin. OCC explains that this netting is permitted because the clearing member for which the account is maintained grants to the Clearing Corporation (with the consent of the market-maker) a lien on all long positions in the account for the purpose of securing the clearing member's obligations to the Clearing Corporation in respect of that account. Under the proposed amendment to Article VI, Section 3 of the By-Laws, clearing members according to the OCC would be required to grant similar lien on long positions in each registered trader's account (with the consent of the registered trader).

The proposed amendments will become effective upon April 28, 1975, or upon such earlier date as the Commission may allow unless the Commission shall disapprove the change in whole or in part as being inconsistent with the public interest or the protection of investors.

All interested persons are invited to submit their views and comments on the proposed amendments to OCC's By-Laws and Rules (plan) either before or after they have become effective. Written statements of views and comments should be addressed to the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made either to file number 10-54 or 10-26. The proposed amendments are; and all such comments will be, available for public inspection at the Public Reference Room of the Securities and Exchange Commission at 1100 L Street, NW., Washington, D.C.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

FEBRUARY 27, 1975.

[FR Doc.75-7981 Filed 3-26-75; 8:45 am]

**SEC REPORT COORDINATING GROUP
(ADVISORY)**

Rescheduling of Public Meeting

Correction

In FR Doc. 75-7075 appearing on page 12168 in the middle column in the issue of Monday, March 17, 1975, make the following correction:

The last line of the second paragraph should read "commission rates".

**INTERSTATE COMMERCE
COMMISSION**

[Notice No. 730]

ASSIGNMENT OF HEARINGS

MARCH 24, 1975.

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.

- MC-C-8416, H. J. Moran, DBA Singing River Motor Freight—Investigation and Revocation of Certificate of Registration, April 16, 1975, at Jackson, Miss., is cancelled.
- MC 109533 Sub 60, Overnite Transportation Company, now being assigned continued hearing April 15, 1975 (3 days), at the Venice Motel, Room 170, 431 Dual Highway, Hagerstown, Maryland.
- MC 106920 Sub 54, Riggs Food Express, Inc., now being assigned April 14, 1975 (1 day), at Chicago, Illinois; in Room 1086A, Everett McKinley Dirksen Building, 219 South Dearborn Street.
- MC 115767 Sub 4, Terminal Transfer, Inc., now assigned April 22, 1975, at Salem, Oregon; will be held in Room 4445, State Agriculture Building, 635 Capitol St. NE.
- MC 45736 Sub 44, Guignard Freight Lines, Inc., MC 116514 Sub 32, Edwards Trucking, Inc., MC 117416 Sub 44, Newman and Pemberton Corp., MC 136285 Sub 9, Southern Intermodal Logistics, Inc., and MC 139822, Food Carrier, Inc., now assigned April 28, 1975, at Atlanta, Georgia, will be held in Room 305, 1252 West Peachtree Street NW.
- MC 124154 Sub 62, Wingate Trucking Company, Inc., now assigned April 22, 1975, at Atlanta, Georgia will be held in Room 305, 1252 West Peachtree Street NW.
- MC 127834 Sub 105, Cherokee Hauling and Rigging, Inc., now assigned April 24, 1975, at Atlanta, Georgia, will be held in Room 305, 1252 West Peachtree Street NW.
- MC 130247, Colpitts Travel Agency of Rhode Island, now assigned April 15, 1975, at Providence, Rhode Island, will be held in Hearing Room, 2nd Floor, Division of Public Utilities, 169 Weybosset Street.
- MC 139934 Sub 1, Walker Contract Carrier, Inc., now assigned May 14, 1975, at Tallahassee, Florida, has been postponed to June 3, 1975 (3 days), at Tampa, Florida; in a hearing room to be designated later.
- MC-F-12264, Mayfield Transfer and Storage Co., Inc.—Purchase (portion)—Fred Olson Motor Service Company, now assigned

May 5, 1975, at Chicago, Ill., is postponed to June 6, 1975, at Chicago, Ill.

MC 139495 Sub 12, National Carriers, Inc., application dismissed.

MC 139587 Sub 4, Brown Refrigerated Express, Inc., application dismissed.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-8024 Filed 3-26-75;8:45 am]

**FOURTH SECTION APPLICATIONS FOR
RELIEF**

MARCH 24, 1975.

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 within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

FSA No. 42959—*Joint Water-Rail Container Rates—Seatrains International, S.A.* Filed by Seatrain International, S.A. (No. WEE-8), for itself and the Seaboard Coast Line Railroad. Rates on general commodities, between rail carrier's terminal in Tampa, Florida, and ports in Europe. Grounds for relief—Water competition. Tariffs—Seatrains International, S.A., tariffs I.C.C. Nos. 9, 10, 11, 12, 13, and 14. Rates are published to become effective on April 21, 1975.

FSA No. 42960—*Cereal Food Preparations Within the Western District.* Filed by Southwestern Freight Bureau, Agent (No. B-524), for interested rail carriers. Rates on cereal food preparations, in carloads, as described in the application, from, to and between points in Colorado-Utah-Wyoming Committee, Illinois Rate Committee, Southwestern Freight Bureau and Western Trunk Line Committee territories. Grounds for relief—Revision in carload rates.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-8023 Filed 3-26-75; 8:45 am]

[Notice No. 254]

**MOTOR CARRIER BOARD TRANSFER
PROCEEDINGS**

MARCH 27, 1975.

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 on or before April 16, 1975. 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-75670. By order entered March 12, 1975, the Motor Carrier Board approved the transfer to W. J. Landes, doing business as Landes Garage, Staunton, Va., of the operating rights set forth in Certificate No. MC 124868, issued December 21, 1972, to Landes Wrecker Service, Inc., Staunton, Va., authorizing the transportation of wrecked and disabled motor vehicles and replacement vehicles therefor, by use of wrecker equipment only, in truckaway service, between points in Virginia; and between points in Virginia on the one hand, and, on the other, points in Delaware, Georgia, Maryland (except points in the Baltimore, Md. Commercial Zone as defined by the Commission), New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Vermont, West Virginia, and the District of Columbia. Harry J. Jordan, 1000 16th St. N.W., Washington, D.C. 20036, attorney for applicants.

No. MC-FC-75714. By order of March 12, 1975, the Motor Carrier Board approved the transfer to Trout Run Transport, Inc., Trout Run, Pa., of the operating rights in Certificate No. MC 123663 issued April 16, 1974, to John H. Cerquozzi, Williamsport, Pa., authorizing the transportation of wooden products, with certain exceptions, from Picture Rocks, Pa., and points within 1 mile thereof, to points in New York, Connecticut, New Jersey, Maryland, and Delaware. Christian V. Graf, 407 North Front St., Harrisburg, Pa. 17101, Attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-8025 Filed 3-26-75;8:45 am]

[Notice No. 24]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

MARCH 21, 1975.

The following applications (except as otherwise specifically noted, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application), are governed

by Special Rule 1100.247¹ of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247 (d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and on or before May 27, 1975, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record. Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the FEDERAL REGISTER of a notice that the proceeding has been assigned for oral hearing.

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

No. MC 531 (Sub-No. 309), filed February 27, 1975. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. 77021. Applicant's representative: Mr. Wray E. Hughes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grape juice*, concentrate, in bulk, in tank vehicles, from Geneva, Ohio, to Anaheim, Calif.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Houston, Tex., or Los Angeles, Calif.

No. MC 4405 (Sub-No. 519), filed March 3, 1975. Applicant: DEALERS TRANSIT, INC., 2200 E. 170th Street, P.O. Box 361, Lansing, Ill. 60438. Applicant's representative: Robert E. Joyner, 2008 Clark Tower, 5100 Poplar Ave., Memphis, Tenn. 38137. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers, semi-trailers, and trailer chassis* (except those designed to be drawn by passenger automobiles), in initial movements, in truckaway and driveway service, from points in Pike County, Ohio, to points in the United States (except Alaska and Hawaii); (2) *tractors*, in secondary movements, in driveway service, when drawing commodities named in (1) above in initial driveway service, from points in Pike County, Ohio, to points in Arizona, Nevada, Oregon, and Vermont; (3) *truck and trailer bodies, trailer dolly converters, and cargo containers*, from points in Pike County, Ohio, to points in the United States (except Alaska and Hawaii); and (4) *materials and supplies* (except in bulk), and parts used in the manufacture, assembly and servicing of the commodities in (1) and (3) above, from points in Pike County, Ohio, to points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held on consolidated record with the similar application filed by Arco Auto Carriers, Inc. at Columbus, Ohio or Detroit, Mich.

No. MC 6078 (Sub-No. 80), filed February 24, 1975. Applicant: D. F. BAST, INC., P.O. Box 2288, Allentown, Pa. 18001. Applicant's representative: Bert Collins, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which because of size or weight requires the use of special equipment, and *related materials and supplies* when moving in mixed loads therewith: (1) between points in the United States (except Alaska and Hawaii), restricted to shipments having a prior or subsequent movement by water or rail; and (2) between the plantsite and other facilities of Sun Shipbuilding Co., at Chester, Pa., on the one hand, and, on the other, points in the United States in and east of Minnesota, Iowa, Missouri, Arkansas, and Texas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 9812 (Sub-No. 2), filed February 24, 1975. Applicant: C. F. KOLB TRUCKING COMPANY, INC., 1201 St. George Road, Evansville, Ind. 47711. Applicant's representative: Edwin J. Simcox, 601 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic resins and plastic sheets*, (except in bulk), from Mt. Vernon, Ind., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Iowa, (except Alaska and Hawaii), restricted Kansas, Kentucky, Michigan, Mississippi, Missouri, Ohio, Pennsylvania, Tennessee, West Virginia, and Wisconsin; and (2) *packaging and shipping materials*, from Chicago, Ill., St. Louis, Mo., and Louisville, Ky., to Mt. Vernon, Ind., restricted to traffic originating at or destined to the plant site and shipping facilities of General Electric Company at or near Mt. Vernon, Ind.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Indianapolis, Ind., or St. Louis, Mo.

No. MC 16903 (Sub-No. 40), filed March 5, 1975. Applicant: MOON FREIGHT LINES, INC., 120 West Grimes Lane, Bloomington, Ind. 47401. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone, marble, granite and slate*, (1) from points in Warren County, N.Y., to points in Connecticut, Illinois, Indiana, Maryland, Massachusetts, New Jersey, Ohio, Pennsylvania, Rhode Island, Virginia, and the District of Columbia; and (2) from points in Rutland County, Vt., to points in Warren County, N.Y.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or New York, N.Y.

No. MC 19311 (Sub-No. 29), filed February 24, 1975. Applicant: CENTRAL TRANSPORT, INC., 34200 Mound Road, Sterling Heights, Mich. 48077. Applicant's representative: Robert D. Schuler, 100 West Long Lake Road, Suite 102, Bloomfield Hills, Mich. 48013. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment) serving the plantsite and facilities of Guardian Industries Corp., located at or near Upper Sandusky, Ohio, as an off route point in connection with applicant's authorized regular route operations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Detroit, Mich.

No. MC 28060 (Sub-No. 30), filed February 24, 1975. Applicant: WILLERS,

INC., doing business as WILLENS TRUCK SERVICE, 1400 North Cliff Avenue, P.O. Box 944, Sioux Falls, S. Dak. 57101. Applicant's representative: Bruce E. Mitchell, 3379 Peachtree Road, Northeast, Suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from the plantsite and storage facilities utilized by Beatrice Foods at or near Denver, Colo., to points in Nebraska, North Dakota and South Dakota.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 30844 (Sub-No. 531), filed February 20, 1975. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial Street, Waterloo, Iowa 50702. Applicant's representative: Paul Rhodes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia and West Virginia, restricted to the transportation of traffic originating at the above origin and destined to the above-named destinations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr., or Washington, D.C.

No. MC 30844 (Sub-No. 532), filed February 20, 1975. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2124 Commercial Street, Waterloo, Iowa 50702. Applicant's representative: Paul Rhodes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by packing houses*, as described in Section A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificate*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), (a) from Wichita, Kans., to points in Alabama, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and Wisconsin; and (b) from Dodge City, Kans., to points in Connecticut, Maine, Massachusetts, New Hampshire, New York, and Rhode Island.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Kansas City, Mo. or Washington, D.C.

No. MC 35320 (Sub-No. 146), filed February 20, 1975. Applicant: T. I. M. E.-DC, INC., P.O. Box 2550, Lubbock, Tex. 79408. Applicant's representative: Kenneth G. Thomas (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving Santa Claus, Ind. and points in its commercial zone as off-route points in connection with applicant's regular route authority between Louisville, Ky. and Evansville, Ind.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 35628 (Sub-No. 371), filed February 24, 1975. Applicant: INTERSTATE MOTOR FREIGHT SYSTEM, 134 Grandville, S.W., Grand Rapids, Mich. 49502. Applicant's representative: Edward Malinzak, 900 Old Kent Building, Grand Rapids, Mich. 49502. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving the site of the Western Electric Company at the junction of New York Highway 422 and Maple Street, Elma Township (Erie County), N.Y., as an off-route point in connection with carrier's regular route operations via Buffalo, N.Y.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Buffalo, N.Y., or Detroit, Mich.

No. MC 50307 (Sub-No. 75), filed February 24, 1975. Applicant: INTERSTATE DRESS CARRIERS, INC., 247 West 35th Street, New York, N.Y. 10001. Applicant's representative: Herbert Bursteln, One World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel and materials, supplies and equipment* used in the manufacture thereof, between Frederick, Md., on the one hand, and, on the other, points in Hazleton, Bath, Bangor, and Scranton, Pa.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC 51146 (Sub-No. 417), filed February 24, 1975. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, Wis. 54304. Applicant's representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such merchandise*, as is dealt in by discount and variety stores (except foodstuffs, furniture, and commodities in bulk); and (2) *Foodstuffs* (except in bulk), and

furniture, in mixed loads, with the commodities in (1) above, from the facilities of S. S. Kresge Company, located at Savannah, Ga., and points in its Commercial Zone, to the facilities of S. S. Kresge Company, located at points in Minnesota and Wisconsin, restricted to traffic originating at and destined, the described facilities of S. S. Kresge Company.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 51146 (Sub-No. 418), filed February 27, 1975. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, Wis. 54304. Applicant's representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Metal containers and metal container ends*, and (2) *accessories and equipment* used in connection with the manufacture and distribution of metal containers and metal container ends, when moving with metal containers and metal container ends, from the plant and warehouse sites of the National Can Corporation at Archbold and Zanesville, Ohio, to points in the United States (except Alaska and Hawaii), restricted to traffic originating at the plant and warehouse sites of the National Can Corporation.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 52460 (Sub-No. 166), filed February 24, 1975. Applicant: ELLEX TRANSPORTATION, INC., 1420 W. 35th Street, P.O. Box 9515, Tulsa, Okla. 74107. Applicant's representative: Steve B. McCommas (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Arkansas, Colorado, Illinois, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, New Mexico, Oklahoma, Tennessee, Texas, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.

No. MC 56244 (Sub-No. 37), filed February 24, 1975. Applicant: KUHN TRANSPORTATION COMPANY, INC., P.O. Box 98, Rural Delivery No. 2, Gardners, Pa. 17324. Applicant's representative: John M. Musselman, P.O. Box 1146, 410 North Third Street, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by retail, wholesale and chain grocery food business houses* (except commodities in bulk

and frozen foods), from Biglerville and Gardners, Pa., and Inwood, W. Va., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, Pennsylvania, New York, N.Y., Baltimore, Md., and points in that part of West Virginia on and north of U.S. Highway 50.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Harrisburg, Pa., or Washington, D.C.

No. MC 59117 (Sub-No. 47), filed February 24, 1975. Applicant: ELLIOTT TRUCK LINE, INC., 101 East Excelsior, P.O. Box 1, Vinita, Okla. 74301. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Bldg., 3535 Northwest 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer and liquid fertilizer materials*, in bulk, in tank vehicles, from the plantsite of Agrico Chemical Company located at or near Verdigris, Okla., to points in Arkansas, Kansas, Louisiana, Missouri and Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex., or Kansas City, Mo.

No. MC 61445 (Sub-No. 6), filed February 25, 1975. Applicant: CONTRACTORS TRANSPORT CORP., 5800 Farrington Avenue, Alexandria, Va. 22304. Applicant's representative: Daniel B. Johnson, 1123 Munsey Building, 1329 E Street NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities* which because of size or weight require the use of special equipment, handling or rigging, (2) *commodities* which do not require the use of special equipment when such commodities are accessory to or parts of shipments of commodities in (1) above, and (3) *materials, supplies and equipment* used in the erection, installation, dismantling or removal of commodities in (1) above, between points in Delaware, Maryland, West Virginia, Virginia, the District of Columbia; that part of North Carolina bounded by the North Carolina-Virginia state line, the Atlantic Ocean and Northampton, Halifax, Nash, Edgecombe, Pitt, Beaufort and Hyde Counties, N.C.; including points within such counties; points in Kentucky in and east of Lewis, Fleming, Rowan, Morgan, Wolf, Lee, Owsley, Clay, Knox, and Bell Counties, Ky.; and points in Hawkins, Washington, Sullivan and Johnson Counties, Tenn.

NOTE.—Applicant states that the above authority could be joined with the authority held in MC 61445 (Sub-No. 4) at Troutville or Roanoke, Va. to provide a through service on commodities which because of size or weight require the use of special equipment, handling or rigging which are also iron and steel articles, from points in the above territory, to points in North Carolina, South Carolina and Tennessee.

If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 61592 (Sub-No. 341), filed February 24, 1975. Applicant: JENKINS

TRUCK LINE, INC., P.O. Box 697, Rural Route 3, Jeffersonville, Ind. 47130. Applicant's representative: E. A. DeVine, P.O. Box 737, 101 First Avenue, Moline, Ill. 61265. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products, wood products and particle board* (except commodities in bulk), between the ports of entry on the International Boundary line between the United States and Canada at or near Blaine, Lynden and Sumas, Wash., on the one hand, and, on the other, points in Oregon and Washington.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Seattle, Wash.

No. MC 61592 (Sub-No. 342), filed February 24, 1975. Applicant: JENKINS TRUCK LINE, INC., P.O. Box 697, Rural Route 3, Jeffersonville, Ind. 47130. Applicant's representative: E. A. DeVine, P.O. Box 737, 101 First Avenue, Moline, Ill. 61265. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural machinery and equipment and component parts*, from points in Crisp, Lee and Dougherty Counties, Ga., to points in the United States (except Alaska and Hawaii); and (2) *component parts and materials* used in the manufacture of agricultural machinery and equipment (except commodities in bulk), from points in the United States (except Alaska and Hawaii), to points in Crisp, Lee, and Dougherty Counties, Ga.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 65802 (Sub-No. 59), filed March 3, 1975. Applicant: LYNDEN TRANSPORT, INC., P.O. Box 433, Lynden, Wash. 98264. Applicant's representative: James T. Johnson, 1610 IBM Bldg., Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, between Fairbanks, Alaska and Prudhoe Bay, Alaska: From Fairbanks over Alaska Highway 2 to Livengood, thence over unnumbered highway to Prudhoe Bay, and return over the same route, serving all intermediate points, and serving all off-route points in Alaska located within 100 miles of the unnumbered highway between Livengood and Prudhoe Bay.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Anchorage, Alaska or Seattle, Wash.

