

# FEDERAL REGISTER

VOLUME 34 • NUMBER 143

Tuesday, July 29, 1969 • Washington, D.C.

Pages 12367-12419

**Agencies in this issue—**

Agricultural Research Service  
Alien Property Office  
Business and Defense Services Administration  
Civil Aeronautics Board  
Civil Service Commission  
Consumer and Marketing Service  
Federal Aviation Administration  
Federal Communications Commission  
Federal Maritime Commission  
Federal Power Commission  
Federal Trade Commission  
Fish and Wildlife Service  
Food and Drug Administration  
Immigration and Naturalization Service  
Indian Affairs Bureau  
Internal Revenue Service  
International Commerce Bureau  
Interstate Commerce Commission  
Securities and Exchange Commission  
Small Business Administration  
State Department

Detailed list of Contents appears inside.



Just Released

## CODE OF FEDERAL REGULATIONS

(As of January 1, 1969)

Title 32—National Defense (Parts 1–8) (Revised)-----	\$3. 00
Title 46—Shipping (Parts 66–145) (Revised)-----	2. 00
Title 47—Telecommunication (Part 80–End) (Revised)–	2. 50

*[A Cumulative checklist of CFR issuances for 1969 appears in the first issue of the Federal Register each month under Title 1]*

Order from Superintendent of Documents,  
United States Government Printing Office,  
Washington, D.C. 20402



Area Code 202

Phone 962-8626

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., Ch. 15), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$2.50 per month or \$25 per year, payable in advance. The charge for individual copies is 20 cents for each issue, or 20 cents for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended (44 U.S.C. 1510). The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

# Contents

## AGRICULTURAL RESEARCH SERVICE

- Rules and Regulations  
Domestic quarantine; cereal leaf beetle (3 documents)..... 12372-12376

## AGRICULTURE DEPARTMENT

See Agricultural Research Service; Consumer and Marketing Service.

## ALIEN PROPERTY OFFICE

- Notices  
Catherine Kueckens; intention to return vested property..... 12401

## BUSINESS AND DEFENSE SERVICES ADMINISTRATION

- Notices  
Decisions on applications for duty-free entry of scientific articles:  
Ball State University..... 12404  
Dudley Observatory..... 12404  
Health Research, Inc..... 12405  
Mount Sinai School of Medicine..... 12405  
New York State Museum and Science Service—Geological Survey..... 12405  
Rutgers State University..... 12406  
State University of New York..... 12406  
Temple University Medical School..... 12406  
University of California (2 documents)..... 12407  
University of Missouri..... 12407

## CIVIL AERONAUTICS BOARD

- Notices  
Hearings, etc.:  
China Airlines, Ltd..... 12408  
Novo Industrial Corp. and United Motor Freight, Inc..... 12408  
Trans Meridian (London), Ltd..... 12409  
Twin Cities-Des Moines-St. Louis proceeding..... 12409

## CIVIL SERVICE COMMISSION

- Rules and Regulations  
Excepted service:  
Department of Defense..... 12371  
Department of Housing and Urban Development..... 12372  
Department of the Interior..... 12371  
Department of the Treasury (2 documents)..... 12371  
Post Office Department..... 12371  
Small Business Administration..... 12371

## COMMERCE DEPARTMENT

See Business and Defense Services Administration; International Commerce Bureau.

## CONSUMER AND MARKETING SERVICE

- Rules and Regulations  
Oranges, Valencia, grown in Arizona and California; handling limitation..... 12376  
Proposed Rule Making  
Pears for canning; standards for grades; correction..... 12395  
Potatoes, Irish, grown in Colorado; expenses and rate of assessment..... 12395

## FEDERAL AVIATION ADMINISTRATION

- Rules and Regulations  
Airworthiness directive; Fairchild Hiller aircraft..... 12378  
Control zone; alteration..... 12379  
Control zone and transition areas; designation and alteration..... 12381  
Federal airways; alterations, extension, designation, and revocation (3 documents)..... 12379, 12380  
Restricted area; alteration..... 12381  
Standard instrument approach procedures; miscellaneous amendments..... 12382  
Transition areas:  
Alteration..... 12380  
Designation..... 12381  
Proposed Rule Making  
Cardiovascular standards; first-class medical certificates; extension of comment period..... 12394  
Control zone; alteration..... 12395  
Notices  
San Carlos Air Traffic Control Tower, San Carlos, Calif.; commissioning..... 12408

## FEDERAL COMMUNICATIONS COMMISSION

- Proposed Rule Making  
List of CATV reference points..... 12396  
Notices  
American Broadcasting Companies, Inc. (ABC); hearing, etc..... 12410

## FEDERAL MARITIME COMMISSION

- Notices  
Pacific Coast European Conference; rates, practices, rules and regulations regarding movement of cargo in containers; investigation..... 12411  
Port of Seattle and Cargill, Inc.; agreement filed for approval..... 12412