No. MC 71459 (Sub-No. 48), filed February 21, 1975. Applicant: O. N. C. FREIGHT SYSTEMS, a corporation, 2800 West Bayshore Road, Palo Alto, Calif. 94303. Applicant's representative: Martin J. Rosen, 140 Montgomery Street, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities

requiring special equipment), between Questa, N. Mex. and Albuquerque, N. Mex.: from Questa over New Mexico Highway 38 to junction U.S. Highway 64, thence over U.S. Highway 64 to junction New Mexico Highway 68, thence over New Mexico Highway 68 to junction U.S. Highway 84, thence over U.S. Highway 84 to junction U.S. Highway 85, thence over U.S. Highway 85 to junction U.S. Highway 84, thence over the same route, serving all intermediate points and their commercial zones, and serving the following as off-route points: Espanola, N. Mex.; the facility of the Amalia Lumber Company located eight miles east and north of Costilla, N. Mex.; the facilities of the Chad Land Company, located approximately 2½ miles east of the junction of U.S. Highway 64 and New Mexico Highway 38; the facility of the Angel Fire Construction Company located approximately 3 miles east of the junction of U.S. Highway 64 and New Mexico Highway 38; and the facilities of the Angel Fire Ski Resort and Country Club located approximately 4½ miles east of the junction of U.S. Highway 64 and New Mexico Highway 38.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Taos or Albuquerque, N. Mex.

No. MC 71460 (Sub-No. 12), filed February 19, 1975. Applicant: SOUTHERN FORWARDING COMPANY, a corporation, 728 Alston Street, Memphis, Tenn. 38101. Applicant's representative: W. D. Kirkpatrick, P.O. Box 114, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment): Serving the plantsite of The Firestone Tire and Rubber Company, at or near Nashville, Tenn., as an off-route point in connection with applicant's presently authorized routes at Nashville, Tenn.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 72140 (Sub-No. 65), filed February 24, 1975. Applicant: SHIPPERS DISPATCH, INC., 1216 West Sample Street, South Bend, Ind. 46619. Applicant's representative: Richard L. Andryslak (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods, as defined by the Commission, Classes A and B explosives, commodities in bulk and those requiring special equipment), serving the plant site and warehouse facilities of the Ford Motor Company, Romeo, Mich., as an off-route point in connection with applicant's regular route authority at Detroit, Mich.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill., or Washington, D.C.

No. MC 72140 (Sub-No. 66), filed February 25, 1975. Applicant: SHIPPERS DISPATCH, INC., 1216 West Sample Street, South Bend, Ind. 46619. Applicant's representative: Richard L. Andrysiak (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the S. S. Kresge Company located at Haggerty and Joy Roads, Canton Township (Wayne County), Mich., as an off-route regular in connection with applicant's regular route operations at Detroit, Mich.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Detroit, Mich., or Washington, D.C.

No. MC 82063 (Sub-No. 57), filed March 7, 1975. Applicant: KLIPSCH HAULING CO., a corporation, 119 East Loughborough, St. Louis, Mo. 63111. Applicant's representative: E. Stephen Heisley, Suite 805, 666 11th St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, in bulk, in tank vehicles, from Forrest City, Ark., to points in Georgia, Alabama, Missouri, Illinois, Oklahoma, Tennessee, North Carolina, South Carolina, Texas, Louisiana, Florida, Mississippi, Kentucky, and Arkansas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Memphis, Tenn.

No. MC 85255 (Sub-No. 56), filed March 4, 1975. Applicant: PUGET SOUND TRUCK LINES, INC., P.O. Box 24526, 3720 Airport Way S., Seattle, Wash. 98124. Applicant's representative: Clyde H. MacIver, 1900 Peoples National Bank Building, 1415 Fifth Avenue, Seattle, Wash. 98171. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal cans, combination metal and fibreboard cans, and can parts*: (1) between points in Multnomah, Marion, Hood River, Polk, Lane, Washington and Clatsop Counties, Oreg., on the one hand, and, on the other, points in that part of Washington in and west of Okanogan, Grant, Franklin and Walla Walla Counties; and (2) between points in Polk County, Oreg., on the one hand, and, on the other, points in Washington.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Portland, Oreg. or Seattle, Wash.

No. MC 95490 (Sub-No. 37), filed February 26, 1975. Applicant: UNION CARTAGE COMPANY, a corporation, 9-A Southwest Cutoff, Worcester, Mass. 01604. Applicant's representative: Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a *common*

carrier, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages (beer) and related advertising materials*; from South Volney, New York, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and the District of Columbia; and (2) *materials, supplies and equipment* used in the manufacture, sale and distribution of malt beverages, including returned empty malt beverage containers, from points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont and the District of Columbia, to South Volney, N.Y.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Boston, Mass. or Washington, D.C.

No. MC 102401 (Sub-No. 19), filed February 24, 1975. Applicant: TAYLOR HEAVY HAULING, INC., 20601 West Ireland Rd., South Bend, Ind. 46613. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insulated pipe manhole containers and fittings, attachments and accessories* used in the installation and manufacture thereof, between Niles, Mich., on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Missouri, Ohio, Tennessee, West Virginia and Wisconsin, restricted to traffic originating at or destined to the plant site of Ric-Wil, Incorporated, located at or near Niles, Mich.; and further restricted to traffic which because of size or weight requires the use of special equipment or special handling.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Cleveland, Ohio, or Washington, D.C.

No. MC 105733 (Sub-No. 51), filed February 21, 1975. Applicant: H. R. RITTER TRUCKING CO., INC., 928 East Hazelwood Avenue, Rahway, N.J. 07065. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Solvents and petro-chemicals*, in bulk, in tank vehicles, from Staten Island, N.Y., to points in Louisiana, Alabama, Florida, Texas, Mississippi, Georgia, North Carolina, South Carolina, Kentucky, West Virginia, Pennsylvania, Ohio, Michigan and Illinois, restricted to traffic having a prior movement in foreign commerce.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 106674 (Sub-No. 160), filed February 19, 1975. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, Remington, Ind. 47977. Applicant's representative: Jerry L. Johnson (same address as applicant). Authority sought

to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs*, non-frozen, from the plantsite of the Morgan Packing Company located at or near Austin, Ind., to points in Oklahoma and Texas, restricted against commodities in bulk; and (2) *flour, prepared mixes, and bases* for prepared mixes, in containers, from East St. Louis, and Millstadt, Ill., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, and Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill. or Indianapolis, Ind.

No. MC 106674 (Sub-No. 161), filed February 24, 1975. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, Remington, Ind. 47977. Applicant's representative: Jerry L. Johnson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building, wall, or insulating boards and accessories*, from the plantsite and facilities of Grefco, Inc., Division of General Refractories at Florence, Ky., to points in Illinois, Indiana, and St. Louis, Mo.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill., or Indianapolis, Ind.

No. MC 107993 (Sub-No. 36), filed February 26, 1975. Applicant: J. J. WILLIS TRUCKING COMPANY, a corporation, P.O. Box 5328, Terminal Station, Dallas, Tex. 75222. Applicant's representative: J. G. Dall, Jr., 1111 E Street NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buses, self-propelled and non-self-propelled, and related parts*, from points in Los Angeles County, Calif., to points in Arizona, Arkansas, Colorado, Kansas, Louisiana, Nevada, New Mexico, Texas, and Utah.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 108382 (Sub-No. 24), filed February 18, 1975. Applicant: SHORT FREIGHT LINES, INC., 459 South River Road, Bay City, Mich. 48706. Applicant's representative: Michael M. Briley, 300 Madison Avenue, Toledo, Ohio 43604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobile parts and accessories and pallets, tubs, bins, racks and trays* used in the transportation of automobile parts and accessories, between the plantsite and facilities of Hancock Industries, Inc., located at or near Roscommon, Mich., on the one hand, and, on the other, Indianapolis and New Castle, Ind.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Toledo, Ohio or Washington, D.C.

No. MC 108449 (Sub-No. 384), filed February 24, 1975. Applicant: INDIANA-HEAD TRUCK LINES, INC., 1947 West County Road C, St. Paul, Minn. 55113.

Applicant's representative: W. A. Myltenbeck (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar*, from the plantsite and warehouse facilities of Southern Minnesota Beet Sugar Coop., at or near Renville, Minn., to points in Minnesota, Iowa, Wisconsin and Illinois.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at St. Paul, Minn., or Chicago, Ill.

No. MC 109708 (Sub-No. 62), filed February 28, 1975. Applicant: INDIAN RIVER TRANSPORT CO., doing business as INDIAN RIVER TRANSPORT, INC., P.O. Box 966, Okeechobee, Fla. 33472. Applicant's representative: James E. Wharton, 17th Floor, CNA Bldg., P.O. Box 231, Orlando, Fla. 32802. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Citrus products*, in bulk, in tank vehicles, from points in Florida, to points in Alabama, Arkansas, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, Minnesota, South Dakota, North Dakota, Nebraska, and California; and (B) *Alcoholic beverages*, in bulk, in tank vehicles, from Miami and Ft. Pierce, Fla., to points in California.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Orlando, Tampa, or Jacksonville, Fla.

No. MC 110567 (Sub-No. 8), filed March 3, 1975. Applicant: SOONER TRANSPORT CORPORATION, a corporation, Third at Keosauqua Way, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer and liquid fertilizer materials*, in bulk, in tank vehicles, from the plantsite of Agrico Chemical Company at or near Verdigris, Okla., to points in Arkansas, Kansas, Louisiana, Missouri and Texas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Kansas City, Mo. or Dallas, Tex.

No. MC 111375 (Sub-No. 73), filed March 3, 1975. Applicant: PIRKLE REFRIGERATED FREIGHT LINES, INC., P.O. Box 3358, Madison, Wis. 53704. Applicant's representative: Charles E. Dye (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products and pizza topping*, from points in California, to points in Illinois, Indiana, Michigan, Minnesota, Nebraska and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Denver, Colo. or Chicago, Ill.

No. MC 111401 (Sub-No. 444), filed March 3, 1975. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Blvd., P.O. Box 632, Enid, Okla. 73701. Applicant's representative: Alvin J. Melkjohn, Jr., Suite 1600 Lincoln Center, 1660 Lincoln Street, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dried distillers solubles*, in bulk, from Atchison, Kans., to Oklahoma City, Okla.; (2) *soybean meal*, in bulk, from Fredonia, Kans., to Oklahoma City, Okla.; (3) *wheat middlings*, in bulk, from Wichita, Kans., to Oklahoma City, Okla.; and (4) *inedible tallow*, in bulk, in tank vehicles, from Las Cruces, N. Mex., to points in Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Dallas, Tex., or Oklahoma City, Okla.

No. MC 111545 (Sub-No. 212), filed March 3, 1975. Applicant: HOME TRANSPORTATION COMPANY, INC., 1425 Franklin Road, Marietta, Ga. 30062. Applicant's representative: Robert E. Born, P.O. Box 6426, Station A, Marietta, Ga. 30062. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, and valves, fittings, and couplings*, from the plantsite or shipping facilities of SEDCO Company at or near Auburndale, Fla., to points in Alabama, Connecticut, Georgia, Illinois, Louisiana, Massachusetts, Michigan, Missouri, Nebraska, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas and Virginia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Tampa or Miami, Fla.

No. MC 111729 (Sub-No. 518), filed February 19, 1975. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies, and advertising material* (except motion picture film used primarily for commercial theater and television exhibition), between Dallas, Tex., on the one hand, and, on the other, points in New Mexico; (2) *ophthalmic goods*, from Dallas, Tex., to Enid, Muskogee, Oklahoma City, and Tulsa, Okla.; and (3) *business papers, records, and audit and accounting media* of all kinds, from Dallas, Tex., to Enid, Muskogee, Oklahoma City, and Tulsa, Okla.

NOTE.—Common control may be involved. Applicant holds contract carrier authority in MC 112750 and Subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 112304 (Sub-No. 96), filed February 27, 1975. Applicant: ACE DORAN HAULING & RIGGING CO., a corporation, 1601 Blue Rock Street, Cincinnati, Ohio 45223. Applicant's repre-

sentative: John D. Herbert (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Road building, earth moving, construction equipment, cranes and attachments, accessories, and parts of such commodities*; and (2) *parts, materials, and supplies* used in construction of items in (1) above, between the plantsites and warehouse facilities of Grove Manufacturing facilities of Grove Manufacturing, Pa., on the one hand, and, on the other, points in the United States including Alaska, but excluding Hawaii.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Washington, D.C. or Philadelphia, Pa.

No. MC 112822 (Sub-No. 368), filed Feb. 28, 1975. Applicant: BRAY LINES INCORPORATED, 1401 N. Little Street, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Charles D. Midkiff (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer and fertilizer materials*, in bulk, and in tank vehicles, from the plantsite of Agrico Chemical Company, at or near Verdigris, Okla., to points in Arkansas, Kansas, Louisiana, Missouri, and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 112989 (Sub-No. 41), filed February 20, 1975. Applicant: WEST COAST TRUCK LINES, INC., Route 4, Box 194-R, Eugene, Ore. 97405. Applicant's representative: Michael D. Crew, 620 Blue Cross Bldg., 100 S. W. Market St., Portland, Ore. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushers, crusher attachments, crusher parts, crusher attachment parts, and equipment* used in conjunction with crushers, from points in Lane County, Ore., to points in the United States, including Alaska but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 113362 (Sub-No. 282), filed March 3, 1975. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, Iowa 50533. Applicant's representative: Raymond W. Ellsworth, P.O. Box 227, Seneca, Pa. 16346. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery*, from the plant site and storage facilities of Confectionery Consolidators Inc., located at Linden, N.J., to points in Pennsylvania, Ohio, Michigan, Indiana, Illinois, Iowa, Minnesota, Missouri and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C., or New York, N.Y.

No. MC 113362 (Sub-No. 283), filed March 3, 1975. Applicant: ELLSWORTH

FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, Iowa 50533. Applicant's representative: Raymond W. Ellsworth, P.O. Box 227, Seneca, Pa. 16346. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery*, from the plant site and storage facilities of Henry Heide Candy Co., located at New Brunswick, N.J., to points in Ohio, Michigan and Pennsylvania.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C., or New York, N.Y.

No. MC 113410 (Sub-No. 93), filed February 24, 1975. Applicant: DAHLEN TRANSPORT, INC., 1680 Fourth Ave., Newport, Minn. 55055. Applicant's representative: Leonard A. Jaskiewicz, 1730 M Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar*, in bulk, from Hillsboro and Wahpeton, N. Dak., to points in Iowa, Minnesota and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Minneapolis or St. Paul, Minn.

No. MC 113828 (Sub-No. 227), filed February 24, 1975. Applicant: O'BOYLE TANK LINES, INCORPORATED, P.O. Box 30006, Washington, D.C. 20014. Applicant's representative: William P. Sullivan, Federal Bar Building West, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, between the facilities of the Carolina Pipeland Company at or near Tirzah (York County), S.C., on the one hand, and, on the other, points in Virginia, North Carolina and South Carolina.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116077 (Sub-No. 365), filed February 24, 1975. Applicant: ROBERTSON TANK LINES, INC., 2000 West Loop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, 500 West Sixteenth St., Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid sulphur trioxide*, in bulk, in tank vehicles, from Houston, Tex., to points in Ohio, Michigan, Illinois, Georgia, New Jersey, Pennsylvania and Washington; and (2) *Salt Cake*, in bulk, from Weeks, La., to points in Florida.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Dallas, Tex., or New Orleans, La.

No. MC 117068 (Sub-No. 42), filed February 24, 1975. Applicant: MIDWEST SPECIALIZED TRANSPORTATION, INC., P.O. Box 6418, North Hwy. 63, Rochester, Minn. 55901. Applicant's representative: Paul F. Sullivan, 711 Washington Bldg., Washington, D.C. 20005. Authority sought to operate as a *common*

carrier, by motor vehicle, over irregular routes, transporting: *Materials and supplies* used in the manufacture of hydraulic excavators (except commodities in bulk and commodities which because of size or weight require special equipment), from points in Michigan, Illinois, Indiana, and Wisconsin to Winona, Minn.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill., or Washington, D.C.

No. MC 117068 (Sub-No. 43), filed February 14, 1975. Applicant: MIDWEST SPECIALIZED TRANSPORTATION, INC., P.O. Box 6418, North Highway 63, Rochester, Minn. 55901. Applicant's representative: Paul F. Sullivan, 711 Washington Bldg., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *compressors*; (b) *cranes and excavators*; (c) *paving, road construction and maintenance machinery and equipment*; and (d) *rock drills*, from Michigan City, Mich., Lexington and Bowling Green, Ky., Mattoon, Ill. and Claremont, N.H., to points in Minnesota.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill., or Minneapolis, Minn.

No. MC 119176 (Sub-No. 13), filed Feb. 24, 1975. Applicant: THE SQUAW TRANSIT COMPANY, a corporation, P.O. Box 9368, Tulsa, Okla. 74107. Applicant's representative: Clayte Binion, 1108 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Off-highway vehicles, and parts, attachments, materials and accessories*, for off-highway vehicles, between Tulsa, Okla., on the one hand, and, on the other, points in Oklahoma, Colorado, Kansas, Nebraska, Arkansas, Illinois, Indiana, Kentucky, Louisiana, Missouri, New Mexico, Ohio, Texas, Michigan, Nevada, Tennessee, Alabama, Georgia, Florida, Mississippi, and ports of entry on the International Boundary line between the United States and Canada in Montana and North Dakota, restricted to shipments originating at or destined to, the facilities of Unit Rig and Equipment Company, at Tulsa, Okla.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Tulsa or Oklahoma City, Okla.

No. MC 119726 (Sub-No. 53), filed Feb. 27, 1975. Applicant: N.A.B. TRUCKING CO., INC., 3220 Bluff Road, Indianapolis, Ind. 46217. Applicant's representative: H. Frederick Heller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Medical care products and materials, equipment and supplies*, used in the manufacture or preparation of medical care products, between points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Michigan, Illinois, Indiana, Ohio, Penn-

sylvania, Kentucky, West Virginia, Virginia, Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia, and Florida.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., Chicago, Ill., or Washington, D.C.

No. MC 119726 (Sub-No. 55), filed February 19, 1975. Applicant: N.A.B. TRUCKING CO., INC., 3220 Bluff Rd., Indianapolis, Ind. 46217. Applicant's representative: H. Frederick Heller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household and commercial appliances, parts, accessories, and attachments* for household and commercial appliances, from Ripon, Wis., Searcy, Ark., and Bensenville, Ill., to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Illinois, Michigan, Indiana, Ohio, Kentucky, Pennsylvania, West Virginia, Virginia, Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia, and Florida.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Indianapolis, Ind., or Milwaukee, Wis.

No. MC 119934 (Sub-No. 202), filed February 24, 1975. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Ind. 46040. Applicant's representative: Robert W. Loser II, 1009 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Molasses and blends* in bulk, in tank vehicles, from New Orleans, La., and points within 15 miles thereof, to points in Alabama, Arkansas, Colorado, Idaho, Illinois, Maryland, Michigan, Mississippi, and Wisconsin.

NOTE.—Applicant holds contract carrier authority in MC 128161 and Sub 1, therefore dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Indianapolis, Ind., or New Orleans, La.