## FEDERAL POWER COMMISSION

- Notices  
Humble Oil & Refining Co. et al.; hearing, etc..... 12413

## FEDERAL TRADE COMMISSION

- Rules and Regulations  
Prohibited trade practices:  
Berger-Teich, Inc., et al..... 12377  
Etowah Textiles, Inc., et al..... 12377

## FISH AND WILDLIFE SERVICE

- Rules and Regulations  
Fisheries loan fund procedures; change of interest rate..... 12378  
Proposed Rule Making  
Pee Dee National Wildlife Refuge, N.C.; fishing..... 12394  
Notices  
Public hearings regarding wilderness proposals:  
Chamisso National Wildlife Refuge, Alaska..... 12402  
Farallon National Wildlife Refuge, Calif..... 12402  
Simeonof National Wildlife Refuge, Alaska..... 12402  
West Sister Island National Wildlife Refuge, Ohio..... 12402

## FOOD AND DRUG ADMINISTRATION

- Rules and Regulations  
Pesticide chemical tolerances; barban..... 12378  
Proposed Rule Making  
Drugs; additional official names..... 12394  
HEALTH, EDUCATION, AND WELFARE DEPARTMENT  
See Food and Drug Administration.

## IMMIGRATION AND NATURALIZATION SERVICE

- Rules and Regulations  
Nonimmigrant classes and contracts with transportation lines; miscellaneous amendments..... 12376

## INDIAN AFFAIRS BUREAU

- Notices  
Pauma Indian Reservation, Calif.; legalization of introduction, sale, or possession of intoxicants..... 12401

## INTERIOR DEPARTMENT

See Fish and Wildlife Service; Indian Affairs Bureau.

## INTERNAL REVENUE SERVICE

- Notices  
Robert J. Bolfert; granting of relief regarding firearms acquisition, shipment, etc..... 12401

(Continued on next page)

**INTERNATIONAL COMMERCE  
BUREAU****Notices**

Roland Werkstaetten G.m.b.H.  
and Herbert Greve; denial of  
export privileges..... 12402

**INTERSTATE COMMERCE  
COMMISSION****Rules and Regulations**

Car service; railroad operating  
regulations for freight car  
movement ..... 12392

**Notices**

Motor carrier transfer proceed-  
ings ..... 12416

**JUSTICE DEPARTMENT**

See Allen Property Office; Immi-  
gration and Naturalization  
Service.

**SECURITIES AND EXCHANGE  
COMMISSION****Notices***Hearings, etc.:*

A. J. Butler & Co..... 12412  
BSF Co..... 12413  
Capitol Holding Corp..... 12413  
Telstar, Inc..... 12413

**SMALL BUSINESS  
ADMINISTRATION****Notices**

Credito Investment Co., Inc.;  
application for license as small  
business investment company... 12413

**STATE DEPARTMENT****Notices**

U.S. citizens; validation of pass-  
ports for travel to, in, or  
through Mainland China..... 12401

**TRANSPORTATION DEPARTMENT**

See Federal Aviation Administra-  
tion.

**TREASURY DEPARTMENT**

See Internal Revenue Service.

**List of CFR Parts Affected**

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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1969, and specifies how they are affected.

**5 CFR**

213 (7 documents) ..... 12371, 12372

**7 CFR**

301 (3 documents) ..... 12372-12376

908 ..... 12376

**PROPOSED RULES:**

51 ..... 12395

948 ..... 12395

**8 CFR**

214 ..... 12376

238 ..... 12376

**14 CFR**

39 ..... 12378

71 (7 documents) ..... 12379-12381

73 ..... 12381

97 ..... 12382

**PROPOSED RULES:**

61 ..... 12394

67 ..... 12394

71 ..... 12395

**16 CFR**

13 (2 documents) ..... 12377

**21 CFR**

120 ..... 12378

**PROPOSED RULES:**

138 ..... 12394

**47 CFR****PROPOSED RULES:**

74 ..... 12396

**49 CFR**

1033 ..... 12392

**50 CFR**

250 ..... 12378

**PROPOSED RULES:**

33 ..... 12394

# Rules and Regulations

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission PART 213—EXCEPTED SERVICE

#### Treasury Department

Section 213.3305 is amended to show that one position of Confidential Secretary to the Assistant Secretary (Economic Policy) is excepted under Schedule C. The section is also amended to show the current title of the Assistant Secretary to whom two other positions excepted under Schedule C report. Effective on publication in the FEDERAL REGISTER, subparagraphs (37) and (38) of paragraph (a) of § 213.3305 are amended and subparagraph (39) is added as set out below.

#### § 213.3305 Treasury Department.

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

(37) One Confidential Secretary to the Assistant Secretary (Enforcement and Operations).

(38) One Confidential Assistant to the Assistant Secretary (Enforcement and Operations).

(39) One Confidential Secretary to the Assistant Secretary (Economic Policy).

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*

[F.R. Doc. 69-8854; Filed, July 28, 1969; 8:47 a.m.]

### PART 213—EXCEPTED SERVICE

#### Treasury Department

Section 213.3305 is amended to show that one position of Confidential Secretary to the Deputy Special Assistant to the Secretary (Public Affairs) is excepted under Schedule C for a period not extending beyond December 31, 1969. The section is also amended to reflect the current titles of the positions of the Staff Assistant to the Special Assistant to the Secretary (National Security Affairs) and of the Confidential Assistant to the Special Assistant to the Secretary (Public Affairs). Effective on publication in the FEDERAL REGISTER, subparagraphs (16) and (26) are amended and subparagraph (40) is added to paragraph (a) of § 213.3305 as set out below.

#### § 213.3305 Treasury Department.

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

(16) One Staff Assistant to the Special Assistant to the Secretary (National Security Affairs).

(26) One Confidential Assistant to the Special Assistant to the Secretary (Public Affairs).

(40) Until December 31, 1969, one Confidential Secretary to the Deputy Special Assistant to the Secretary (Public Affairs).

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*

[F.R. Doc. 69-8855; Filed, July 28, 1969; 8:47 a.m.]

### PART 213—EXCEPTED SERVICE

#### Department of Defense

Section 213.3306 is amended to show that one position of Private Secretary and Confidential Assistant in support of the Department's interdepartmental activities is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (4) is added under paragraph (c) of § 213.3306 as set out below.

#### § 213.3306 Department of Defense.

(c) *Interdepartmental Programs.* \* \* \*

(4) One Private Secretary and Confidential Assistant.

(5 U.S.C. 3301, 3302, E.O. 10577, 3 CFR 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*

[F.R. Doc. 69-8849; Filed, July 28, 1969; 8:47 a.m.]

### PART 213—EXCEPTED SERVICE

#### Post Office Department

Section 213.3311 is amended to show that one position of Secretary (interdepartmental activities) in the Office of the Deputy Postmaster General is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (8) is added to paragraph (h) of § 213.3311 as set out below.

#### § 213.3311 Post Office Department.

(h) *Office of the Deputy Postmaster General.* \* \* \*

(8) One Secretary (interdepartmental activities).

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*

[F.R. Doc. 69-8852; Filed, July 28, 1969; 8:47 a.m.]

### PART 213—EXCEPTED SERVICE

#### Department of the Interior

Section 213.3312 is amended to show that one position of Confidential Assistant to the Commissioner of Fish and Wildlife is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (2) is added to paragraph (c) of § 213.3312 as set out below.

#### § 213.3312 Department of the Interior.

(c) *U.S. Fish and Wildlife Service.* \* \* \*

(2) One Confidential Assistant to the Commissioner of Fish and Wildlife.

(5 U.S.C. 3301, 3302, E.O. 10577, 3 CFR 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*

[F.R. Doc. 69-8851; Filed, July 28, 1969; 8:47 a.m.]

### PART 213—EXCEPTED SERVICE

#### Small Business Administration

Section 213.3332 is amended to show that one position of Congressional Liaison Assistant is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, paragraph (p) is added under § 213.3332 as set out below.

#### § 213.3332 Small Business Administration.

(p) One Congressional Liaison Assistant.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*

[F.R. Doc. 69-8853; Filed, July 28, 1969; 8:47 a.m.]

## PART 213—EXCEPTED SERVICE

## Department of Housing and Urban Development

Section 213.3384 is amended to show that the position of Special Assistant to the Director, Division of International Affairs, is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (42) is added to paragraph (a) of § 213.3384 as set out below.

## § 213.3384 Department of Housing and Urban Development.

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

(42) One Special Assistant to the Director, Division of International Affairs.

(5 U.S.C. 3301, 3302, E.O. 10577, 3 CFR 1954-1958 Comp., p. 218)

## UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,

Executive Assistant to the Commissioners.

[P.R. Doc. 69-8850; Filed, July 28, 1969; 8:47 a.m.]

## Title 7—AGRICULTURE

## Chapter III—Agricultural Research Service, Department of Agriculture

## PART 301—DOMESTIC QUARANTINE NOTICES

## Subpart—Cereal Leaf Beetle

Pursuant to sections 8 and 9 of the Plant Quarantine Act of August 20, 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), Notice of Quarantine No. 84 relating to the cereal leaf beetle and regulations supplemental to said quarantine (7 CFR 301.84, 301.84-1 et seq.) are hereby revised to read as follows:

## QUARANTINE AND REGULATIONS

Sec.	
301.84	Quarantine; restriction on interstate movement of specified regulated articles.
301.84-1	Definitions.
301.84-2	Authorization to designate regulated areas and suppressive or generally infested areas; and articles which are exempt from certification, permit, or other requirements.
301.84-3	Conditions governing the interstate movement of regulated articles from quarantined States.
301.84-4	Issuance and cancellation of certificates and permits.
301.84-5	Compliance agreements; and cancellation thereof.
301.84-6	Assembly and inspection of regulated articles.
301.84-7	Attachment and disposition of certificates or permits.
301.84-8	Inspection and disposal of regulated articles and pests.
301.84-9	Movement of live cereal leaf beetles.
301.84-10	Nonliability of the Department.