No. MC 120737 (Sub-No. 30), filed February 18, 1975. Applicant: STAR DELIVERY & TRANSFER, INC., P.O. Box 39, Canton, Ill. 61520. Applicant's representative: Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, equipment and supplies*, used in the manufacture and distribution of agricultural machinery, implements and parts as described in Appendix XII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in Wisconsin, Michigan, Iowa, Missouri, Mississippi, Alabama, Georgia, Illinois, Tennessee, Indiana, Ohio, Pennsylvania, Virginia, North Carolina, South Carolina, Kentucky, Minnesota, and Nebraska, to the plantsite and warehouse facilities of International Harvester Company at Canton, Ill.

NOTICES

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 124692 (Sub-No. 145), filed February 24, 1975. Applicant: SAMMONS TRUCKING, a corporation, P.O. Box 4347, Missoula, Mont. 59801. Applicant's representative: James B. Hovland, 425 Gate City Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from Duluth, Minn., to points in North Dakota, South Dakota, Nebraska, Idaho, Oregon, Washington, Utah, Montana, Wyoming, Wisconsin, Michigan, Indiana, Ohio, Iowa, Illinois, and Minnesota.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 125120 (Sub-No. 5), filed February 21, 1975. Applicant: TWIN STATE SAND & GRAVEL CO., INC., Elm Street, West Lebanon, N.H. 03784. Applicant's representative: E. Stephen Helsey, Suite 805, 666 Eleventh St. N.W., Washington, D.C. 20001. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rock salt*, in bulk, between points in New Hampshire and points in Vermont, restricted to the transportation of traffic moving under a continuing contract or contracts with Cargill, Incorporated, of Minneapolis, Minn., and International Salt Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Concord, N.H., or Montpelier, Vt.

No. MC 125474 (Sub-No. 46), filed March 3, 1975. Applicant: BULK HAULERS, INC., P.O. Box 3601, Wilmington, N.C. 28401. Applicant's representative: Elliott Bunce, 618 Perpetual Building, Washington D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Contaminated ethylene glycol*, in bulk, in tank vehicles, between the plant-site of Fiber Industries, Inc., at or near Darlington, S.C., on the one hand, and, on the other, the plant-site of Fiber Industries, Inc., at or near Fiberton, N.C.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 125687 (Sub-No. 15), filed February 26, 1975. Applicant: EASTERN STATES TRANSPORTATION, INC., 1060 Lafayette Street, York, Pa. 17405. Applicant's representative: S. Harrison Kahn, Suite 733 Investment Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages and related advertising materials*, from South Volney, N.Y., to points in Connecticut, Delaware, the District of Columbia, Maryland, Massachusetts, Maine, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont; and (2) *materials, supplies, and equipment* used in the manufacture, sale, and distribution of malt beverages, including *returned empty malt*

beverage containers, from points in Connecticut, Delaware, the District of Columbia, Maryland, Massachusetts, Maine, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont, to South Volney, N.Y.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 126739 (Sub-No. 10), filed February 21, 1975. Applicant: MAHNEN-SMITH TRUCKING SERVICE, INC., Van Buren, Ind. 46991. Applicant's representative: Robert W. Loser II, 1009 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Popcorn* packaged with cooking oil, and (2) *popcorn*, exempt from economic regulation under Section 203(b)(6) of the Interstate Commerce Act, when transported in mixed shipments with popcorn packaged with cooking oil, from the plant site and warehouse facilities of Weaver Popcorn Company, Inc., located at or near Van Buren, Ind., to points in Connecticut, Illinois, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin; (3) *commodities* used or useful in the processing, storage, and packaging of popcorn; and (4) *popcorn*, exempt from economic regulation under Section 203(b)(6) of the Interstate Commerce Act, when transported in mixed shipments with commodities used or useful in the processing, storage, and packaging of popcorn, between the plant site and warehouse facilities of Weaver Popcorn Company, Inc., located at or near Van Buren, Ind., on the one hand, and, on the other, the plant site and warehouse facilities of Weaver Popcorn Company, Inc., located at or near Ulysses, Kans., and Murray, Ky.; (5) *commodities* used in or useful in the processing, storage, and packaging of popcorn, from points in Michigan, Ohio, Illinois, and St. Louis, Mo., to the plant site and warehouse facilities of Weaver Popcorn Company, Inc., located at or near Van Buren, Ind., under a continuing contract, or contracts, with Weaver Popcorn Company, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 128086 (Sub-No. 5), filed February 28, 1975. Applicant: A & M HAULING, INC., 2024 Trade Street, P.O. Box 1027, Missoula, Mont. 59801. Applicant's representative: W. E. Seliski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pre cut log buildings* knocked down, and *materials and supplies* used in the construction and erection thereof, from the facilities of Real Log Homes, Inc., located at or near

Missoula, Mont., to points in and west of Ohio, Kentucky, Tennessee, Arkansas, and Texas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Missoula, Billings, or Helena, Mont., or Spokane or Seattle, Wash., or Portland, Oreg.

No. MC 128273 (Sub-No. 167), filed January 6, 1975. Applicant: MID-WESTERN DISTRIBUTION, INC., P.O. Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Home laundry washers and dryers, refrigerators, freezers, ranges, ovens, range hoods, dish washers, garbage disposers, waste compactors, room air conditioners, cooking surface units and other household appliances and parts and accessories* for household appliances, from Louisville and Appliance Park, Ky., to points in Montana, Wyoming, Colorado, New Mexico, North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Missouri, Arkansas, Wisconsin, Illinois, Indiana, Ohio, West Virginia, Pennsylvania, New York, Maryland, and Tennessee.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 128273 (Sub-No. 175), filed February 21, 1975. Applicant: MID-WESTERN DISTRIBUTION, INC., P.O. Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross, 1403 S. Horton St., Fort Scott, Kans. 66701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electrical and mechanical apparatus, parts and accessories* for electrical and mechanical apparatus, and *such other merchandise* as is dealt in by hardware distributors and/or industrial supply houses, from the plantsite and storage facilities of W. W. Grainger, Inc., located at Bensenville, Chicago, and Elk Grove Village, Ill., to points in Minnesota, North Dakota, South Dakota, Iowa, Nebraska, Kansas, Missouri, Oklahoma, Arkansas, Louisiana, and Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C., or Chicago, Ill.

No. MC 128273 (Sub-No. 177), filed February 19, 1975. Applicant: MID-WESTERN DISTRIBUTION, INC., P.O. Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross, 1403 S. Horton St., Fort Scott, Kans. 66701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products, vehicle body sealer, sound deadener compound, and related advertising materials and supplies* when shipped with one or more of the other commodities (except commodities in bulk), from Bradford, Petrolia, Emlenton, Rouseville, Karns City, Farmers Valley, and Reno, Pa.,

Buffalo, N.Y., St. Marys, and Congo, W. Va., to points in New Mexico, Utah, Arizona, California, Nevada, Wyoming, Montana, Idaho, Washington, and Oregon.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Washington, D.C., or San Francisco, Calif.

No. MC 128375 (Sub-No. 130), filed March 3, 1975. Applicant: CRETE CARRIER CORP., P.O. Box 81228, Lincoln, Nebr. 68501. Applicant's representative: Ken Adams (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicle parts, equipment, and accessories*, (1) from Atlanta, Ga., and its Commercial Zone, to points in Florida, North Carolina, South Carolina, Alabama, Mississippi, and Louisiana; (2) from North Kansas City, Mo., and its Commercial Zone, to points in Colorado, Utah, Montana, Nebraska, Iowa, Kansas, and Wyoming; (3) from Dallas, Tex., and its Commercial Zone, to points in New Mexico and Oklahoma; (4) from Columbus, Ohio and its Commercial Zone, to points in Michigan, and Indiana; (5) from Bensenville, Ill., and its Commercial Zone, to points in Iowa, Minnesota, Wisconsin, South Dakota, North Dakota, and Michigan; and (6) from Leetsdale, Pa., and its Commercial Zone, to points in Maryland, New York, New Jersey, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine, under contract with Maremont Corporation, restricted (a) to movements moving from facilities of the Maremont Corporation, under continuing contract with the Maremont Corporation, (b) to traffic having a prior movement inbound to said origins by contract or private carriage from Maremont plants or facilities located at Ripley, Nashville, Pulaski, or Loudon, Tenn., and (c) to shipments stopped to both partially load and partially unload at the named origins and moving in conjunction with service already authorized to be performed by the applicant.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill., or Lincoln, Nebr.

No. MC 129697 (Sub-No. 4), filed March 3, 1975. Applicant: RAUL TAMAYO A. AND JOSE ALFONSO GRIJALVA, a partnership, Avenue Juarez—544, Ensenada, Baja, Calif., Republic of Mexico. Applicant's representative: Milton W. Flack, 4311 Wilshire Boulevard, Suite 300, Los Angeles, Calif. 90010. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fiber containers and open top tin cans*, nested, with or without tops, from points in Los Angeles and Orange Counties, Calif., to the port of entry on the International Boundary line between the United States and the Republic of Mexico, at or near San Ysidro, Calif., under contract with Pesquera Peninsular, S.A.; Pesquera Matancitas, S.A.; and Pesquera Del

Pacifico, S.A., of Ensenada, Baja, California, Mexico.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at San Diego, Calif.

No. MC 133330 (Sub-No. 7), filed March 5, 1975. Applicant: HALVOR LINES, INC., 510 Lonsdale Building, Duluth, Minn. 55802. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Packaged petroleum products*, from Eveleth, Minn., to points in the United States (except Alaska and Hawaii), under contract with Performance Products, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 133523 (Sub-No. 5), filed February 24, 1975. Applicant: EUGENE STONE TRUCKING, INC., 11449 Valley View Road, Northfield, Ohio 44067. Applicant's representative: Richard H. Brandon, 220 West Bridge Street, P.O. Box 97, Dublin, Ohio 43017. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), in shipper owned trailers, between points in Connecticut, Delaware, the District of Columbia, Maryland, Massachusetts, Maine, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, under a continuing contract or contracts with The Standard Oil Company of Ohio and its subsidiaries.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio or Washington, D.C.

No. MC 133666 (Sub-No. 12), filed February 27, 1975. Applicant: JACOBSON TRANSPORT, INC., 1112 Second Avenue South, Wheaton, Minn. 56296. Applicant's representative: Alvin J. Meiklejohn, Jr., Suite 1600 Lincoln Center, 1660 Lincoln Street, Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Molasses*, in bulk, between points in North Dakota, Minnesota, South Dakota, Iowa, Wisconsin, Illinois, Nebraska, Kansas, and Missouri.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 133689 (Sub-No. 58), filed February 27, 1975. Applicant: OVERLAND EXPRESS, INC., 651 First St. SW., New Brighton, Minn. 55112. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen potatoes, and potato products*, from Minneapolis

and St. Paul, Minn., to points in North Carolina and South Carolina, restricted to shipment originating at and destined to, the above origins and destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 134405 (Sub-No. 26), filed February 19, 1975. Applicant: BACON TRANSPORT COMPANY, a corporation, P.O. Box 1134, Ardmore, Okla. 73401. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Building, 3535 NW. 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer and liquid fertilizer materials* in bulk, in tank vehicles, from the plantsite of Agric Chemical Company at or near Verdigris, Okla., to points in Arkansas, Kansas, Louisiana, Missouri, and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Dallas, Tex., or Kansas City, Mo.

No. MC 134884 (Sub-No. 8) (Correction), filed January 31, 1975, published in the FEDERAL REGISTER issue of February 27, 1975, and republished as corrected this issue. Applicant: FARWEST FURNITURE TRANSPORT, INC., 6840 112th Ave. SE., Renton, Wash. 98055. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *New furniture* between points in Washington, Oregon, and Idaho, on the one hand, and, on the other, points in Colorado, New Mexico and Arizona; and (2) *new fixtures*, uncrated, between points in Washington, Oregon and Idaho, on the one hand, and, on the other, points in Colorado, New Mexico and Arizona.

NOTE.—The purpose of this republication is to correct the commodity description in part (2) of the application. If a hearing is deemed necessary, the applicant requests it be held at Seattle, Wash.

No. MC 134922 (Sub-No. 114), filed February 21, 1975. Applicant: B. J. McADAMS, INC., Rt. 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: Don Garrison (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rubber and rubber products* (except commodities in bulk and those which because of size or weight require the use of special equipment), (1) from Oakland, Calif., to points in Atlanta, Ga., Columbus, Ohio, Dallas, Tex., and Flemington, N.J.; (2) from Flemington, N.J., to points in Atlanta, Ga., Columbus, Ohio, Wooster, Ohio, Dallas Tex., and points in California; (3) from Muscatine, Iowa, to points in Atlanta, Ga., Columbus, Ohio, Dallas, Tex., Flemington, N.J., and points in California; (4) from Findlay, Ohio, to points in Atlanta, Ga., Dallas, Tex., Flemington, N.J., and points in California; (5) from Borger, Tex., to

points in Flemington, N.J., Columbus, Ohio, and points in California; and (6) from Wooster, Ohio, and Columbus, Ohio, to points in California, restricted against the transportation of commodities in bulk and those which because of size or weight require the use of special equipment.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either San Francisco, Calif., or Little Rock, Ark.

No. MC 135423 (Sub-No. 4), filed February 24, 1975. Applicant: FRANKLIN GORDON, R.R. 1, Manilla, Ind. 46250. Applicant's representative: Robert W. Loser II, 1009 Chamber of Commerce Building, Indianapolis, Ind. 46004. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed and feed ingredients* (except liquid bulk shipments of lards, fats, tallows, oils, and greases, in tank vehicles), from Manistee and St. Louis, Mich., Minneapolis, Minn., Cleveland, Slinger, Janesville, and Cochrane, Wis., Des Moines, Buffalo, Marion, Cedar Rapids, Davenport and Muscatine, Iowa, Mobile, Ala., Omaha, Nebr., St. Louis, Marshall and Montgomery City, Mo., and points in Illinois on and north of Interstate Highway 64, to Rushville, Ind., restricted to a transportation service to be performed under a continuing contract, or contracts with Cargill, Inc., Nutrena Feed Division, of Minneapolis, Minn.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Indianapolis, Ind., or Columbus, Ohio.

No. MC 136053 (Sub-No. 3), filed February 25, 1975. Applicant: LOUIS CLAIBORNE HUNT, doing business as L. C. HUNT AGENCY, 1616 Kent Street, Durham, N.C. 27707. Applicant's representative: Louis C. Hunt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pharmaceutical materials, human blood, and human organs*, from Raleigh and Durham, N.C., Airport, to Chapel Hill, N.C., on traffic having an immediate prior out-of-state movement by air.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Raleigh, or Charlotte, N.C.

No. MC 136201 (Sub-No. 4), filed February 24, 1975. Applicant: ROCKY MOUNTAIN FEED INGREDIENTS SERVICE, INC., 1524 Lockwood Rd., Billings, Mont. 59101. Applicant's representative: Hugh Sweeney, P.O. Box 1321, Billings, Mont. 59103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid animal feed*, in bulk, in tank vehicles, from Billings, Mont., to points in South Dakota.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Billings, Mont.

No. MC 136301 (Sub-No. 1), filed February 24, 1975. Applicant: MER-LOU TRANSPORTATION, INC., P.O. Box 333, Millsboro, Del. 19966. Applicant's

representative: John P. Bond, 2766 Douglas Road, Miami, Fla. 33133. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Pickle products*, in containers, and material used in the processing and manufacture of pickle products and related items, (a) between Millsboro, Del., on the one hand, and, on the other, Greenville, Miss.; (b) between Bridgeport, Imlay City and Memphis, Mich., on the one hand, and, on the other, Greenville, Miss.; and (2) *supplies and material* used in the process and manufacture of pickle products and related items, between Bridgeport, Imlay City and Memphis, Mich., on the one hand, and, on the other, Millsboro, Del., under a continuing contract or contracts with Vlasic Foods, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Detroit, Mich.

No. MC 136318 (Sub-No. 31), filed February 19, 1975. Applicant: COYOTE TRUCK LINE, INC., P.O. Box 5627, High Point, N.C. 27262. Applicant's representative: David R. Parker, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *New furniture*, from Los Angeles, Calif., to points in the United States (except Alaska and Hawaii); and (2) *returned, refused and rejected new furniture*, from points in the United States (except Alaska and Hawaii), to Los Angeles, Calif., under contract with Mission Furniture Manufacturing Co., restricted to traffic originating at or destined to, the facilities utilized by Mission Furniture Manufacturing Co., and further restricted to a transportation service to be performed under a continuing contract or contracts with Mission Furniture Manufacturing Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 136343 (Sub-No. 41), filed February 21, 1975. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, Pa. 17847. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Materials and supplies* used in the agricultural water treatment, food processing, wholesale grocery and institutional supply industry, when moving in mixed shipments with salt, and (2) *mineral mixtures*, in containers, when moving in mixed shipments with salt, from Rittman, Ohio, to points in Pennsylvania on and east of U.S. Highway 220 and points in New Jersey, restricted in (1) above against the transportation of materials and supplies in excess of 25 percent of the total weight on which charges are assessed.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or New York, N.Y.

No. MC 136378 (Sub-No. 8), filed March 3, 1975. Applicant: R & L TRUCKING CO., INC., 105 Rocket Avenue, Opelika, Ala. 36801. 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: *Syrup, alcohol, vinegar, barbecue sauce, mineral oil, flavoring, turpentine, and cooking oils* (except in bulk), from Trussville, and Opelika, Ala., to points in Georgia, Florida, Tennessee, Mississippi, South Carolina, Louisiana, Arkansas, Texas, North Carolina and Kentucky, under contract with Webb-pak, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Montgomery, Ala., or Atlanta, Ga.

No. MC 136407 (Sub-No. 8), filed February 27, 1975. Applicant: COORS TRANSPORTATION COMPANY, a corporation, 5101 York Street, Denver, Colo. 80216. Applicant's representative: Leslie R. Kehl, Suite 1600 Lincoln Center Bldg., 1660 Lincoln Street, Denver, Colo. 80203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cleaning and bleaching compounds, animal litter, and liquid cooking oils*, from the plant site and facilities of The Clorox Company located at or near Kansas City, Mo., to points in Colorado, under a continuing contract or contracts with The Clorox Company.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo.

No. MC 136602 (Sub-No. 6), filed March 6, 1975. Applicant: ARIZONA WESTERN TRANSPORT, INC., P.O. Box F (Guadalupe Rd.), Chandler, Ariz. 85224. Applicant's representative: A. Michael Bernstein, 1327 United Bank Bldg., Phoenix, Ariz. 85012. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bulk, and *ammonium nitrate*, in bulk, from points in Arizona, to points in San Diego, Riverside and Imperial Counties, Calif.

NOTE.—Applicant holds contract carrier authority in MC 136983, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either Phoenix, Ariz., or San Francisco, Calif.

No. MC 136711 (Sub-No. 18), filed March 3, 1975. Applicant: DAVID G. McCORKLE, doing business as McCORKLE TRUCK LINE, 2780 S. High, P.O. Box 95181, Oklahoma City, Okla. 73109. Applicant's representative: G. Timothy Armstrong, 280 National Foundation Life Bldg., 3535 N.W. 58th Street, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, (a) from points in Arkansas, to points in Alabama, Kansas, Kentucky, Louisiana, Missouri, Oklahoma, Tennessee and Texas; (b) from points in Kansas, to

points in Arkansas, Missouri, and Oklahoma; (c) between points in Kansas, restricted to traffic having a prior or subsequent movement by rail or water; (d) from points in Missouri, to points in Arkansas, Kansas and Oklahoma; and (e) between points in Missouri, restricted to traffic having a prior or subsequent movement by rail or water.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 138104 (Sub-No. 22), filed March 5, 1975. Applicant: MOORE TRANSPORTATION CO., INC., 3509 N. Grove Street, Fort Worth, Tex. 76106. Applicant's representative: J. Michael Alexander, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, aluminum articles, iron and steel tanks, aluminum tanks, and parts, attachments and accessories* for iron and steel tanks and aluminum tanks, between points in Liberty County, Tex., on the one hand, and, on the other, points in Louisiana, Arkansas, Oklahoma, New Mexico, Kansas, Missouri, and Mississippi.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala. or Washington, D.C.