**AUTHORITY:** The provisions of this subpart issued under secs. 8, 9, 37 Stat. 318, as amended, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 150ee; 29 F.R. 16210, as amended, 33 F.R. 15485.

## § 301.84 Quarantine; restriction on interstate movement of specified regulated articles.

(a) *Notice of quarantine.* Pursuant to the provisions of sections 8 and 9 of the Plant Quarantine Act of August 20, 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee); the Secretary of Agriculture has determined, after public hearing, that it is necessary to quarantine the States of Illinois, Indiana, Kentucky, Maryland, Michigan, New York, Ohio, Pennsylvania, Virginia, and West Virginia in order to prevent the spread of the cereal leaf beetle (*Oulema melanopus* (L.)), a dangerous insect injurious to cereal crops, not heretofore widely prevalent or distributed within and throughout the United States. Under the authority of said provisions, the Secretary hereby quarantines the States of Kentucky, Maryland, New York, Virginia, and West Virginia, and continues to quarantine the other specified States with respect to the interstate movement from the quarantined States of the articles described in paragraph (b) of this section, issues the regulations in this subpart governing such movement, and gives notice of said quarantine and regulations.

(b) *Quarantine restrictions on interstate movement of specified regulated articles.* No common carrier or other person shall move interstate from any quarantined State any of the following articles (defined in § 301.84-1(m) as regulated articles), except in accordance with the conditions prescribed in this subpart:

- (1) Small grains such as barley, oats, and wheat, except grain sorghum.
- (2) Soybeans.
- (3) Ear corn (shelled corn is not regulated).
- (4) Straw and hay, including marsh hay, except pelletized hay.
- (5) Grass sod.
- (6) Grass and forage seed.
- (7) Fodder and plant litter.
- (8) Used harvesting machinery.
- (9) Any other products, articles, or means of conveyance, of any character whatsoever, not covered by subparagraphs (1) through (8) of this paragraph, when it is determined by an inspector that they present a hazard of spread of cereal leaf beetle, and the person in possession thereof has been so notified.

## § 301.84-1 Definitions.

Terms used in the singular form in this subpart shall be deemed to import the plural, and vice versa, as the case may demand. The following terms, when used in this subpart, shall be construed, respectively to mean:

(a) *Cereal leaf beetle.* The insect known as the cereal leaf beetle (*Oulema melanopus* (L.)), in any stage of development.

(b) *Certificate.* A document issued or authorized to be issued under this subpart by an inspector to allow the interstate movement of regulated articles to any destination.

(c) *Compliance agreement.* A written agreement between a person engaged in growing, handling, or moving regulated articles, and the Plant Pest Control Division, wherein the former agrees to comply with the requirements of this subpart identified in the agreement by the inspector who executes the agreement on behalf of the Division as applicable to the operations of such person.

(d) *Director.* The Director of the Plant Pest Control Division, Agricultural Research Service, U.S. Department of Agriculture, or any other officer or employee of said Service to whom authority to act in his stead has been or may hereafter be delegated.

(e) *Generally infested area.* Any part of a regulated area not designated as a suppressive area in accordance with § 301.84-2.

(f) *Infestation.* The presence of the cereal leaf beetle or the existence of circumstances that make it reasonable to believe that cereal leaf beetle is present.

(g) *Inspector.* Any employee of the Plant Pest Control Division, Agricultural Research Service, U.S. Department of Agriculture, or other person authorized by the Director to enforce the provisions of the quarantine and regulations in this subpart.

(h) *Interstate.* From any State, Territory, or District into or through any other State, Territory, or District of the United States (including Puerto Rico).

(i) *Limited permit.* A document issued or authorized to be issued by an inspector to allow the interstate movement of noncertifiable regulated articles to a specified destination for limited handling, utilization, or processing or for treatment.

(j) *Moved (movement, move).* Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved or allowed to be moved by any means. "Movement" and "move" shall be construed accordingly.

(k) *Person.* Any individual, corporation, company, society, or association or other organized group of any of the foregoing.

(l) *Regulated area.* Any quarantined State or any portion thereof listed as a regulated area in § 301.84-2a or otherwise designated by the Director in accordance with § 301.84-2(a).