No. MC 138104 (Sub-No. 23), filed March 3, 1975. Applicant: MOORE TRANSPORTATION CO., INC., 3509 N. Grove St., Fort Worth, Tex. 76106. Applicant's representative: Bernard H. English, 6270 Firth Rd., Fort Worth, Tex. 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ferro manganese, and Silicon manganese*, in bulk, in dump vehicles, from Houston, Tex., to the plantsite and storage facilities of Chaparral Steel Company, located near Midlothian, Tex.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Dallas, or Fort Worth, Tex.

No. MC 138225 (Sub-No. 3), filed February 28, 1975. Applicant: HEDRICK ASSOCIATES, INC., Rural Route 2, Box 10A2, Douglas Road, Far Hills, N.J. 07931. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth Street NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Swimming pool liners, inflatable pool covers and water mattresses*, from the facilities of R. L. Kuss and Co., in Findlay, Ohio, to points in Pennsylvania, New Jersey, and New York; and (2) *vinyl sheeting*, from points in Pennsylvania, New Jersey, and New York, to the facilities of R. L. Kuss and Co., Inc., in Findlay, Ohio, restricted to the shipments originating at or destined to the facilities of R. L. Kuss and Co., Inc. and further restricted to the transportation of shipments under a continuing contract or contracts with R. L. Kuss and Co., Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Columbus, Ohio, or Washington, D.C.

No. MC 138438 (Sub-No. 13) (Correction), filed February 3, 1975, published in the FEDERAL REGISTER issue of March 6, 1975, and republished, as corrected, this issue. Applicant: D. M. BOWMAN, INC., 15 East Oak Ridge Drive, Route 9, Box 26, Hagerstown, Md. 21740. Applicant's representative: Charles E. Creager, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick*, from Richlands, Glasgow, Marlon, Richmond, Somerset and Salem, Va., to points in Pennsylvania.

NOTE.—The purpose of this republication is to indicate the correct docket number assigned to this proceeding as MC 138438 (Sub-No. 13) in lieu of MC 138438 (Sub-No. 12) as previously published. Applicant holds contract carrier authority in MC 117613, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 138471 (Sub-No. 4), filed January 13, 1975. Applicant: DANIEL J. LEONARD, doing business as LEONARD TRUCKING, 1878 Delameter Road, Castle Rock, Wash. 98611. Applicant's representative: David C. White, 2400 S.W. Fourth Avenue, Portland, Ore. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages*, from Azusa, Los Angeles, San Francisco, and Van Nuys, Calif., to Aberdeen, Bingen, Olympia, Raymond, and Vancouver, Wash.; (2) *wine*, from Elk Grove, Calif., to Olympia, Wash.; and (3) *wooden shakes and shingles*, from points in Washington on and west of U.S. Highway 97, to points in California, restricted to traffic originating at the named origin and destined to the named destinations.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 138875 (Sub-No. 25), filed February 24, 1975. Applicant: SHOEMAKER TRUCKING CO., a corporation, 11900 Franklin Rd., Boise, Idaho 83705. Applicant's representative: Frank L. Sigloh, P.O. Box 7651, Boise, Idaho 83705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Diatomaceous earth*; and (2) *materials and supplies*, used in the mining, processing, and distribution of diatomaceous earth, between the plantsite of West and Southern Mining and Minerals, Inc., near Westfall (Malheur County), Ore., on the one hand, and, on the other, points in Minnesota, Iowa, Missouri, Arkansas, Louisiana, Texas, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota, Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Washington, Oregon, California, and Nevada, restricted to traffic originating at named origin and destined to named destinations.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Boise or Weiser, Idaho.

No. MC 138941 (Sub-No. 7), filed February 28, 1975. Applicant: COUNTRY

WIDE TRUCK SERVICE, INC., 1110 South Reservoir St., Pomona, Calif. 91766. Applicant's representative: K. Edward Wolcott, 1600 First Federal Bldg., Atlanta, Ga. 30303. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic articles* (except in bulk), from Wayne, Ontario and Monroe Counties, N.Y., to Chicago, Ill., under a continuing contract with Mobile Chemical, Plastic Division.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Buffalo, N.Y., or Washington, D.C.

No. MC 139123 (Sub-No. 5), filed February 25, 1975. Applicant: GLOUCES-TER DISPATCH, INC., Kelly Road, Box 127, Plaistow, N.H. 03865. Applicant's representative: Ignatius C. Goode (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in boxes, cases, cartons (except in bulk), from the plantsite and warehouses of the Kitchens of Sara Lee, located at or near Chicago and Deerfield, Ill., to points in Connecticut, Maine, Massachusetts, New Jersey, New York, Rhode Island, and Vermont.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.; Boston, Mass.; or Concord, N.H.

No. MC 139380 (Sub-No. 1), filed March 6, 1975. Applicant: STIDHAM TRUCKING INC., 645 West Lennox Street, P.O. Box 308, Yreka, Calif. 96097. Applicant's representative: John Paul Fischer, 140 Montgomery Street, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, forest products, and building materials*, from points in Humboldt, Trinity, and Siskiyou Counties, Calif., to points in Jackson, and Josephine Counties, Ore.

NOTE.—Applicant holds contract carrier authority in MC 135655, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either Yreka, or San Francisco, Calif.

No. MC 139495 (Sub-No. 40), filed February 28, 1975. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise, materials, equipment, and supplies* as are dealt in by manufacturers and distributors of home products, from the plantsite and storage facilities of Stanley Home Products, Inc., located at or near Easthampton, and Westfield, Mass., to points in Ohio, Michigan, Illinois, Iowa, Missouri, Colorado, Texas, California, and Washington.

NOTE.—Applicant holds motor contract carrier authority in No. MC 133106 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 139713 (Sub-No. 2), filed February 18, 1975. Applicant: DONALD M. NASS, doing business as 136 High Street, Clinton, Wis. 53014. Applicant's representative: Nancy J. Johnson, 4506 Regent Street, Madison, Wis. 53705. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: (1) *Malt beverages, advertising materials and promotional items* when shipped there-with, from Milwaukee, Wis., to Freeport and Rockford, Ill.; and (2) *return of containers and rejected shipments*, from the above named destination points, to Milwaukee, Wis.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Milwaukee, Wis. or Chicago, Ill.

No. MC 140425 (Sub-No. 1), filed March 3, 1975. Applicant: I.C.J. TRUCKING CO., a corporation, 1701 W. Fourth Plain Road, Vancouver, Wash. 98660. Applicant's representative: Lawrence V. Smart, Jr., 419 Northwest 23d Avenue, Portland, Ore. 97210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metal*, in dump vehicles, between points in Oregon and Washington.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No MC 140428 (Sub-No. 1), filed February 24, 1975. Applicant: KEITH GREEN, doing business as GREEN'S TRUCKING, Highway 2 North, Williston, N. Dak. 58801. Applicant's representative: Fred E. Whisenand, 113 East Broadway, P.O. Box 1307, Williston, N. Dak. 58801. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats*, fresh and frozen, including scrap bones and scrap meats, refuse and hides and all products relating thereto, from the plant site of Williston Packing Company, Inc., at or near Williston, N. Dak., to Belgrade, St. Paul and Minneapolis, Minn. and points in Stearns, Pope, Kanyohi, Washington, Dakota, Ramsey, Carver and Hennepin Counties, Minn., under a continuing contract or contracts with Willis-ton Packing Company, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Williston, N. Dak.

No. MC 140473 (Sub-No. 2), filed February 24, 1975. Applicant: BARI-BAULT OIL CO., INC., doing business as LYMAN BULK TRANSPORT, 610 Main Street, Watertown, Conn. 06779. Applicant's representative: John F. Phelan, 111 West Main Street, Waterbury, Conn. 06702. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Crushed stone, sand and gravel*, from Woodbury, Conn., to Somers, N.Y., under a continuing contract or contracts with McCleary Bros., Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Waterbury or Hartford, Conn.

No. MC 140477 (Sub-No. 2), filed February 24, 1975. Applicant: SEABROUCK TRANSPORT, INC., P.O. Box 329, Crookston, Minn. 56716. Applicant's representative: James B. Hovland, 425 Gate City Building, Fargo, N. Dak. 58102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and related advertising material and articles*, dealt in by wholesale malt beverage distributors, from Milwaukee, Wis.; Minneapolis and Shakopee, Minn.; and Peoria, Ill., to Minot and Williston, N. Dak., under contract with Moralli Distributing, Inc., at Minot, N. Dak., and All Star Distributing, at Williston, N. Dak.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak., or St. Paul, Minn.

No. MC 140479 (Sub-No. 2), filed March 3, 1975. Applicant: JERRY L. FERILL, doing business as LUMBER EXPRESS, Route 3, Box 422, Excelsior Springs, Mo. 64024. Applicant's representative: Donald J. Quinn, Suite 900, 1012 Baltimore, Kansas City, Mo. 64105. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and building materials*, between the site of Wickes Lumber Company at or near Excelsior Springs, Mo., on the one hand, and, on the other, Ankeny, Iowa; Omaha, Nebr.; points in Kansas on and east of U.S. Highway 81; and points in Iowa on and south of Interstate Highway 80, under a continuing contract or contracts with Wickes Lumber Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.

No. MC 140499, filed December 13, 1974. Applicant: RANDOLPH COUNTY HAULING CO., INC., 819 Opdyke, Chester, Ill. 62233. Applicant's representative: John R. Bauer, 424 Lebanon Avenue, Belleville, Ill. 62222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Concrete aggregates, and blacktop*, in dump vehicles, *sand, coal, farm products*, and *gravel and rock*, from the plantsite of the Perry County Quarry at or near Perryville, Mo., to points in Cape Girardeau, Madison, Perry, St. Genevieve, and St. Francis Counties, Mo., and points in Madison, St. Clair, Washington, Randolph, Perry and Jackson Counties, Ill.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either St. Louis, Mo. or Chicago, Ill.

No. MC 140538 (Sub-No. 2), filed February 21, 1975. Applicant: LESLIE NORMAN FRED, doing business as NORMAN FRED, DeSoto, Ill. 62924. Applicant's representative: John G. Gilbert, P.O. Box 1058, 231 West Main Street, Carbondale, Ill. 62901. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Milk and dairy products*, including cream, ice cream mix, cottage cheese, butter, ice

creams, milk powder and milk substitutes, (1) from Carbondale, Ill., to points in St. Louis County, Mo.; and (2) from Carbondale, Ill., to points in Cape Girardeau, Scott, Mississippi and Stoddard Counties, Mo., and return, under a continuing contract or contracts with Prairie Farms Dairy, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Springfield, Ill.

No. MC 140550, filed January 13, 1975. Applicant: LEO VEST, doing business as L & F WRECKER SERVICE, R.F.D. 1, Buffalo, Mo. 65622. Applicant's representative: Turner White, 1736 East Sunshine, Springfield, Mo. 65804. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wrecked and disabled motor vehicles*, from points in the United States, to Buffalo, Springfield and Mt. Vernon, Mo., restricted to a service by wrecker equipment only.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Kansas City or St. Louis, Mo.

No. MC 140568 (Sub-No. 1), filed March 5, 1975. Applicant: DELIVERIES UNLIMITED, INC., 125 Magazine Street, Boston, Mass. 02119. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Bldg., Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Computer parts*, between Nashua and Manchester, N.H., and Portland, Maine, on the one hand, and, on the other, Lowell, Lawrence and Framingham, Mass., under contract with Honeywell Information Systems, Inc., at Boston, Mass.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Boston, Mass.

No. MC 140616 (Sub-No. 2), filed February 14, 1975. Applicant: GEORGE WALDORFF, doing business as WALDORFF & SON, Rt. 1, Box 24, Altha, Fla. 32421. Applicant's representative: Sol H. Proctor, 1107 Blackstone Building, Jacksonville, Fla. 32202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fertilizer*, from points in Henry County, Ala.; Bainbridge, Ga.; and Yazoo City and Pascagoula, Miss., to Altha, Fla.; and (2) *slag* from Birmingham, Ala., to Altha, Fla., under a continuing contract or contracts with Altha Farmers Coop.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Tallahassee or Jacksonville, Fla.

No. MC 140637 (Correction); filed January 27, 1975 published in the FEDERAL REGISTER issue of March 6, 1975, and republished as corrected this issue. Applicant: BOB & RAY'S EXPRESS, INC., 3673 Hillside Ave., Cincinnati, Ohio 45204. Applicant's representative: Jack B. Josselson, 700 Atlas Bank Bldg., Cincinnati, Ohio 45202. Authority sought to operate as a *contract carrier*, by motor

vehicle, over irregular routes, transporting: (1) *New uncrated furniture and household furnishings and appliances*, from points in the Cincinnati, Ohio commercial zone to points in Indiana and Kentucky; and (2) *returned shipments on return*, under a continuing contract with McAlpin Company.

NOTE.—The purpose of this republication is to add the shipper's name, which was previously omitted. If a hearing is deemed necessary, the applicant requests it be held at Cincinnati, Ohio.

No. MC 140660 (Sub-No. 2), filed March 3, 1975. Applicant: DONALD W. COLE, Route No. 1, Winthrop, Minn. 55396. Applicant's representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid fertilizer solutions and liquid feeds*, in bulk, in tank vehicles, from the plantsite and facilities of NaChurs Plant Food Co., located at or near Red Oak, Iowa, to points in Wisconsin, Illinois, Missouri, Minnesota, Kansas, Nebraska, South Dakota, North Dakota, Colorado, Wyoming, and Montana; and; (2) *ingredients*, utilized in the manufacture and production of the commodities specified in (1) above, in bulk, from points in Wisconsin, Illinois, Missouri, Minnesota, Kansas, Nebraska, South Dakota, North Dakota, Colorado, Wyoming, and Montana, to the plantsite and facilities of NaChurs Plant Food Co., located at or near Red Oak, Iowa, restricted in (1) and (2) above, to traffic originating at the named origins and destined to the named destinations.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 140673, filed February 20, 1975. Applicant: OVERLAND CO., INC., Highway 20, Route 1, Lawrenceville, Ga. 30245. Applicant's representative: K. Edward Wolcott, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by retail discount stores (except foodstuffs), between the distribution center and warehouse facilities of the Zayre Corp. at Forest Park, Ga. and the retail stores of the Zayre Corp. at or near Birmingham, Bessemer and Hoover, Ala., Charlotte, Kannapolis, Winston-Salem, and Greensboro, N.C. and Memphis, Tenn. in non-radial movements, under a continuing contract or contracts with Zayre Corp.

NOTE.—Applicant holds common carrier authority in MC-133221 and Subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either Boston, Mass. or Washington, D.C.

No. MC 140693, filed February 26, 1975. Applicant: BEER TRANSPORTATION COMPANY, a corporation, 1120 Germantown Avenue, Philadelphia, Pa. 19123. Applicant's representative: Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages (beer), and related advertising materials*, from South Volney, N.Y., to points in Delaware, Maryland, New Jersey, Pennsylvania, Virginia and District of Columbia; (2) *materials, supplies and equipment* used in the manufacture, sale and distribution of malt beverages, including returned empty malt beverage containers, from points in Delaware, Maryland, New Jersey, Pennsylvania, Virginia and District of Columbia, to South Volney, N.Y.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Philadelphia, Pa. or Washington, D.C.

No. MC 140698, filed February 14, 1975. Applicant: MUCCI'S GARAGE, INC., 907 North Avenue, Syracuse, N.Y. 13206. Applicant's representative: Herbert M. Canter, 315 Seitz Building, 201 East Jefferson Street, Syracuse, N.Y. 13202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled, inoperative, repossessed, or abandoned vehicles and replacement vehicles*, for wrecked, disabled, or inoperative vehicles, between points in Cayuga and Onondaga Counties, N.Y., on the one hand, and, on the other, points in Ohio, Pennsylvania, New Jersey, Vermont, Massachusetts, and Connecticut.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Syracuse, N.Y.

No. MC 140699, filed February 21, 1975. Applicant: JOHN H. CANTRELL, doing business as HOWARD CANTRELL WRECKER SERVICE, 1910 Dickerson Road, Nashville, Tenn. 37207. Applicant's representative: A. O. Buck, 618 Hamilton Bank Building, Nashville, Tenn. 37207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled, stolen, repossessed and abandoned vehicles, and replacement vehicles therefor*, by use of wrecker equipment, between those points in Tennessee west of U.S. Highway 27, and east of the western traversal of the Tennessee River, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Nashville, Tenn.

No. MC 140711, filed February 19, 1975. Applicant: EXPRESS LIMITED, INC., 1213 St. Louis Street, Louisville, Ky. 40201. Applicant's representative: Rudy Yessin, 314 Wilkinson Street, Frankfort, Ky. 40601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages, non-alcoholic beverages, and related advertising materials*, from Evansville, Ind. and Indianapolis, Ind., to Louisville, Ky.; and (2) *rejected shipments, empty beer cases, empty shells, pallets, and empty containers*, from Louisville, Ky., to Evansville, Ind., under a continuing contract or contracts with G. Helleman Brewing Co., Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Louisville or Frankfort, Ky.

No. MC 140712, filed February 20, 1975. Applicant: ROYCE WRIGHT, doing business as R. J. WRIGHT & SONS, Rural Route 3, Box 259, Portland, Ind. 47371. Applicant's representative: Robert W. Loser II, 1009 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fertilizer*, from the plant site and storage facilities of the Occidental Chemical Company, located at or near New Bremen, Ohio, to Bryant, Fairmount, and Lynn, Ind.; and (2) *fertilizer filler*, from Jay County, Ind., to the plant and storage facilities of the Occidental Chemical Company, located at or near New Bremen, Ohio, the above authority is restricted to operations performed under a continuing contract or contracts with the Occidental Chemical Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Indianapolis, Ind.

No. MC 140717, filed February 19, 1975. Applicant: JULIAN MARTIN, INC., 1490 S. 14th Street, Batesville, Ark. 72501. Applicant's representative: Theodore Polydoroff, 1250 Connecticut Ave. NW., Suite 600, Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from points in Colorado, Illinois, Iowa, Kansas, Kentucky, Minnesota, Missouri, Nebraska, Oklahoma, Tennessee, Texas and Wisconsin to points in Memphis, Tenn., and Greenville, Miss., under a continuing contract with Distribuco, Incorporated.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Memphis, Tenn.

No. MC 140726, filed February 27, 1975. Applicant: EFC TRANSPORTATION COMPANY, INC., 6804 East 48th Avenue, Denver, Colo. 80216. Applicant's representative: Thomas J. Burke, Jr., 1600 Lincoln Center Building, 1660 Lincoln Street, Denver, Colo. 80203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Abrasives and grinding wheel parts*, from Kingman, Ariz., Cave-in-Rock and Des Plaines, Ill., Fall River, Millbury, North Grafton, Worcester, and Shrewsbury, Mass., Belleville, Bound Brook, Camden, Keasbey, South Brunswick, and South Hackensack, N.J., Buffalo, Niagara Falls, North Tonawanda, Schenectady and Tonawanda, N.Y., Cleveland and Washington Courthouse, Ohio, Bowmanstown, Pittsburgh, and Philadelphia, Pa., to Marysville, Wash., under a continuing contract or contracts with Pacific Grinding Wheel Co., Inc., at Marysville, Wash.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo., or Seattle, Wash.