(m) *Regulated articles.* Any articles described in § 301.84(b).

(n) *Restricted destination permit.* A document issued or authorized to be issued by an inspector to allow the interstate movement of regulated articles not certifiable under all applicable Federal domestic plant quarantines to a specified destination for other than scientific purposes.

(o) *Scientific permit.* A document issued by the Director to allow the interstate movement to a specified destination

of regulated articles for scientific purposes.

(p) *Suppressive area.* That part of a regulated area where eradication of infestation is undertaken as an objective, as designated by the Director under § 301.84-2(a).

(q) *Treatment manual.* The provisions currently contained in the "Manual of Administratively Authorized Procedures To Be Used Under the Cereal Leaf Beetle Quarantine," the manual of "Procedures for Applying Soil, Surface, and Foliage Treatments for Regulatory Purposes," and the "Fumigation Procedures Manual," and any amendments thereto.<sup>1</sup>

§ 301.84-2 Authorization to designate regulated areas and suppressive or generally infested areas; and articles which are exempt from certification, permit, or other requirements.

(a) *Regulated areas and suppressive or generally infested areas.* (1) The Director shall list as regulated areas in a supplemental regulation designated as § 301.84-2a, the quarantined States, or portions thereof in which cereal leaf beetle has been found or in which there is reason to believe that cereal leaf beetle is present, or which it is deemed necessary to regulate because of their proximity to infestation or their inseparability for quarantine enforcement purposes from infested localities. The Director, in the supplemental regulation, may divide any regulated area into a suppressive area and a generally infested area in accordance with the definitions thereof in § 301.84-1. Less than an entire quarantined State will be designated as a regulated area only if the Director is of the opinion that:

(1) The State has adopted and is enforcing a quarantine or regulation which imposes restrictions on the intrastate movement of the regulated articles which are substantially the same as those which are imposed with respect to the interstate movement of such articles under this subpart; and

(2) The designation of less than the entire State as a regulated area will otherwise be adequate to prevent the interstate spread of the cereal leaf beetle.

(3) The Director, or an authorized inspector, may temporarily designate any other premises in a quarantined State as a regulated area and a suppressive or generally infested area, in accordance with the criteria specified in subparagraph (1) of this paragraph for listing such areas, by serving written notice thereof on the owner or person in possession of such premises, and thereafter the interstate movement of regulated articles from such premises by any person having notice of this designation shall be subject to the applicable provisions of this subpart. As soon as practicable, such premises shall be added to the list in

§ 301.84-2a if a basis then exists for their designation.

(b) *Articles which are exempt from certification, permit, or other requirements.* The Director may, in a supplemental regulation designated as § 301.84-2b, list regulated articles which shall be exempt from the certification and permit or other requirements of this subpart under such conditions as he may prescribe, if he finds that facts exist as to the pest risk involved in the movement of such regulated articles which make it safe to so relieve such requirements.

§ 301.84-3 Conditions governing the interstate movement of regulated articles from quarantined States.<sup>2</sup>

Any regulated articles may be moved interstate from any quarantined State under the following conditions:

(a) From any regulated area, with certificate or permit issued and attached in accordance with §§ 301.84-4 and 301.84-7 if moved:

(1) From any regulated area into or through any point outside of the regulated areas; or

(2) From any generally infested area into or through any suppressive area; or

(3) Between any noncontiguous suppressive areas; or

(4) Between contiguous suppressive areas when it is determined by the inspector that the regulated articles present a hazard of the spread of the cereal leaf beetle and the person in possession thereof has been so notified; or

(b) From any regulated area, without certificate or permit if moved:

(1) Under the provisions of § 301.84-2b which exempts certain articles from certificate and permit requirements; or

(2) From a generally infested area to a contiguous generally infested area; or

(3) From a suppressive area to a contiguous generally infested area; or

(4) Between contiguous suppressive areas unless the person in possession of the articles has been notified by an inspector that a hazard of spread of the cereal leaf beetle exists; or

(5) Through or reshipped from any regulated area if the articles originated outside of any regulated area and if the point of origin of the articles is clearly indicated, their identity has been maintained and they have been safeguarded against infestation while in the regulated area in a manner satisfactory to the inspector; or

(c) From any area outside the regulated areas, without a certificate or permit if the regulated articles are exempt under the provisions of § 301.84-2b or if the point of origin of such movement is clearly indicated on the articles or shipping document which accompanies the articles, and if the movement is not made through any regulated area.

§ 301.84-4 Issuance and cancellation of certificates and permits.

(a) Certificates may be issued for any regulated articles by an inspector if he

<sup>2</sup> Requirements under all other applicable Federal domestic plant quarantines must also be met.

determines that they are eligible for certification for movement to any destination under all Federal domestic plant quarantines applicable to such articles and:

(1) Have originated in noninfested premises in a regulated area and have not been exposed to infestation while within the regulated areas; or

(2) Upon examination, have been found to be free of infestation; or

(3) Have been treated to destroy infestation in accordance with the treatment manual; or

(4) Have been grown, produced, manufactured, stored, or handled in such a manner that no infestation would be transmitted thereby.

(b) Limited permits may be issued by an inspector to allow interstate movement of regulated articles, not eligible for certification under this subpart, to specified destinations for limited handling, utilization, or processing, or for treatment in accordance with the treatment manual, when upon evaluation of circumstances involved in each specific case he determines that such movement will not result in the spread of the cereal leaf beetle and requirements of other applicable Federal domestic plant quarantines have been met.

(c) Restricted destination permits may be issued by an inspector to allow the interstate movement (for other than scientific purposes) of regulated articles to any destination permitted under all applicable Federal domestic plant quarantines if such articles are not eligible for certification under all such quarantines but would otherwise qualify for certification under this subpart.

(d) Scientific permits may be issued by the Director to allow the interstate movement of regulated articles for scientific purposes under such conditions as may be prescribed in each specific case by the Director.

(e) Certificate, limited permit, and restricted destination permit forms may be issued by an inspector to any person for use by the latter for subsequent shipments provided such person is operating under a compliance agreement; and any such person may be authorized by an inspector to reproduce such forms on shipping containers or otherwise. Any such person may use the certificate forms, or reproductions of such forms, for the interstate movement of regulated articles from the premises of such person identified in the compliance agreement if such person has made appropriate determinations as specified in paragraph (a) of this section with respect to such articles. Any such person may use the limited permit forms, or reproductions of such forms, for interstate movement of regulated articles to specified destinations authorized by the inspector in accordance with paragraph (b) of this section. Any such person may use the restricted destination permit forms, or reproductions of such forms, for the interstate movement of regulated articles not eligible for certification under all Federal domestic plant quarantines applicable to such articles, under

<sup>1</sup> Pamphlets containing such provisions are available, upon request from the Director, Plant Pest Control Division, Agricultural Research Service, U.S. Department of Agriculture, Hyattsville, Md. 20782, or from an inspector.

the conditions specified in paragraph (c) of this section.

(f) Any certificate or permit which has been issued or authorized may be withdrawn by the inspector if he determines that the holder thereof has not complied with any condition for the use of such document imposed by this subpart.

**§ 301.84-5 Compliance agreements; and cancellation thereof.**

(a) Any person engaged in the business of growing, handling, or moving regulated articles may enter into a compliance agreement to facilitate the movement of such articles under this subpart. Compliance agreement forms may be obtained from the Director or an inspector.

(b) Any compliance agreement may be cancelled by the inspector who is supervising its enforcement whenever he finds, after notice and reasonable opportunity to present views has been accorded to the other party thereto, that such other party has failed to comply with the conditions of the agreement.

**§ 301.84-6 Assembly and inspection of regulated articles.**

Persons (other than those authorized to use certificates, limited permits, or restricted destination permits, or reproductions thereof, under § 301.84-4(e)) who desire to move interstate regulated articles which must be accompanied by a certificate or permit shall, as far in advance as possible, request an inspector to examine the articles prior to movement. Such articles shall be assembled at such points and in such a manner as the inspector designates to facilitate inspection.

**§ 301.84-7 Attachment and disposition of certificates or permits.**

(a) If a certificate or permit is required for the interstate movement of regulated articles, the certificate or permit shall be securely attached to the outside of the container in which such articles are moved, except that, where the certificate or permit is attached to the waybill or other shipping document, and the regulated articles are adequately described on the certificate, permit or shipping document, the attachment of the certificate or permit to each container of the articles is not required.

(b) In all cases, certificates or permits shall be furnished by the carrier to the consignee at the destination of the shipment.

**§ 301.84-8 Inspection and disposal of regulated articles and pests.**

Any properly identified inspector is authorized to stop and inspect, and to seize, destroy, or otherwise dispose of, or require disposal of regulated articles and cereal leaf beetles as provided in section 10 of the Plant Quarantine Act (7 U.S.C. 164a) and section 105 of the Plant Pest Act (7 U.S.C. 150dd), in accordance with instructions issued by the Director.

**§ 301.84-9 Movement of live cereal leaf beetles.**

Regulations requiring a permit for, and otherwise governing the movement of live cereal leaf beetles in interstate or foreign commerce are contained in the Federal Plant Pest Regulations in Part 330 of this chapter. Applications for permits for the movement of the pest may be made to the Director.

**§ 301.84-10 Nonliability of the Department.**

The U.S. Department of Agriculture disclaims liability for any costs incident to inspections or compliance with the provisions of the quarantine and regulations in this subpart, other than for the services of the inspector.