No. MC 140727, filed Feb. 27, 1975. Applicant: DELTA DRAYAGE & DISTRIBUTION COMPANY, INC., 208 North Mill Avenue, Dyersburg, Tenn. 38024. Applicant's representative: Robert L. Baker, 618 Hamilton Bank Building, Nashville, Tenn. 37219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fibreboard*, between Covington, Tenn., and Manchester, Conn., under contract with Colonial Fiber Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Manchester, Conn., or Washington, D.C.

APPLICATIONS OF PASSENGERS

No. MC 13492 (Sub-No. 11), filed February 24, 1975. Applicant: NORTH BOULEVARD TRANSPORTATION CO., a corporation, 9261 Kennedy Boulevard, North Bergen, N.J. 07047. Applicant's representative: William C. Mitchell, 370 Lexington Avenue, New York, N.Y. 10017. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, between points in the Borough of Fort Lee, N.J.: (1) From the junction of Bergen Boulevard (U.S. Highway 46) and North Avenue over North Avenue to Mediterranean Towers West Apartment building east of Bergen Boulevard, and return over the same route, serving all intermediate points; (2) From the Mediterranean Towers West Apartment building at the junction of North Avenue and Maple Street over Maple Street to junction Main Street, thence over Main Street to junction Bergen Boulevard (U.S. Highway 46), and return over the same route, serving all intermediate points; and (3) From the junction of Bergen Boulevard (U.S. Highway 46) and access road to Maple Street south of Main Street over access road to junction Maple Street, and return over the same route, serving all intermediate points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Fort Lee or Newark, N.J.

No. MC 29601 (Sub-No. 16), filed February 24, 1975. Applicant: MIDWEST COACHES, INC., 216 North Second Street, Mankato, Minn. 56001. Applicant's representative: Val M. Higgins, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: (1) Regular route, *Passengers and their baggage*, and *express and newspapers* in the same vehicle, between the junction of U.S. Highways 14 and 59, north of Garvin, Minn., and Brookings, S. Dak., serving all intermediate points: From junction U.S. Highways 14 and 59 over U.S. Highway 14 to Brookings, and return over the same route; (2) Irregular route, *Passengers and their baggage*, in

the same vehicle with passengers, and *baggage of passengers* in a separate vehicle, in charter operations and in round-trip sightseeing and pleasure tours, beginning and ending at Balaton, Florence, Tyler, and Lake Benton, Minn., Brookings, S. Dak., and the junction of U.S. Highway 14 and South Dakota Highway 13, known as Elkton Corner, and extending to points in the United States, including Alaska but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 133048 (Sub-No. 4), filed January 27, 1975. Applicant: JAMES D. KINNEY AND B. R. LINDSEY, a partnership, doing business as PIONEER TRANSIT LINES, 234 West Yellowstone, Casper, Wyo. 82601. Applicant's representative: James D. Kinney (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers, their baggage, express and newspapers*, in the same vehicle with passengers, between Medicine Bow and Laramie, Wyo.: From Medicine Bow, Wyo., over U.S. Highway 30 to Laramie, Wyo., and return over the same route, serving all intermediate points.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Casper, Wyo.

No. MC 139604 (Sub-No. 5), filed February 27, 1975. Applicant: CHERRY HILL TRANSIT, a corporation, 109 Brick Road, Cherry Hill, N.J. 08003. Applicant's representative: Raymond A. Thistle, Jr., Suite 1012, Four Penn Center Plaza, Philadelphia, Pa. 19103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, between points in the Philadelphia, Pa. Commercial Zone and points in Delaware County, Pa., on the one hand, and, on the other, the Lakehurst Naval Air Station at or near Lakehurst, N.J., under a continuing contract or contracts with Lakehurst Commuter Transportation Corp.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 140319 (Sub-No. 2), filed February 18, 1975. Applicant: SALEM STAGE, INC., 819 Cedarbough, New Albany, Ind. 47150. Applicant's representative: Alki E. Scopelitis, 815 Merchants Bank Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Passengers and express and baggage of passengers*, between Salem, Ind., and Louisville, Ky., serving all intermediate points: From Salem over Indiana State Highway 60, to Junction of Indiana State Highway 60 and Indiana State Highway 111, thence over Indiana State Highway 111 to the junction of U.S. Highway 460, thence over U.S. Highway 460 to Louisville, Ky., and return over the same route. (2) *Passengers, and their baggage*, in special or charter operations, in vehicles

carrying 13 or less passengers, between points authorized to be served in part (1) above, on the one hand, and, on the other, points in the United States (including Alaska, but excluding Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Indianapolis, Ind.

BROKER APPLICATIONS

No. MC 130300, filed February 18, 1975. Applicant: GREAT HORIZONS DEVELOPMENT CORP., 5185 Broad Street, Gary, Ind. 46409. Applicant's representative: Donald R. Absher (same address as applicant). Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at Gary, Ind., to sell or offer to sell the transportation of *groups of passengers and their baggage*, in special and charter operations, in sightseeing tours, by motor or rail carriers, from points in Lake and Porter Counties, Ind., to points in the United States, including Alaska, but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Indianapolis, Ind., Chicago, Ill., or Washington, D.C.

No. MC 130303, filed February 25, 1975. Applicant: MISTURBI CORP., 3368 Washtenaw, Ann Arbor, Mich. 48104. Applicant's representative: Wilhelmina Boersman, 1600 First Federal Bldg., Detroit, Mich. 48226. Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at Ann Arbor, Mich., to sell or offer to sell the transportation of *Passengers and their baggage*, in round trip charter tours, by water carrier, motor, rail and air carriers: (1) between points in Illinois, Michigan, and Ohio; and (2) between ports located on the Great Lakes in Illinois, Michigan, Ohio, New York, Pennsylvania, Minnesota, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-7875 Filed 3-26-75; 8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

MARCH 21, 1975.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's gateway elimination rules (49 CFR 1065), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before April 6, 1975. A copy

must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

Applicant: BOS LINES, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Gene R. Prohushi (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, (A) from points in that part of Iowa west of a line beginning at the Iowa-Nebraska State line and extending along U.S. Highway 20 to the junction of unnumbered highway, thence along unnumbered highway through Holly Springs to the junction of Iowa Highway 141, thence along Iowa Highway 141 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction Iowa Highway 92, thence along Iowa Highway 92 to junction Iowa Highway 148, thence along Iowa Highway 148 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction Iowa Highway 25, thence along Iowa Highway 25 to junction Iowa Highway 2, thence along Iowa Highway 2 to junction U.S. Highway 35, thence along U.S. Highway 35 to the Iowa-Missouri State line, (1) to points in that part of Indiana south of a line beginning at the Illinois-Indiana State line and extending along Indiana Highway 26 to junction Indiana Highway 25, thence along Indiana Highway 25 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction Indiana Highway 124, thence along Indiana Highway 124 to the Indiana-Ohio State line, (2) to points in that part of Michigan south of a line beginning at Lake Michigan and extending along U.S. Highway 94 to junction Michigan Highway 106, thence along Michigan Highway 106 to junction Michigan Highway 36, thence along Michigan Highway 36 to junction U.S. Highway 23, thence along U.S. Highway 23 to junction Michigan Highway 59, thence along Michigan Highway 59 to junction unnumbered highway, thence along unnumbered highway to Lake St. Clair.

(3) to points in that part of Ohio south and east of a line beginning at the Indiana-Ohio State line and extending along Ohio Highway 29 to junction U.S. Highway 75, thence along U.S. Highway 75 to junction U.S. Highway 224, thence along U.S. Highway 224 to junction Ohio Highway 18, thence along Ohio Highway 18 to junction Ohio Highway 162, thence along Ohio Highway 162 to junction Ohio Highway 4, thence along Ohio Highway 4 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Ohio Highway 61, thence along Ohio Highway 61 to junction Ohio Highway 113, thence along Ohio Highway 113 to junction Ohio Highway 58, thence along Ohio Highway 58 to Lake Erie; (B) from points in that part of Iowa west of a line beginning at the Iowa-Minnesota State line and ex-

tending along U.S. Highway 69 to the Iowa-Missouri State line, (1) to points in that part of Indiana south of a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 40 to the Indiana-Ohio State line, (2) to points in that part of Ohio south of a line beginning at the Indiana-Ohio State line and extending along U.S. Highway 40 to junction Ohio Highway 285, thence along Ohio Highway 285 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Ohio-West Virginia State line, (C) from points in that part of Iowa west of a line beginning at the Iowa-Minnesota State line and extending along U.S. Highway 63 to the Iowa-Missouri State line, to points in that part of Indiana south of a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 460 to the Indiana-Kentucky State line; (D) from points in that part of Iowa west of a line beginning at the Iowa-Minnesota State line and extending along U.S. Highway 65 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Iowa Highway 214, thence along Iowa Highway 214 to junction Iowa Highway 175, thence along Iowa Highway 175 to junction Iowa Highway 14, thence along Iowa Highway 14 to junction Iowa Highway 5, thence along Iowa Highway 5 to the Iowa-Missouri State line, to points in that part of Ohio south of a line beginning at the Indiana-Ohio State line and extending along U.S. Highway 50 to the Ohio-West Virginia State line. The purpose of this filing is to eliminate the gateways of Marshall, Macon, Milan, Carrollton, and Moberly, Mo.

No. MC 29886 (Sub-No. E57), filed June 4, 1974. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled fork trucks*, the transportation of which, because of size or weight, require the use of special equipment, and *self-propelled fork trucks* each weighing 15,000 pounds or more, from Battle Creek, Mich., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, the District of Columbia, North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Mississippi, Louisiana, Arkansas, Illinois, Missouri, Iowa, Wisconsin, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, California, Oregon, Nevada, Washington, those in Indiana on and west of Interstate Highway 65, those in Maryland on and east of Interstate Highway 95, those in New York on and east of Interstate Highway 81, those in Kentucky on, south and west of a line beginning at the Kentucky-Indiana State line and extending along Interstate Highway 65 to junction

Kentucky Highway 61, thence along Kentucky Highway 61 to the Kentucky-Tennessee State line, and those in Virginia, on and south of a line beginning at the Virginia-West Virginia State line and extending along the Shenandoah-Rockingham County line, to junction U.S. Highway 211, thence along U.S. Highway 211 to the Virginia-District of Columbia line. The purpose of this filing is to eliminate the gateway of Benton Harbor, Mich.

No. MC 37203 (Sub-No. E12), filed May 31, 1974. Applicant: MILLSTEAD VAN LINES, INC., P.O. Drawer 878, Bartlesville, Okla. Applicant's representative: Thomas F. Sedberry, Suite 1102, Perry-Brooks Bldg., Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Wyoming, on the one hand, and, on the other, points in that part of Texas on and east of a line beginning at the Texas-Oklahoma State line and extending along U.S. Highway 183 to its junction with U.S. Highway 377, thence along U.S. Highway 377 to its junction with U.S. Highway 87, thence along U.S. Highway 87 to its junction with U.S. Highway 81, thence along U.S. Highway 81 to the United States-Mexico International Boundary line. The purpose of this filing is to eliminate the gateways of Tulsa, Okla., and points in Oklahoma within 80 miles of Tulsa.

No. MC 51146 (Sub-No. E15) (Correction), filed November 2, 1974 published in the FEDERAL REGISTER December 10, 1974. Republished in the FEDERAL REGISTER February 11, 1975. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, Wisc. 54306. Applicant's representative: Neil A. DuJardin (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (36) *Paper and paper products* (except commodities in bulk) from points in Ohio on and within an area bordered on the north by U.S. Highway 35, on the west by U.S. Highway 27, on the south by Ohio Highway 129, and on the east by U.S. Highway 25 (except points in Hamilton and Middletown, Ohio and their Commercial Zones), to Memphis, Tenn., and points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Mississippi, Texas, Louisiana, Arkansas, Maine, New Hampshire, Vermont, New York, Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, Maryland, Virginia (except points west of U.S. Highway 21), North Carolina (except points west of a line beginning at the intersection of the North Carolina-Virginia State line and U.S. Highway 21, thence along U.S. Highway 21 to Sparta, thence along North Carolina Highway 18 to Roxboro, thence along North Carolina Highway 16 to its junction with U.S. Highway 321, thence along U.S. Highway 321 to the North Carolina-South Carolina State line), South Carolina (except points west of a line

beginning at the intersection of the North Carolina-South Carolina State line and U.S. Highway 321, thence along U.S. Highway 321 to its intersection with South Carolina Highway 72, thence along South Carolina Highway 72 to Greenwood, thence along U.S. Highway 25 to the Georgia-South Carolina State line), Missouri (except points east of a line beginning at the intersection of the Iowa-Missouri State line and U.S. Highway 136.

Thence along U.S. Highway 136 to the intersection of Missouri Highway 15, thence along Missouri Highway 15 to Mexico, thence along U.S. Highway 54 to Jefferson City, thence along U.S. Highway 63 to Cabool, thence along U.S. Highway 60 to Poplar Bluff, thence along U.S. Highway 67 to the Missouri-Arkansas State line, Alabama (except points north of a line beginning at the intersection of the Alabama-Mississippi State line and U.S. Highway 78, thence along U.S. Highway 78 to Hamilton, thence along U.S. Highway 278 to the Georgia-Alabama State line), and the District of Columbia. Restriction: The authority granted above is restricted against the transportation of pulpboard, pulpboard products, and waste paper. (The plant site of Laminated and Coated Products Div., of St. Regis Paper Co., at Troy, Ohio)*; (53) paper and paper products, (except commodities in bulk), from Newark and Rochester, N.Y., to points in Kansas, Oklahoma, Texas, Louisiana, North Dakota (except points east and south of a line beginning at the intersection of the International Boundary between Canada and North Dakota and U.S. Highway 281, thence along U.S. Highway 281 to its junction with North Dakota Highway 3, thence along North Dakota Highway 3 to its junction with U.S. Highway 2, thence along U.S. Highway 2 to its intersection with North Dakota Highway 14, thence along North Dakota Highway 14 to its junction with U.S. Highway 83, thence along U.S. Highway 83 to the North Dakota-South Dakota State line), South Dakota (except points east and south of a line beginning at the intersection of the North Dakota-South Dakota State line and U.S. Highway 83, thence along U.S. Highway 83 to its intersection with U.S. Highway 14, thence along U.S. Highway 14 to its intersection with South Dakota Highway 73, thence along South Dakota Highway 73 to the South Dakota-Nebraska State line), Nebraska (except points north and east of a line beginning at the intersection of the South Dakota-Nebraska State line and Nebraska Highway 61, thence along Nebraska Highway 61 to its intersection with U.S. Highway 30, thence along U.S. Highway 30 to its intersection with U.S. Highway 183, thence along U.S. Highway 183 to its intersection with U.S. Highway 6.

Thence along U.S. Highway 6 to its intersection with U.S. Highway 281, thence along U.S. Highway 281 to its intersection with Nebraska Highway 4, thence along Nebraska Highway 4 to Beatrice,

thence along U.S. Highway 77 to the Nebraska-Kansas State line), Missouri (except points east and north of a line beginning at St. Joseph, thence along U.S. Highway 169 to its intersection with U.S. Highway 50, thence along U.S. Highway 50 to Sedalia, thence along U.S. Highway 65 to its intersection with Missouri Highway 14, thence along Missouri Highway 14 to West Plains, thence along U.S. Highway 63 to the Missouri-Arkansas State line), Arkansas (except points north and east of a line beginning at the intersection of the Missouri-Arkansas State line and U.S. Highway 63, thence along U.S. Highway 63 to its intersection with Arkansas Highway 1, thence along Arkansas Highway 1 to its intersection with U.S. Highway 49, thence along U.S. Highway 49 to the Arkansas-Mississippi State line), Mississippi (except points north and east of a line beginning at the intersection of the Arkansas-Mississippi State line and U.S. Highway 49, thence along U.S. Highway 49 to its junction with U.S. Highway 49E, thence along U.S. Highway 49E to Greenwood, thence along U.S. Highway 82 to the Alabama-Mississippi State line), and Alabama (except points north and east of U.S. Highway 82). (Paxinos, Pa., and the plant site of Laminated and Coated Products Div., of St. Regis Paper Co., at Troy, Ohio)*. The purpose of this filing is to eliminate the gateways marked with asterisks above. The purpose of this partial correction is to clarify the commodity descriptions. The remainder of this letter-notice will remain as previously published.

No. MC-61403 (Sub-No. E34) (Correction), filed May 31, 1974, republished in the FEDERAL REGISTER January 27, 1975. Applicant: THE MASON AND DIXON TANK LINES, INC., P.O. Box 969, Kingsport, Tenn. 37662. Applicant's representative: Charles E. Cox (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (2) *Liquid chemicals*, in bulk, in tank vehicles, (a) from points in Tennessee on and east of U.S. Highway 85, to points in North Dakota on and east of U.S. Highway 85, and points in South Dakota, on and east of U.S. Highway 27 (Kingsport, Tenn., and Marshall, Ill.)*, and (b) from points in Tennessee on, east, and north of a line beginning at the Tennessee-Kentucky State line and extending along Interstate Highway 75 to Knoxville, thence along U.S. Highway 411 to Newport, thence along U.S. Highway 70 to the Tennessee-North Carolina State line, to points in Colorado east of U.S. Highway 85, points in Iowa, Kansas, and Nebraska (Kingsport, Tenn., and Marshall, Ill.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this partial correction is to correct a highway description in (2) (a) above, and to expand the territorial description in (2) (b) above. The remainder of this letter-notice remains as previously published.

No. MC 100666 (Sub-No. E40), filed April 18, 1974. Applicant: MELTON

TRUCK LINE, INC., 1129 Grimmitt Drive, P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Richard W. Mays (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Composition board*, from points in Texas (except Pineland and Silsbee, and particle board from Diboll), to points in Indiana. The purpose of this filing is to eliminate the gateways of Irving, Tex., and Miami, Okla.; Irving, Tex., and Craig, Okla.; Pineland, Tex.; Silsbee, Tex.; and Acme, Tex., and Miami, Okla.

No. MC-107295 (Sub-No. E202), filed May 14, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Prefabricated and precut buildings or houses*, complete, knocked down, or in sections and all component parts necessary to the construction, erection, or completion of such buildings or houses, when shipped with same, (1) from points in that part of West Virginia located in and east of Jackson, Kanawha, Boone, Wyoming, and McDowell Counties to points in that part of Georgia located in and south of Early, Baker, Mitchell, Colquitt, Cook, Berrien, Coffee, Bacon, Appling, Tattnall, Evans, Bulloch, and Effingham Counties; (2) from points in that part of West Virginia located in and east of Jackson, Kanawha, Boone, Wyoming, and McDowell Counties to points in that part of Kentucky located in and north of Carlisle, Graves, Marshall, Lyon, Caldwell, Hopkins, McLean, Ohio, Grayson, Hardin, Nelson, Spencer, Shelby, Henry, and Carroll Counties; (3) from points in West Virginia to points in Texas, Oklahoma, Louisiana, and to points in that part of Mississippi located in and west of Tunica, Quitman, Tallahatchie, Leflore, Humphreys, Yazoo, Hinds, Copiah, Jefferson, Adams, and Wilkinson Counties. The purpose of this filing is to eliminate the gateways of (1) Lumberton, N.C.; (2) Lumberton, N.C.; (3) points in Ohio, and (4) points in Tennessee and Arkansas.