This revision shall become effective upon publication in the FEDERAL REGISTER when it shall supersede the notice of quarantine and regulations effective April 1, 1969.

Pursuant to a notice of hearing and rulemaking published in the FEDERAL REGISTER on June 4, 1969, and a supplemental notice published in the FEDERAL REGISTER on July 8, 1969, a public hearing was held in Louisville, Ky., regarding quarantining the States of Kentucky, Maryland, New York, Virginia, and West Virginia, on account of the cereal leaf beetle. After due consideration of all relevant material presented at the hearing and responses to the notice, it has been decided to add the States of Kentucky, Maryland, New York, Virginia, and West Virginia to the list of States quarantined because of the cereal leaf beetle.

This revision imposes restrictions that are necessary in order to prevent the dissemination of the cereal leaf beetle and should be made effective promptly to accomplish its purpose in the public interest. Accordingly, it is found upon good cause under the administrative procedure provisions of 5 U.S.C. 553, that further notice and other public procedure with respect to this revision are impracticable and contrary to the public interest, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 24th day of July 1969.

[SEAL]

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

[F.R. Doc. 69-8889; Filed, July 28, 1969; 8:49 a.m.]

**PART 301—DOMESTIC QUARANTINE NOTICES**

**Subpart—Cereal Leaf Beetle**

**REGULATED AREAS**

Under the authority of § 301.84-2 of the Cereal Leaf Beetle Quarantine regulations (7 CFR 301.84-2, as amended, 34 F.R. 12373), a supplemental regulation designating regulated areas is here-

by issued to appear in 7 CFR 301.84-2a, as follows:

**§ 301.84-2a Regulated areas.**

The civil divisions, and parts of civil divisions, described below, are designated as cereal leaf beetle regulated areas within the meaning of the provisions in this subpart:

**ILLINOIS**

*Champaign County.* Secs. 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, and 16, T. 20 N., R. 8 E.; secs. 25, 26, 27, 28, 33, 34, 35, and 36, T. 21 N., R. 8 E.; secs. 1, 2, 3, 10, 11, 12, 13, 14, and 15, T. 22 N., R. 8 E.; secs. 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36, T. 19 N., R. 9 E.; secs. 6, 7, and 18, T. 20 N., R. 9 E.; secs. 29, 30, 31, 32, and 33, T. 21 N., R. 9 E.; secs. 1, 6, 7, 12, 13, 18, 24, 25, and 36, T. 22 N., R. 9 E.; secs. 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34, T. 22 N., R. 10 E.; secs. 4, 5, 8, 9, 16, and 17, T. 20 N., R. 14 W.; and secs. 4 and 9, T. 22 N., R. 14 W.

*Clark County.* Sec. 19, T. 12 N., R. 12 W.; and secs. 22, 23, and 24, T. 12 N., R. 13 W.

*Cook County.* Secs. 34, 35, and 36, T. 37 N., R. 11 E.; secs. 5, 6, 7, 8, 17, 18, 19, and 20, T. 36 N., R. 12 E.; secs. 31 and 32, T. 37 N., R. 12 E.; T. 35 N., R. 13 E.; T. 35 N., R. 14 E.; and secs. 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, and 32, T. 35 N., R. 15 E.

*Douglas County.* Secs. 28 and 33, T. 16 N., R. 14 W.

*Edgar County.* The entire county.

*Ford County.* Secs. 34, 35, and 36, T. 23 N., R. 8 E.; sec. 31, T. 23 N., R. 9 E.; secs. 6, 7, 18, and 19, T. 27 N., R. 9 E.; and secs. 28 and 33, T. 23 N., R. 14 W.

*Grundy County.* Secs. 22, 23, 24, 25, 26, 27, 34, 35, and 36, T. 34 N., R. 7 E.; and secs. 19, 30, and 31, T. 34 N., R. 8 E.

*Iroquois County.* Secs. 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36, T. 24 N., R. 10 E.; secs. 6 and 7, T. 26 N., R. 10 W.; secs. 6, 7, 18, 19, 30, and 31, T. 27 N., R. 10 W.; secs. 6, 7, 18, 19, 30, and 31, T. 28 N., R. 10 W.; secs. 18, 19, 30, and 31, T. 29 N., R. 10 W.; secs. 6, 7, 18, 19, 30, and 31, T. 24 N., R. 11 E.; secs. 1, 2, 3, 4, 5, 6, 10, 11, and 12, T. 26 N., R. 11 W.; secs. 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36, T. 27 N., R. 11 W.; secs. 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 33, 34, 35, and 36, T. 28 N., R. 11 W.; secs. 13, 14, 15, 22, 23, 24, 25, 26, 27, 35, and 36, T. 29 N., R. 11 W.; secs. 30 and 31, T. 24 N., R. 12 W.; secs. 1 and 2, T. 26 N., R. 12 W.; secs. 13, 14, 23, 24, 25, 26, 35, and 36, T. 27 N., R. 12 W.; secs. 6, 7, 18, and 19, T. 28 N., R. 12 W.; sec. 31, T. 29 N., R. 12 W.; secs. 25, 26, 27, 34, 35, and 36, T. 24 N., R. 13 W.; secs. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, and 18, T. 27 N., R. 13 W.; secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35, T. 28 N., R. 13 W.; secs. 31, 32, 33, 34, 35, and 36, T. 29 N., R. 13 W.; secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31, T. 24 N., R. 14 W.; secs. 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, and 24, T. 28 N., R. 14 W.; and secs. 34, 35, and 36, T. 29 N., R. 14 W.