No. MC 107295 (Sub-No. E203), filed May 14, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Buildings*, complete, knocked down, or in sections, including all component parts, materials, supplies, and fixtures, and when shipped with such buildings, *accessories* used in the erection, construction, and completion thereof, (1) from points in Michigan to points in Arizona and New Mexico; (2) from points in the Lower Peninsula of Michigan to points in that part of California located in and south of San Luis Obispo, Kerns, and San Bernardino Counties; (3) from points in Michigan to points in Colorado, Nevada, Utah, and

Wyoming; and (4) from points in the Lower Peninsula of Michigan, to points in that part of Idaho located in and south of Nez Perce, Lewis, and Clearwater Counties. The purpose of this filing is to eliminate the gateways of (1) Pine Bluff, Ark.; (2) Pine Bluff, Ark.; (3) points in Wapello County, Iowa; and (4) points in Wapello County, Iowa.

No. MC 107403 (Sub-No. E409), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitro paraffines and derivatives* thereof, in bulk, in tank vehicles, from Sterlington, La., to points in Michigan (except those points that are both west of U.S. Highway 131 and south of Michigan Highway 89). The purpose of this filing is to eliminate the gateway of Ashland, Ky.

No. MC-107403 (Sub-No. E411), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Methanol*, in bulk, in tank vehicles, from Sterlington, La., to points in Ohio (except points west of U.S. Highway 62, and points south of U.S. Highway 40), and Michigan (except those points that are both west of U.S. Highway 27 south of U.S. Highway 10). The purpose of this filing is to eliminate the gateway of Ashland, Ky.

No. MC-107403 (Sub-No. E451), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from the facilities of American Cyanamid at Avondale, La., to points in Iowa, Minnesota, Wisconsin, and points in Nebraska east of U.S. Highway 83. The purpose of this filing is to eliminate the gateway of Mapleton, Ill.

No. MC 107403 (Sub-No. E545), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Creosote oil* in bulk, in tank vehicles, from the facilities of Witco Chemical Co., Inc., at or near Jasper, Tex., to points in Ohio (except points that are both west of U.S. Highway 68 and south of U.S. Highway 40). The purpose of this filing is to eliminate the gateways of Baton Rouge, La., and Ashland, Ky.

No. MC 107403 (Sub-No. E553), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative:

John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and muriatic acid*, in bulk, in tank vehicles, from Freeport, Tex., to points in Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, North Carolina, South Carolina, Wisconsin, Tennessee (except Kingsport, Tenn.), and Missouri (except those points west of U.S. Highway 63). The purpose of this filing is to eliminate the gateway of Baton Rouge, La.

No. MC-107403 (Sub-No. E568), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Creosote oil wood preservatives*, in bulk, in tank vehicles, from Lone Star, Tex., to points in Delaware, Maryland, New Jersey, New York, and Pennsylvania. The purpose of this filing is to eliminate the gateways of Greensboro, N.C., and Baton Rouge, La.

No. MC-107403 (Sub-No. E586), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Creosote oil*, in bulk, in tank vehicles, from Point Comfort, Tex., to points in Michigan (except those points that are both west of U.S. Highway 131 and south of Michigan Highway 89), and Ohio (except those points that are both west of U.S. Highway 23 and south of U.S. Highway 40). The purpose of this filing is to eliminate the gateways of Baton Rouge, La., and Ashland, Ky.

No. MC 107403 (Sub-No. E656), filed January 31, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bicarbonate of soda* (dry), and *sodium carbonate* (monohydrated, dry), in bulk, in hopper and mechanical discharge type vehicles, from the facilities of Church and Dwight Co., Inc., at Syracuse, N.Y., to points in Kansas and Missouri. The purpose of this filing is to eliminate the gateways of Erie, Pa., Ashtabula County, Ohio, facilities of B.F. Goodrich Co., in Milan Township, Ind., and the facilities of Stepan Chemical Co., at or near Millsdale, Ill.

No. MC 107403 (Sub-No. E657), filed January 31, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except liquefied petroleum gas and except petro-

leum chemicals as defined in Appendix XV to the Description case above cited), in bulk, in tank vehicles, from the facilities of Flexi-Flo of Penn Central Transportation Co., at Rochester, N.Y., to points in Maryland, North Carolina, South Carolina, and Virginia. The purpose of this filing is to eliminate the gateway of McKean County, Pa.

No. MC 107403 (Sub-No. E658), filed January 31, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bicarbonate of soda* (dry) and *sodium carbonate* (monohydrated, dry), in bulk, in hopper and mechanical discharge type vehicles, from the facilities of Church and Dwight Co., Inc., at Syracuse, N.Y., to points in New Hampshire and Maine. The purpose of this filing is to eliminate the gateway of Springfield, Mass.

No. MC 107403 (Sub-No. E661), filed January 31, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry calcium chloride*, in bulk, in tank vehicles, from points in New York east of New York Highway 14 to points in Illinois and Wisconsin. The purpose of this filing is to eliminate the gateways of Solvay, N.Y., Ashtabula, Ohio, and the facilities of B. F. Goodrich, Co., at Milan Township, Ind.

No. MC 107403 (Sub-No. E662), filed January 31, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry calcium chloride*, in bulk, in tank vehicles, from points in New York west of a line beginning at the Pennsylvania-New York State line and extending along New York Highway 14 to junction New York Highway 13, thence along New York Highway 13 to junction U.S. Highway 11, thence along U.S. Highway 11 to junction Interstate Highway 81, thence along Interstate Highway 81 to the St. Lawrence River, to points in Massachusetts, Vermont, Connecticut, Rhode Island, and New Hampshire. The purpose of this filing is to eliminate the gateway of Solvay, N.Y.

No. MC 107403 (Sub-No. E663), filed January 31, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry calcium chloride*, in bulk, in tank vehicles, from points in New York west of a line beginning at the New York-Pennsylvania State line and extending along New York Highway 14

to junction New York Highway 13, thence along New York Highway 13 to junction U.S. Highway 11, thence along U.S. Highway 11 to junction Interstate Highway 81, thence along Interstate Highway 81 to the St. Lawrence River, to points in Maine. The purpose of this filing is to eliminate the gateways of Solvay, N.Y., and Springfield, Mass.

No. MC 107403 (Sub-No. E666), filed January 31, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry calcium chloride*, in bulk, in tank vehicles, from the Michigan Counties of Lenawee, Monroe, Hillsdale, Jackson, Washtenaw, and Wayne, the Ohio Counties of Lucas, Wood, Fulton, Ottawa, Sandusky, Erie, Henry, Williams, and Defiance, and the Indiana Counties of Steuben, De Kalb, and Allen, to points in Maine. The purpose of this filing is to eliminate the gateways of Birmingham, Ala., Painesville, Ohio, Solvay, N.Y., and Springfield, Mass.

No. MC 107403 (Sub-No. E667), filed January 31, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry calcium chloride*, in bulk, in tank vehicles, from those points in Pennsylvania and Maryland within 150 miles of Monongahela, Pa., to points in Maine. The purpose of this filing is to eliminate the gateways of Lewistown, Pa., Solvay, N.Y., and Springfield, Mass.

No. MC 107403 (Sub-No. E671), filed January 31, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals* (except calcium chloride), from the Michigan Counties of Lenawee, Monroe, Hillsdale, Jackson, Washtenaw, and Wayne, the Ohio Counties of Lucas, Wood, Fulton, Ottawa, Sandusky, Erie, Henry, Williams and Defiance and the Indiana Counties of Steuben, De Kalb, and Allen, to points in Connecticut, Massachusetts, New Hampshire, Rhode Island, and Vermont. The purpose of this filing is to eliminate the gateways of Birmingham, Ohio, Painesville, Ohio, and Solvay, N.Y.

No. MC 107403 (Sub-No. E672), filed January 31, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from Solvay, N.Y., to points in Kansas and Missouri. The purpose of this filing is to eliminate the gateways of Ashtabula County, Ohio, the facilities of Stepan Chemical Co., at or near Millsdale, Ill., and the facilities of

B. F. Goodrich Co., at Milan Township, Ind.

No. MC 107403 (Sub-No. E673), filed January 31, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silicate of soda*, dry, in bulk, in tank or hopper-type vehicles, Skaneateles Falls, N.Y., to points in Kansas and Missouri. The purpose of this filing is to eliminate the gateways of Ashtabula County, Ohio, facilities of B. F. Goodrich Co., at Milan Township, Ind., facilities of Stepan Chemical Co., at or near Millsdale, Ill.

No. MC 107403 (Sub-No. E675), filed January 31, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silicate of soda*, dry, in bulk, in tank or hopper-type vehicle, from Skaneateles Falls, N.Y., to points in Maryland. The purpose of this filing is to eliminate the gateway of Lewistown, Pa.

No. MC 107403 (Sub-No. E676), filed January 31, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silicate of soda*, dry, in bulk, in tank or hopper type vehicles, from Skaneateles Falls, N.Y., to points in Wisconsin and Illinois. The purpose of this filing is to eliminate the gateways of Cleveland, Ohio, and facilities of B. F. Goodrich Co., at Milan Township, Ind.

No. MC 107403 (Sub-No. E677), filed January 31, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silicate of soda*, dry, in bulk, in tank or hopper type vehicles, from Skaneateles Falls, N.Y., to points in Kentucky, Indiana, and Michigan. The purpose of this filing is to eliminate the gateway of Cleveland, Ohio.

No. MC 107403 (Sub-No. E678), filed January 31, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from Springfield, Mass., to points in Kansas. The purpose of this filing is to eliminate the gateways of Solvay, N.Y., Ashtabula, Ohio, facilities of B. F. Goodrich Co., at Milan Township, Ind., and facilities of Stepan Chemical Co., at or near Millsdale, Ill.

No. MC 107403 (Sub-No. E679), filed January 31, 1975. Applicant: MATLACK,

INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from the facilities of the Flexi-Flo terminal of Penn Central at Beacon Park, Mass., to points in Kansas. The purpose of this filing is to eliminate the gateways of Springfield, Mass., facilities of Stepan Chemical Co., at or near Millsdale, Ill.

No. MC 107403 (Sub-No. E680), filed January 31, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from the Flexi-Flo terminal of Penn Central at Beacon Park, Mass., to points in Alabama, Delaware, Georgia, Iowa, Illinois, Indiana, Missouri, North Carolina, Pennsylvania, Kentucky, Maryland, Michigan, Minnesota, New Jersey, Ohio, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, New York, and District of Columbia. The purpose of this filing is to eliminate the gateway of Springfield, Mass.

No. MC 107403 (Sub-No. E861), filed January 31, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, in tank vehicles (except cement and liquefied petroleum gas), from the Flexi-Flo terminal of Penn Central at Rochester, N.Y., to those points in Ohio, West Virginia, Pennsylvania, and Maryland within 150 miles of Monongahela, Pa. The purpose of this filing is to eliminate the gateways of points in the Pennsylvania Counties of Warren, McKean, Potter, and Erie within 150 miles of Monongahela, Pa.

No. MC 107403 (Sub-No. E883), filed January 31, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry commodities* (except fly-ash and cement), in bulk, in tank vehicles, from the facilities of Flexi-Flo terminal of Penn Central at Rochester, N.Y., to points in Kentucky, Indiana, and Michigan. The purpose of this filing is to eliminate the gateways of Erie, Pa., and Ashtabula, Ohio.

No. MC 107403 (Sub-No. E884), filed January 31, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles (except cement and fly-ash), from the facilities of the Flexi-Flo

terminal of Penn Central at Rochester, N.Y., to points in Illinois and Wisconsin. The purpose of this filing is to eliminate the gateways of Erie, Pa., Ashtabula, Ohio, facilities of B. F. Goodrich at Milan Township, Ind.

No. MC 107403 (Sub-No. E685), filed January 31, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals* (except cement), in bulk, in tank vehicles, from the Flexi-Flo terminal of Penn Central at Rochester, N.Y., to points in Maryland (except those within 150 miles of Monongahela, Pa.). The purpose of this filing is to eliminate the gateways of Lewistown, Pa., and Coudersport, Pa.

No. MC 107515 (Sub-No. E113) (Correction), filed May 29, 1974. Published in the FEDERAL REGISTER February 19, 1975. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: Bruce E. Mitchell, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products*, as described in Section A of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, in vehicles equipped with mechanical refrigeration (except commodities in bulk, in tank vehicles, hides), from New York, N.Y., to points in Illinois on and south of a line beginning at the Indiana-Illinois State line, at Shawneetown, Ill., thence along Illinois Highway 13, to junction with Illinois Highway 149, thence along Illinois Highway 149 to its junction with Illinois Highway 3, thence along Illinois Highway 3 to Chester at junction of Illinois Highway 51, thence along Illinois Highway 51 to the Illinois-Missouri State line, that part of Missouri on and south of a line beginning at the Missouri-Illinois State line, thence along Missouri Highway 51 to junction U.S. Highway 61 at Perryville, Mo., thence north along U.S. Highway 61 to junction Missouri Highway 32, thence along Missouri Highway 32 to junction U.S. Highway 67 at Farmington, Mo., thence north along U.S. Highway 67 to junction Missouri Highway 8, thence along Missouri Highway 8 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Missouri Highway 64 at Lebanon, Mo., thence along Missouri Highway 64 to junction U.S. Highway 65, thence north along U.S. Highway 65 to the junction of U.S. Highway 54 at Preston, Mo., thence along U.S. Highway 54 to the Missouri-Kansas State line. The purpose of this filing is to eliminate the gateways of Richmond, Va., and Madison, Tenn. The purpose of this correction is to clarify highway description.

No. MC 107515 (Sub-No. E241) (Correction), filed May 29, 1974. Published in the FEDERAL REGISTER February 18, 1975.

Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such sandwich spreads as are considered dairy products*, as described in Section B of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, from Omaha, Nebr., to the District of Columbia, Virginia (except points in Frederick County, Va.), points in Maryland on, south, and east of U.S. Highway 301. The purpose of this filing is to eliminate the gateway of Knoxville, Tenn. The purpose of this correction is to clarify territorial destination.

No. MC 108449 (Sub-No. E59), filed May 17, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 W. County Rd. C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, as described in Appendix XIII to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, in bulk, in tank vehicles, from Noyes, Minn., to points in Wisconsin. The purpose of this filing is to eliminate the gateways of Fargo, N. Dak., and St. Cloud and Minneapolis, Minn.

No. MC 108449 (Sub-No. E60), filed May 17, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 W. County Road C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Noyes, Minn., to points in Wisconsin. The purpose of this filing is to eliminate the gateways of Grand Forks, N. Dak., and McGregor, Minn.

No. MC-108449 (Sub-No. E61), filed May 21, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 W. County Rd. C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, as described in Appendix XIII to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, in bulk, in tank vehicles, from Eau Claire, Wis., and points within 20 miles thereof to points in South Dakota. The purpose of this filing is to eliminate the gateway of St. Cloud, Minn.

No. MC-108449 (Sub-No. E63), filed May 21, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 W. County Road C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, as described in Appendix XIII to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, in bulk, in tank vehicles, from Eau Claire, Wis., and points within 20 miles thereof, to points in Montana. The purpose of this filing is to eliminate the gateways of St. Cloud, Minn., and Jamestown, N. Dak.

No. MC 108449 (Sub-No. E83), filed May 21, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 W. County Rd. C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from the terminal of Duluth Petroleum Products about eight miles from Duluth, Minn., and points within two miles thereof, to points in Illinois. The purpose of this filing is to eliminate the gateways of St. Paul, Minn., and Dubuque, Iowa.

No. MC 108449 (Sub-No. E93), filed May 21, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 W. County Rd. C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Grand Forks, N. Dak., and points in North Dakota within 10 miles thereof, to points in Illinois. The purpose of this filing is to eliminate the gateways of the terminal of the Williams Brothers Pipe Line Company terminal in Krone-wetter, Marathon County, Wis., the facilities of American Oil Company, Dubuque, Iowa, and Minneapolis, Minn.

No. MC 108449 (Sub-No. E94), filed May 21, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 W. County Rd. C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, as described in Appendix XIII to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, in bulk, in tank vehicles, from Wrenshall, Minn., to points in Nebraska. The purpose of this filing is to eliminate the gateways of the terminal of the Williams Brothers Pipe Line Company at or near Spencer or Spirit Lake, Iowa, Minneapolis, Minn., and Superior, Wis.

No. MC 108449 (Sub-No. E95), filed May 21, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 W. County Rd. C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, as described in Appendix XIII to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, in bulk, in tank vehicles, from Wrenshall, Minn., to points in Illinois. The purpose of this filing is to eliminate the

gateways of LaCrosse, Wis., and Dubuque, Iowa.

No. MC 108449 (Sub-No. E96), filed May 21, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 W. County Rd. C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Wrenshall, Minn., to points in Iowa. The purpose of this filing is to eliminate the gateways of Superior, Wis., and St. Paul, Minn.

No. MC 108449 (Sub-No. E97), filed May 21, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 W. County Rd. C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from LaCrosse, Wis., to points in the Upper Peninsula of Michigan. The purpose of this filing is to eliminate the gateways of Winona, Minn., and Eau Claire, Wis.

No. MC 108449 (Sub-No. E98), filed May 21, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 W. County Rd. C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from LaCrosse, Wis., to those points in Minnesota on and east of U.S. Highway 53. The purpose of this filing is to eliminate the gateway of St. Paul, Minn.

No. MC 108449 (Sub-No. E99), filed May 21, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 W. County Rd. C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Grand Forks, N. Dak., and points in North Dakota within 10 miles thereof, to those points in Minnesota on and east of a line beginning at Lake Superior and extending along U.S. Highway 61 to junction Minnesota Highway 210, thence along Minnesota Highway 210 to the Aitken County line, thence along the Aitken County line to junction Mille Lacs County line, thence along the Mille Lacs County line to junction Sherburne County line, thence along the Sherburne County line to junction Minnesota Highway 15, thence along Minnesota Highway 15 to junction U.S. Highway 212, thence along U.S. Highway 212 to junction U.S. Highway 71, thence along U.S. Highway

71 to the Iowa-Minnesota State line. The purpose of this filing is to eliminate the gateway of McGregor, Minn.

No. MC 108449 (Sub-No. E100), filed May 21, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Grand Forks, N. Dak., and points in North Dakota within 10 miles thereof, to those points in Iowa on and east of a line beginning at the Minnesota-Iowa State line and extending along Iowa Highway 4 to junction Iowa Highway 175, thence along Iowa Highway 175 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 59, thence along U.S. Highway 59 to the Iowa-Missouri State line. The purpose of this filing is to eliminate the gateways of St. Cloud and Minneapolis, Minn.

No. MC 108449 (Sub-No. E101), filed May 21, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 W. County Rd. C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenbeck (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Grand Forks, N. Dak., to points in Wyoming. The purpose of this filing is to eliminate the gateways of Fargo, N. Dak., and Aberdeen, S. Dak.

No. MC 110817 (Sub-No. E1), filed May 13, 1974. Applicant: E. L. FARMER & COMPANY, Odessa, Tex. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Bldg., Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery, materials, supplies, and equipment*, incidental to, or used in, the construction, development, operation, and maintenance, of facilities for the discovery, development, and production of natural gas and petroleum (except the picking up or stringing of pipe in connection with main or trunk pipe lines); (2) *Earth drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe* incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities to or from holes or wells; (3) *Machinery, equipment, materials, and supplies* used in or in connection with the construction, operation, repair, servicing, maintenance,

and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products and by-products, water, or sewerage, restricted to the transportation of shipments moving to or from pipeline rights of way, (a) between points in that part of Illinois south and east of a line beginning at Savannah, Ill., on the Mississippi River, thence along U.S. Highway 52 to junction Illinois Highway 26, thence along Illinois Highway 26 to the Illinois-Wisconsin State line, on the one hand, and, on the other, points in Nevada. The purpose of this filing is to eliminate the gateway of any point in Oklahoma or Texas.

No. MC 110817 (Sub-No. E2), filed May 13, 1974. Applicant: E. L. FARMER & COMPANY, Odessa, Tex. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Bldg., Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery, materials, supplies, and equipment*, incidental to, or used in, the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum (except the picking up or stringing of pipe in connection with main or trunk pipe lines); (2) *Earth drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe* incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities to or from holes or wells; and (3) *Machinery, equipment, materials, and supplies* used in or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products, and by-products, water, or sewerage, restricted to the transportation of shipments moving to or from pipeline rights of way, between points in Nevada, on the one hand, and, on the other, points in Missouri. The purpose of this filing is to eliminate the gateway of any point in Oklahoma or Texas.

No. MC 110817 (Sub-No. E3), filed May 13, 1974. Applicant: E. L. FARMER & COMPANY, Odessa, Tex. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Bldg., Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery, materials, supplies, and equipment*, incidental to, or used in, the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum (except the picking up or stringing of

pipe in connection with main or trunk pipelines); (2) *Earth drilling machinery and equipment, and machinery, equipment, materials, supplies and pipe incidental to, used in, or in connection, with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities to or from holes or wells; and (3) Machinery, equipment, materials, and supplies used in or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products, and by-products, water, or sewerage, restricted to the transportation of shipments moving to or from pipeline rights of way, between points in Tennessee, on the one hand, and, on the other, points in Nevada. The purpose of this filing is to eliminate the gateway of any point in Oklahoma.*

No. MC 110817 (Sub-No. E4), filed May 13, 1974. Applicant: E. L. FARMER & COMPANY, Odessa, Tex. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Bldg., Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery materials, supplies, and equipment, incidental to, or used in, the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum (except the picking up or stringing of pipe in connection with main or trunk pipelines); (2) Earth drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe, incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities to or from holes or wells; and (3) Machinery, equipment, materials, and supplies used in or in connection with the construction, operation, repair, servicing maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products, and by-products, water, or sewerage, restricted to the transportation of shipments moving to or from pipeline rights of way, between points in Nevada, on the one hand, and, on the other, points in Arkansas. The purpose of this filing is to eliminate the gateway of any point in Oklahoma or Texas.*

No. MC 110817 (Sub-No. E5), filed May 13, 1974. Applicant: E. L. FARMER & COMPANY, Odessa, Tex. Applicant's

representative: James W. Hightower, 136 Wynnewood Professional Bldg., Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery, materials, supplies, and equipment, incidental to, or used in, the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum (except the picking up or stringing of pipe in connection with main or trunk pipelines); (2) Earth drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe, incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities to or from holes or wells; and (3) Machinery, equipment, materials, and supplies, used in or in connection with the construction, operation, repair, servicing maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products, and by-products, water, or sewerage, restricted to or from pipeline rights of way, between points in Louisiana, on the one hand, and, on the other, points in Nevada. The purpose of this filing is to eliminate the gateway of any point in Oklahoma or Texas.*

No. MC 110817 (Sub-No. E6), filed May 13, 1974. Applicant: E. L. FARMER & CO., Odessa, Tex. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Bldg., Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery, materials, supplies, and equipment, incidental to, or used in, the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum (except the picking up or stringing of pipe in connection with main or trunk pipelines); (2) Earth drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities to or from holes or wells; and (3) Machinery, equipment, materials, and supplies used in or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products, and by-*

products, water, or sewerage restricted to the transportation of shipments moving to or from pipeline rights of way, between points in Nevada, on the one hand and, on the other, points in Mississippi. The purpose of this filing is to eliminate the gateway of any point in Oklahoma or Texas.

No. MC 112617 (Sub-No. E52), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals, in bulk, in tank vehicles (except those of which are petroleum products and are listed in Appendix XIII to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209), in bulk, in tank vehicles, from Huntington, W. Va., to points in Mississippi, Iowa, Nebraska, Minnesota, and Louisiana. The purpose of this filing is to eliminate the gateway of Doe Run, Ky.*

No. MC 112617 (Sub-No. E56), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles E. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, in bulk, in tank vehicles, from Sheffield, Ala., and points within 15 miles thereof, to points in Virginia. The purpose of this filing is to eliminate the gateway of points in Robertson County, Tenn.*

No. MC 112617 (Sub-No. E63), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles E. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, in bulk, in tank vehicles, from points in Robertson County, Tenn., to points in that part of Michigan on and east of a line beginning at the Michigan-Ohio State line extending along U.S. Highway 23 to Mackinaw City, Mich., and points in Pennsylvania and West Virginia. The purpose of this filing is to eliminate the gateway of Doe Run, Ky.*

No. MC 112617 (Sub-No. E64), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles E. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, in bulk, in tank vehicles, from points in Robertson County, Tenn., to points in Oklahoma, Texas, Louisiana, Kansas, Nebraska, Iowa, Minnesota, Wisconsin, and points within the St. Louis, Mo.-East St. Louis, Ill., commercial zone. The purpose of this filing is to eliminate the gateway of Calvert City, Ky.*

No. MC 112617 (Sub-No. E69), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395,

Louisville, Ky. 40221. Applicant's representative: Charles E. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bituminous materials*, used in the construction and maintenance of highways, in bulk, in tank vehicles, from points in Kentucky to points in that part of Virginia on and east of a line beginning at the West Virginia-Virginia State line extending along U.S. Highway 33 to junction U.S. Highway 15, thence along U.S. Highway 15 to the North Carolina-Virginia State line. The purpose of this filing is to eliminate the gateway of refineries at or near Leach, Ky.

No. MC 112617 (Sub-No. E82), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles E. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, as described in Appendix XV to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Seymour, Ind., and Freeman Field (near Seymour), Ind., to points in Nebraska, Kansas, Oklahoma, and Texas. The purpose of this filing is to eliminate the gateway of Doe Run, Ky.

No. MC 112617 (Sub-No. E84), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles E. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except petroleum products described in Appendices XIV and XV to the *Descriptions* case, *supra*), in bulk, in tank vehicles, from Seymour, Ind., and Freeman Field (near Seymour), Ind., to points in Rhode Island, Vermont, New Hampshire, Massachusetts, Connecticut, New Jersey, Delaware, and the District of Columbia. The purpose of this filing is to eliminate the gateway of refineries at or near Leach, Ky.

No. MC 112617 (Sub-No. E96), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles E. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gases*, in bulk, in tank vehicles, from points in Butler County, Ohio, to points in Brooke, Hampshire, Hancock, Kanawha, Marion, Marshall, Monongalia, Pleasants, and Wetzel Counties, W. Va., and to points in that part of Virginia north and east of a line beginning at the West Virginia-Virginia State line. The purpose of this filing is to eliminate the gateway of the plant site of the Columbia Hydrocarbon Corporation at or near Siloam, Ky.

No. MC 112617 (Sub-No. E97), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles E. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from the pipeline terminal site of the Texas Eastern Transmission Corporation at or near Lebanon, Warren County, Ohio, to points in Alabama, Georgia, Mississippi, South Carolina, and Tennessee. The purpose of this filing is to eliminate the gateway of Doe Run, Ky.

No. MC 112617 (Sub-No. E106), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles E. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from West Henderson, Ky., to points in Virginia. The purpose of this filing is to eliminate the gateway of Doe Run, Ky.

No. MC 112617 (Sub-No. E107), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles E. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except petroleum products described in Appendices XIV and XV to the *Descriptions* case, *supra*), in bulk, in tank vehicles, from Louisville, Ky., to points in New Hampshire, Rhode Island, and points in those parts of Connecticut and Massachusetts on and east of a line beginning at New Haven, Conn., extending along Interstate Highway 91 to the Massachusetts-Vermont State line. The purpose of this filing is to eliminate the gateways of Doe Run, Ky., Seymour, Ind., and refineries at or near Leach, Ky.

No. MC 112617 (Sub-No. E108), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals and petroleum products*, in bulk, in tank vehicles, from Louisville, Ky., to points in that part of Michigan on and north of a line beginning at Detroit, Mich., extending along Interstate Highway 96 to Muskegon, Mich., restricted against any transportation to or from points in Indiana within the Louisville, Ky., commercial zone. The purpose of this filing is to eliminate the gateway of Doe Run, Ky.

No. MC 112617 (Sub-No. E109), filed May 11, 1974. Applicant: LIQUID

TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals and petroleum products*, in bulk, in tank vehicles, from Louisville, Ky., to points in Perry, Spencer, and Warrick Counties, Ind., restricted against any transportation to or from points in Indiana within the Louisville, Ky., commercial zone. The purpose of this filing is to eliminate the gateway of Doe Run, Ky.

No. MC 112668 (Sub-No. E2) (Correction), filed May 16, 1974, published in the FEDERAL REGISTER February 4, 1975. Applicant: HARVEY R. SHIPLEY & SONS, INC., RFD, Finksburg, Md. 21048. Applicant's representative: Norman E. Shipley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk, in dump vehicles (except feed ingredients, rock salt and rock salt compounds intended for use in the melting of ice and snow) from Retsof, N.Y., to points in Kent and Sussex Counties, Del. The purpose of this filing is to eliminate the gateway of Glyndon, Md. The purpose of this correction is to extend the territorial destination points.

No. MC 114019 (Sub-No. E348), (Correction), filed June 3, 1974, published in the FEDERAL REGISTER March 3, 1975. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fish and seafoods*, fresh or frozen, from points in that part of Massachusetts on and east of a line beginning at the New Hampshire-Massachusetts State line and extending along Massachusetts Highway 1A to junction Massachusetts Highway 3, thence along Massachusetts Highway 3 to junction with the Barnstable-Plymouth County line, points in Barnstable County, and those on, east, or south of U.S. Highway 6, points in that part of Rhode Island on, east, or south of U.S. Highway 1 to points in Minnesota. The purpose of this filing is to eliminate the gateway of Cleveland, Ohio. The purpose of this correction is to correct the destination point.

No. MC 114211 (Sub-No. E990), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts* thereof (except commodities which because of size or weight require the use of special equipment and except commodities described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459), from Vinton, Iowa, to points in that part of Arizona on and south

of a line beginning at the New Mexico-Arizona State line extending along U.S. Highway 66 to junction Arizona-California State line; to points in that part of New Mexico on and south of a line beginning at the Texas-New Mexico State line extending along U.S. Highway 70 to junction U.S. Highway 380, thence along U.S. Highway 380 to junction U.S. Highway 85, thence along U.S. Highway 85 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction New Mexico Highway 36, thence along New Mexico Highway 36 to junction New Mexico Highway 32, thence along New Mexico Highway 32 to junction Interstate Highway 40, thence along Interstate Highway 40 to the New Mexico-Arizona State line; and to points in that part of California on and south of a line beginning at the Arizona-California State line extending along U.S. Highway 66 to junction California Highway 58, thence along California Highway 58 to junction California Highway 99, thence along California Highway 99 to junction California Highway 140, thence along California Highway 140 to junction Interstate Highway 5, thence along Interstate Highway 5 to junction California Highway 152, thence along California Highway 152 to junction California Highway 1, thence along California Highway 1 to Santa Cruz, Calif., with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateways of Nebraska City and Beatrice, Nebr., and Claremore, Okla.

No. MC 114211 (Sub-No. E991), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron pressure pipe and fittings and accessories* therefor when moving with such pipe, from Bridgeton, N.J., and Macungie, Pa., to points in that part of Minnesota on and west of a line beginning at the Iowa-Minnesota State line extending along U.S. Highway 71 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction U.S. Highway 59, thence along U.S. Highway 59 to the United States-Canada International Boundary line, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of the plant site of Griffin Pipe Company located at or near Council Bluffs, Iowa.

No. MC 114211 (Sub-No. E992), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled farm machinery and parts* thereof, from Walford, Iowa, to points in that part of Wyoming on and west of a line beginning at the South Dakota-

Wyoming State line extending along U.S. Highway 14 to junction Interstate Highway 90, thence along Interstate Highway 90 to junction U.S. Highway 16, thence along U.S. Highway 16 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 26, thence along U.S. Highway 26 to junction Wyoming Highway 789, thence along Wyoming Highway 789 to junction Wyoming Highway 28, thence along Wyoming Highway 28 to junction U.S. Highway 187, thence along U.S. Highway 187 to junction Wyoming Highway 351, thence along Wyoming Highway 351 to junction U.S. Highway 189, thence along U.S. Highway 189 to the Utah-Wyoming State line; to points in that part of Utah on and west of a line beginning at the Utah-Wyoming State line extending along U.S. Highway 189 to junction Interstate Highway 15, thence along Interstate Highway 15 to junction Utah Highway 28, thence along Utah Highway 28 to junction U.S. Highway 89, thence along U.S. Highway 89 to the Arizona-Utah State line; to points in that part of Arizona on and west of a line beginning at the Utah-Arizona State line extending along U.S. Highway 89 to junction Interstate Highway 17, thence along Interstate Highway 17 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction Arizona Highway 88, thence along Arizona Highway 88 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction Arizona Highway 77, thence Arizona Highway 77 to junction U.S. Highway 89, thence along U.S. Highway 89 to the United States-Mexico International Boundary line; and to points in Montana, Washington, Oregon, California, Idaho, and Nevada, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E993), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts* thereof (except commodities the transportation of which because of size or weight, requires special equipment), from Manchester, Iowa, to points in New Mexico (except Las Cruces, Demming, and Lordsburg), and to points in Texas (except Dallas, Ft. Worth, Houston, Galveston, Abilene, Sweetwater, Big Springs, Midland, Odessa, and El Paso), and to points in Louisiana, and to points in that part of Arkansas on and south of a line beginning at the Oklahoma-Arkansas State line extending along Interstate Highway 40 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction Arkansas Highway 10, thence along Arkansas Highway 10 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction U.S.

Highway 82, thence along U.S. Highway 82 to the Arkansas-Mississippi State line; to points in that part of Mississippi on, south, and west of a line beginning at Clarksdale, Miss., extending along U.S. Highway 49E to junction Mississippi Highway 12, thence along Mississippi Highway 12 to junction Mississippi Highway 35, thence along Mississippi Highway 35 to junction Mississippi Highway 19, thence along Mississippi Highway 19 to the Mississippi-Alabama State line; to points in that part of Alabama on, south, and west of a line beginning at the Mississippi-Alabama State line extending along Alabama Highway 10 to junction U.S. Highway 43, thence along U.S. Highway 43 to junction U.S. Highway 84, thence along U.S. Highway 84 to junction Alabama Highway 55, thence along Alabama Highway 55 to junction U.S. Highway 331, thence along U.S. Highway 331 to the Alabama-Florida State line; and to points in that part of Florida on and west of a line beginning at the Alabama-Florida State line extending along U.S. Highway 331 to junction U.S. Highway 98, thence along U.S. Highway 98 to Panama City, Fla., with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateways of Des Moines, Iowa, Tulsa, Okla., Martin City, Mo., and points in Kansas within 15 miles of Martin City, Mo.

No. MC 114211 (Sub-No. E994), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery* (except commodities which, because of size or weight, requires special equipment, and except commodities described in *Mercer Extension-Old Field Commodities*, 74 M.C.C. 459), from Grinnell, Iowa, to points in that part of California on and south of a line beginning at the California-Arizona State line extending along U.S. Highway 66 to junction California Highway 58, thence along California Highway 58 to junction California Highway 99, thence along California Highway 99 to junction California Highway 59, thence along California Highway 59 to junction California Highway 152, thence along California Highway 152 to junction California Highway 1, thence along California Highway 1 to Santa Cruz, Calif., and points in that part of Arizona on and south of a line beginning at the New Mexico-Arizona State line extending along U.S. Highway 66 to the Arizona-California State line, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateways of Nebraska City, and Beatrice, Nebr., and Claremore, Okla.

No. MC 114211 (Sub-No. E995), filed July 3, 1974. Applicant: WARREN

TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery* (except, in each instance, commodities which because of size or weight, require the use of special equipment, and except commodities described in *Mercer Extension-Oil Field Commodities*, 74 M.C.C. 459), from Manchester, Iowa, to points in Arizona, New Mexico, and to points in that part of Louisiana on and west of a line beginning at the Arkansas-Louisiana State line extending along Louisiana Highway 551 to junction Louisiana Highway 143, thence along Louisiana Highway 143 to junction U.S. Highway 165, thence along U.S. Highway 165 to junction Louisiana Highway 1, thence along Louisiana Highway 1 to junction Louisiana Highway 20, thence along Louisiana Highway 20 to junction Louisiana Highway 24, thence along Louisiana Highway 24 to Houma, La.; to points in that part of Arkansas on and west of a line beginning at the Oklahoma-Arkansas State line extending along Arkansas Highway 16 to junction Arkansas Highway 23, thence along Arkansas Highway 23 to junction Arkansas Highway 10, thence along Arkansas Highway 10 to junction Arkansas Highway 7, thence along Arkansas Highway 7 to junction U.S. Highway 82, thence along U.S. Highway 82 to junction Arkansas Highway 275, thence along Arkansas Highway 275 to the Arkansas-Louisiana State line; to points in that part of California on and south of a line beginning at the Nevada-California State line extending along California Highway 3 to junction California Highway 168, thence along California Highway 168 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction California Highway 120, thence along California Highway 120 to junction California Highway 49, thence along California Highway 49 to junction California Highway 12, thence along California Highway 12 to junction California Highway 1, thence along California Highway 1 to Salmon, Calif.; and to points in that part of Nevada on and south of a line beginning at the Arizona-Nevada State line extending along Interstate Highway 15 to junction U.S. Highway 95, thence along U.S. Highway 95 to junction Nevada Highway 3, thence along Nevada Highway 3 to the Nevada-California State line, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateways of Des Moines, Iowa, Claremore, Okla., Martin City, Mo., and points in Kansas within 15 miles of Martin City, Mo.

No. MC 114211 (Sub-No. E1147), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery*

and parts thereof (except commodities the transportation of which, because of size or weight, require the use of special equipment, from McHenry County, Ill., to points in that part of Texas on and west of a line beginning at the Arkansas-Texas State line extending along Texas Highway 8 to junction Texas Highway 98, thence along Texas Highway 98 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction U.S. Highway 259, thence along U.S. Highway 259 to junction Texas Highway 149, thence along Texas Highway 149 to junction U.S. Highway 96, thence along U.S. Highway 96 to Fort Arthur, Tex. (except Dallas, Fort Worth, Abilene, Houston, Galveston, Midland, Big Springs, Sweetwater, Odessa, and El Paso). The purpose of this filing is to eliminate the gateways of Des Moines, Iowa, Tulsa, Okla., Martin City, Mo., and points in Kansas within 15 miles of Martin City, Mo.

No. MC 114211 (Sub-No. E1148), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery* and parts thereof (except commodities the transportation of which because of size or weight, require the use of special equipment); from McHenry County, Ill., to points in that part of Texas on and west of a line beginning at the Arkansas-Texas State line extending along Texas Highway 8 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction U.S. Highway 96, thence along U.S. Highway 96 to junction U.S. Highway 69, thence along U.S. Highway 69 to Port Arthur, Tex. (except Dallas, Fort Worth, Houston, Galveston, Midland, Big Springs, Sweetwater, Odessa, and El Paso). The purpose of this filing is to eliminate the gateways of Des Moines, Iowa, Tulsa, Okla., Martin City, Mo., and points in Kansas within 15 miles of Martin City, Mo.

No. MC 114211 (Sub-No. E1151), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery* and parts thereof (except commodities which because of size or weight, require the use of special equipment), from McHenry County, Ill., to points in that part of California on, west, and south of a line beginning at the Nevada-California State line extending along U.S. Highway 6 to junction California Highway 120, thence along California Highway 120 to junction California Highway 49, thence along California Highway 49 to junction California Highway 16, thence along California Highway 16 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Interstate Highway 5, thence along Interstate Highway 5 to the Cali-

fornia-Oregon State line; and to points in that part of Nevada on and west of a line beginning at the California-Nevada State line extending along U.S. Highway 6 to junction U.S. Highway 95, thence along U.S. Highway 95 to junction U.S. Highway 93, thence along U.S. Highway 93 to the Nevada-Arizona State line; to points in that part of Arizona on and south of a line beginning at the Nevada-Arizona State line extending along U.S. Highway 93 to junction U.S. Highway 66, thence along U.S. Highway 66 to the Arizona-New Mexico State line; to points in that part of New Mexico on and south of a line beginning at the Arizona-New Mexico State line extending along Interstate Highway 40 to junction U.S. Highway 666, thence along U.S. Highway 666 to junction U.S. Highway 550, thence along U.S. Highway 550 to junction U.S. Highway 64, thence along U.S. Highway 64 to junction U.S. Highway 85, thence along U.S. Highway 85 to the New Mexico-Colorado State line; and to points in that part of Oklahoma on and west of a line beginning at the Arkansas-Oklahoma State line, extending along U.S. Highway 70 to junction Oklahoma Highway 3, thence along Oklahoma Highway 3 to junction Indian Nation Tollway, thence along Indian Nation Tollway to junction U.S. Highway 75, thence along U.S. Highway 75 to junction U.S. Highway 64, thence along U.S. Highway 64 to junction U.S. Highway 177, thence along U.S. Highway 177 to the Oklahoma-Kansas State line, thence along the Oklahoma-Kansas State line to junction U.S. Highway 64, thence along U.S. Highway 64 to junction U.S. Highway 54, thence along U.S. Highway 54 to the Oklahoma-New Mexico State line. The purpose of this filing is to eliminate the gateways of Des Moines, Iowa, Martin City, Mo., Claremore, Okla., and points in Kansas within 15 miles of Martin City, Mo.

No. MC 114211 (Sub-No. E1153), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grading, paving, and finishing machinery, equipment, parts, accessories, and attachments*, between Oregon, Ill., on the one hand, and, on the other, points in Washington, Oregon, California, Idaho, Montana, Wyoming, Nevada, Utah, Arizona, New Mexico, North Dakota, South Dakota; and to points in that part of Texas on and west of a line beginning at the Texas-Oklahoma State line extending along U.S. Highway 385 to junction U.S. Highway 290, thence along U.S. Highway 290 to junction Texas Highway 349, thence along Texas Highway 349 to junction U.S. Highway 90, thence along U.S. Highway 90 to Del Rio, Tex. The purpose of this filing is to eliminate the gateways of Canton, S. Dak., and points in Iowa.

No. MC 115826 (Sub-No. E23), filed June 4, 1974. Applicant: W. J. DIGBY, INC., P.O. Box 5088, Denver, Colo. 80217. Applicant's representative: Charles J.

Kimball, 2310 Colorado State Bank Bldg., Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh lamb carcasses*, suspended or in racks, in vehicles equipped with mechanical refrigeration, from those points in California on, west, and north of a line beginning at the Pacific Ocean and extending along California Highway 55 to junction California Highway 91, thence along California Highway 91 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction U.S. Highway 6, thence along U.S. Highway 6 to the California-Nevada State line, to the District of Columbia, Philadelphia, Pa., Albany and New York, N.Y., Boston, Mass., Waterbury, Conn., and Providence, R.I. The purpose of this filing is to eliminate the gateway of Nampa, Idaho.

No. MC 115826 (Sub-No. E41), filed June 4, 1974. Applicant: W. J. DIGBY, INC., P.O. Box 5088, Denver, Colo. 80202. Applicant's representative: Charles J. Kimball, 2310 Colorado State Bank Bldg., Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, frozen juice, and frozen juice concentrate*, in vehicles equipped with mechanical refrigeration, (1) from those points in California on, west, and north of a line beginning at the Pacific Ocean and extending along California Highway 55 to junction California Highway 91, thence along California Highway 91 to junction U.S. Highway 395, thence along Interstate Highway 15 to Barstow, Calif., thence along California Highway 58 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction U.S. Highway 6, thence along U.S. Highway 6 to the California-Nevada State line, to those points in Kansas on, east, and north of a line beginning at the Kansas-Nebraska State line and extending along U.S. Highway 81 to junction U.S. Highway 40, thence along U.S. Highway 40 to Lawrence, Kans., thence along Kansas Highway 10 to junction Interstate Highway 35, thence along Interstate Highway 35 to the Kansas-Missouri State line, and those points in Missouri on, north, and east of a line beginning at the Kansas-Missouri State line and extending east along U.S. Highway 50 to junction U.S. Highway 63, thence along U.S. Highway 63 to Rolla, Mo., thence along U.S. Highway 66 to junction Missouri Highway 8, thence along Missouri Highway 8 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Missouri Highway 72, thence along Missouri Highway 72 to junction U.S. Highway 61, thence along U.S. Highway 61 to Sikeston, Mo., thence along U.S. Highway 62 to the Missouri-Illinois State line (Franklin, Idaho)*; and (2) from those points in California on and north of a line beginning at the Pacific Ocean and extending along California Highway 68 to junction California Highway 101, thence along California Highway 101 to junction California Highway 152, thence

along California Highway 152 to junction Interstate Highway 5, thence along Interstate Highway 5 to junction California Highway 140, thence along California Highway 140 to junction California Highway 49, thence along California Highway 49 to junction California Highway 4, thence along California Highway 4 to the California-Nevada State line, to points in Missouri, Mississippi, and Kansas (except those in Morton, Stevens, Stanton, and Grant Counties, Kans.), and Memphis, Tenn. (Strevell, Idaho)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 117344 (Sub-No. E2), filed May 17, 1974. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* (except liquid hydrogen), in bulk, in tank vehicles, from Cincinnati, Ohio, to points in Illinois. Restriction: The service authorized herein is restricted against the transportation of Petro-chemicals, dry, to points in St. Louis, Mo.-East St. Louis, Ill., Commercial Zone as defined by the Commission. The purpose of this filing is to eliminate the gateway of Jackson County, Ind.

No. MC 117344 (Sub-No. 10), filed May 17, 1974. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphuric Acid*, in bulk, in tank vehicles, from Columbia Park (Hamilton County), Ohio, to points in Illinois (except points in the St. Louis, Mo.-East St. Louis, Ill., Commercial Zone as defined by the Commission), the Upper Peninsula of Michigan, those in the Lower Peninsula of Michigan, on and west of a line beginning at the Michigan-Indiana boundary and extending north along U.S. Route 131 to its junction with U.S. Route 31, thence north along U.S. Route 31 to Mackinaw City (except Grand Rapids, Michigan, and points in its Commercial Zone as defined by the Commission), and points in Wisconsin. The purpose of this filing is to eliminate the gateway of Jackson County, Ind.

No. MC 117344 (Sub-No. E64), filed May 21, 1974. Applicant: THE MAXWELL COMPANY, 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Dearborn County, Md., Boone County, Ky., and points in Kentucky on and east of U.S. Highway 25 within 100 miles of Cincinnati, Ohio to points in Wisconsin. The purpose of this filing is to eliminate the gateways of Cincinnati, Ohio and Jackson County, Ind.

No. MC 117344 (Sub-No. E84), filed June 2, 1974. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils*, in bulk, in tank vehicles (1) from points in Indiana (except Indianapolis) on, south and west of a line beginning at the Indiana-Ohio State line and extending along U.S. Highway 224 to Huntington, thence along U.S. Highway 24 to Logansport, thence along U.S. Highway 35 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Interstate Highway 65, thence along Interstate Highway 65 to Gary, to points in Massachusetts, and (2) from points in Indiana north and east of the above-described line and on, south and west of a line beginning at the Indiana-Ohio State line and extending along U.S. Highway 30 to junction U.S. Highway 35, thence along U.S. Highway 35 to Lake Michigan to points in Massachusetts on and east of Interstate Highway 91. The purpose of this filing is to eliminate the gateways of Cincinnati and Columbus, Ohio.

No. MC 117344 (Sub-No. E85), filed May 22, 1974. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Stiverson & Alden, P.O. Box 5241, Columbus, Ohio 43212. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lacquers, paints, resins, stains, varnishes and plastics*, in bulk, in tank vehicles, from Dayton, Ohio, to points in Missouri on and south of a line beginning at the Missouri-Illinois State line and extending along Missouri Highway 51 to junction Missouri Highway 34, thence along Missouri Highway 34 to junction U.S. Highway 60, thence along U.S. Highway 60 to Springfield, thence along Missouri Highway 13 to Clinton, thence along Missouri Highway 7 to its junction with Interstate Highway 71, thence along Interstate Highway 71 to Kansas City, Mo. The purpose of this filing is to eliminate the gateway of the facilities of the Polymers & Chemical Division of W. R. Grace & Co., at Owensboro, Ky.

No. MC 121060 (Sub-No. E24), filed March 3, 1975. Applicant: ARROW TRUCK LINES, INC., P.O. Box 1416, Birmingham, Ala. 35207. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing and roofing materials, gypsum, and gypsum products, composition boards, insulation materials, and urethane and urethane products* (except in bulk and intended for use in construction), (1) from the facilities of the Celotex Corporation at Memphis, Tenn., to points in the District of Columbia, New Jersey, Delaware, and points in Maryland on and east of U.S. Highway 15, and (2) from

the facilities of the Celotex Corporation at points in Henry County, Tenn., to the District of Columbia, Delaware, points in Maryland on and east of a line beginning at the Virginia-Maryland State line west of Washington, D.C., thence along Interstate Highway 495 to its junction with U.S. Highway 29, thence along U.S. Highway 29 to its junction with Interstate Highway 70N, thence along Interstate Highway 70N to its junction with Interstate Highway 695, thence along Interstate Highway 695 west of Baltimore to its junction with Interstate Highway 83, thence along Interstate Highway 83 to the Maryland-Pennsylvania State line, and points in New Jersey, on and east of a line beginning at the New Jersey-Pennsylvania State line, thence extending along U.S. Highway 202 to junction with New Jersey Highway 53, thence along New Jersey Highway 53 to its junction with Interstate Highway 80, thence along Interstate Highway 80 to its junction with New Jersey Highway 513, thence along New Jersey Highway 513 to its junction with New Jersey Highway 511, thence along New Jersey Highway 511 to the New Jersey-New York State line. The purpose of this filing is to eliminate the gateway of Wayne County, N.C.

No. MC 123685 (Sub-No. E23), filed May 15, 1974. Applicant: PEOPLES CARTAGE, INC., 8045 Navarre Road SW., Massillon, Ohio 44646. Applicant's representative: James W. Muldoon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer ingredients, and pesticides*, in bulk, in dump vehicles, between those points in Ohio on and east and south of a line beginning at the Ohio-Pennsylvania State line and extending along Ohio Highway 82 to junction Ohio Highway 5, thence along Ohio Highway 5 to junction Interstate Highway 76, thence along Interstate Highway 76 to junction Ohio Highway 3, thence along Ohio Highway 3 to junction U.S. Highway 250, thence along U.S. Highway 250 to the Ohio-West Virginia State line, and on and east and north of a line beginning at Lake Erie and extending along Ohio Highway 76 to junction U.S. Highway 250, thence along U.S. Highway 250 to the Ohio-West Virginia State line, on the one hand, and, on the other, points in Michigan, Illinois, and Indiana. The purpose of this filing is to eliminate the gateway of Orrville, Ohio.

No. MC 136166 (Sub-No. E1), filed May 10, 1974. Applicant: CF TANK LINES, INC., P.O. Box 3062, Portland, Ore. 97208. Applicant's representative: E. V. Taylor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in California (except Lassen, Modoc, and San Bernardino (east of Barstow) Counties). The purpose of this filing is to eliminate the gateways of Santa Clara and Long Beach, Calif.

No. MC 136166 (Sub-No. E2), filed May 10, 1974. Applicant: CF TANK

LINES, INC., P.O. Box 3062, Portland, Ore. 97208. Applicant's representative: E. V. Taylor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Chicago, Ill., to points in California. The purpose of this filing is to eliminate the gateway of Salt Lake City, Utah.

No. MC 136166 (Sub-No. E3), filed May 10, 1974. Applicant: CF TANK LINES, INC., P.O. Box 3062, Portland, Ore. 97208. Applicant's representative: E. V. Taylor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Louisville, Ky., to points in California. The purpose of this filing is to eliminate the gateway of the site of the Thiokol Chemical Corporation plant near Corrine, Utah.

No. MC 136166 (Sub-No. E4), filed May 10, 1974. Applicant: CF TANK LINES, INC., P.O. Box 3062, Portland, Ore. 97208. Applicant's representative: E. V. Taylor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid latex*, in bulk, in tank vehicles, from points in California (except Alpine, Butte, Del Norte, Glenn, Lake, Lassen, Modoc, Mono, Nevada, Placer, Plumas, Riverside, San Bernardino, Shasta, Sierra, Siskiyou, and Tehama Counties) to points in Wisconsin. The purpose of this filing is to eliminate the gateway of Torrance, Calif.

No. MC 136166 (Sub-No. E5), filed May 10, 1974. Applicant: CFF TANK LINES, INC., P.O. Box 3062, Portland, Ore. 97208. Applicant's representative: E. V. Taylor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid weed killing chemicals*, in bulk, in tank vehicles, from points in that part of California located in and north in Inyo, Kern, and Santa Barbara Counties to Tampa, Fla. The purpose of this filing is to eliminate the gateway of Richmond, Calif.

No. MC 136166 (Sub-No. E6), filed May 10, 1974. Applicant: CF TANK LINES, INC., P.O. Box 3062, Portland, Ore. 97208. Applicant's representative: E. V. Taylor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phenol*, in bulk, in tank vehicles, from Riverview, Ohio, to points in Nevada (except Elko, Eureka, Lander, and White Pine Counties). The purpose of this filing is to eliminate the gateways of points in California.

No. MC 136166 (Sub-No. E8), filed May 10, 1974. Applicant: CF TANK LINES, INC., P.O. Box 3062, Portland, Ore. 97208. Applicant's representative: E. V. Taylor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Atlas Point, Del., to points in Nevada (except Elko and

Lander Counties). The purpose of this filing is to eliminate the gateway of points in California.

No. MC 136166 (Sub-No. E9), filed May 10, 1974. Applicant: CF TANK LINES, INC., P.O. Box 3062, Portland, Ore. 97208. Applicant's representative: E. V. Taylor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid latex*, in bulk, in tank vehicles, from points in California (except Alpine, Del Norte, Imperial, Inyo, Lassen, Modoc, Mono, Nevada, Placer, Plumas, Sierra, Siskiyou, and San Bernardino (east of Barstow) Counties) to points in Missouri. The purpose of this filing is to eliminate the gateway of Torrance, Calif.

No. MC 136166 (Sub-No. E10), filed May 10, 1974. Applicant: CF TANK LINES, INC., P.O. Box 3062, Portland, Ore. 97208. Applicant's representative: E. V. Taylor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials used in the manufacture of plastics*, in bulk, in tank vehicles, from Longview, Wash., and points within five miles thereof to points in California. The purpose of this filing is to eliminate the gateway of Progress, Ore.

No. MC 136166 (Sub-No. E11), filed May 10, 1974. Applicant: CF TANK LINES, INC., P.O. Box 3062, Portland, Ore. 97208. Applicant's representative: E. V. Taylor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petroleum products*, in bulk, in tank vehicles, from points in that part of Washington west of the Cascade Mountains to points in Ada, Canyon, Gem, Payette, and Washington Counties, Idaho. The purpose of this filing is to eliminate the gateway of Portland, Ore.

No. MC 136166 (Sub-No. E12), filed May 10, 1974. Applicant: CF TANK LINES, INC., P.O. Box 3062, Portland, Ore. 97208. Applicant's representative: E. V. Taylor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Weed killing compounds, agricultural insecticides, and bichromate of soda*, in bulk, in tank vehicles, from Des Moines, Iowa, to points in Nevada, (except Elko, Eureka, Humboldt, Lander, Lincoln, and White Pine Counties). The purpose of this filing is to eliminate the gateways of points in California.

No. MC 136166 (Sub-No. E13), filed May 10, 1974. Applicant: CF TANK LINES, INC., P.O. Box 3062, Portland, Ore. 97208. Applicant's representative: E. V. Taylor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Weed killing compounds, agricultural insecticides, and bichromate of soda*, in bulk, in tank vehicles, from Painesville, Ohio, to points in Nevada (except Elko, Eureka, Lander, Lincoln,

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and White Pine Counties). The purpose of this filing is to eliminate the gateways of points in California.

No. MC 136166 (Sub-No. E14), filed May 10, 1974. Applicant: CF TANK LINES, INC., P.O. Box 3062, Portland, Ore. 97208. Applicant's representative: E. V. Taylor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Weed killing chemicals*, liquid, in bulk, in tank vehicles, from the plant sites of storage facilities of Stauffer Chemical Company at Le Moyne, Ala., to points in California [except San Bernardino (east of Barstow) County]. The purpose of this filing is to eliminate the gateway of Los Angeles, Calif.

No. MC 136166 (Sub-No. E15), filed May 10, 1974. Applicant: CF TANK LINES, INC., P.O. Box 3062, Portland,

Oreg. 97208. Applicant's representative: E. V. Taylor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Laurel, Mont., to points in Del Norte, Humboldt, and Mendocino Counties, Calif. The purpose of this filing is to eliminate the gateways of Boise, Idaho, Pasco, Wash., and points in that part of Oregon east of the Cascade Mountains.

No. MC 136166 (Sub-No. E16), filed May 10, 1974. Applicant: CF TANK LINES, INC., P.O. Box 3062, Portland, Ore. 97208. Applicant's representative: E. V. Taylor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Lovell, Casper, and Zube, Wyo., to points in Skamania, Yakima, Kittitas, Chelan, and

Okanogan Counties, Wash. The purpose of this filing is to eliminate the gateway of Boise, Idaho.

No. MC 136166 (Sub-No. E17), filed May 10, 1974. Applicant: CF TANK LINES, INC., P.O. Box 3062, Portland, Ore. 97208. Applicant's representative: E. V. Taylor (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Lovell, Casper, and Zube, Wyo., to points in Jefferson, Deschutes, Klamath, and Lake Counties, Ore. The purpose of this filing is to eliminate the gateways of Boise, Idaho, and Pasco, Wash.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-9026 Filed 3-26-75;8:45 am]



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