*Kankakee County.* The entire county.

*Livingston County.* Secs. 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, and 24, T. 27 N., R. 8 E.; and secs. 8, 9, 10, 11, 14, 15, 16, 17, 20, 21, 22, and 23, T. 28 N., R. 8 E.

*Moultrie County.* Secs. 2, 3, and 4, T. 13 N., R. 4 E.; secs. 21, 22, 23, 26, 27, 28, 33, 34, and 35, T. 14 N., R. 4 E.; sec. 11, T. 12 N., R. 5 E.; secs. 1, 2, 3, 10, 11, 12, 13, 14, and 15, T. 15 N., R. 5 E.; and secs. 6, 7, and 18, T. 15 N., R. 6 E.



*Platt County.* Secs. 25, 26, 27, 34, 35, and 36, T. 16 N., R. 5 E.; secs. 12 and 13, T. 18 N., R. 5 E.; secs. 30 and 31, T. 16 N., R. 6 E.; and secs. 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35, T. 18 N., R. 6 E.

*Shelby County.* Secs. 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36, T. 11 N., R. 4 E.; secs. 1, 2, 3, 10, 11, 12, 13, 14, and 15, T. 10 N., R. 5 E.; secs. 7, 8, 17, 18, 19, 20, 29, 30, 31, 32, 34, 35, and 36, T. 11 N., R. 5 E.; secs. 9, 10, 14, 15, 16, 21, 22, 23, 26, 27, and 28, T. 12 N., R. 5 E.; secs. 6, 7, and 18, T. 10 N., R. 6 E.; and sec. 31, T. 11 N., R. 6 E.

*Vermilion County.* The entire county.

*Will County.* Secs. 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, and 24, T. 36 N., R. 11 E.; T. 33 N., R. 12 E.; T. 34 N., R. 12 E.; T. 35 N., R. 12 E.; T. 33 N., R. 13 E.; T. 34 N., R. 13 E.; T. 33 N., R. 14 E.; T. 34 N., R. 14 E.; and secs. 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, and 32, T. 33 N., R. 15 E.; and secs. 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, and 32, T. 34 N., R. 15 E.

INDIANA

The entire State.

KENTUCKY

*Anderson County.* The entire county.  
*Bath County.* The entire county.  
*Boone County.* The entire county.  
*Bourbon County.* The entire county.  
*Boyd County.* The entire county.  
*Boyle County.* The entire county.  
*Bracken County.* The entire county.  
*Breathitt County.* The entire county.  
*Bullitt County.* The entire county.  
*Campbell County.* The entire county.  
*Carroll County.* The entire county.  
*Carter County.* The entire county.  
*Casey County.* The entire county.  
*Clark County.* The entire county.  
*Clay County.* The entire county.  
*Elliott County.* The entire county.  
*Estill County.* The entire county.  
*Fayette County.* The entire county.  
*Fleming County.* The entire county.  
*Floyd County.* The entire county.  
*Franklin County.* The entire county.  
*Gallatin County.* The entire county.  
*Garrard County.* The entire county.  
*Grant County.* The entire county.  
*Green County.* The entire county.  
*Greenup County.* The entire county.  
*Hardin County.* The entire county.  
*Harrison County.* The entire county.  
*Hart County.* The entire county.  
*Henry County.* The entire county.  
*Jackson County.* The entire county.  
*Jefferson County.* The entire county.  
*Jessamine County.* The entire county.  
*Johnson County.* The entire county.  
*Kenton County.* The entire county.  
*Larue County.* The entire county.  
*Laurence County.* The entire county.  
*Lee County.* The entire county.  
*Lewis County.* The entire county.  
*Lincoln County.* The entire county.  
*Madison County.* The entire county.  
*Magoffin County.* The entire county.  
*Marion County.* The entire county.  
*Martin County.* The entire county.  
*Mason County.* The entire county.  
*Meade County.* The entire county.  
*Menifee County.* The entire county.  
*Mercer County.* The entire county.  
*Montgomery County.* The entire county.  
*Morgan County.* The entire county.  
*Nelson County.* The entire county.  
*Nicholas County.* The entire county.  
*Oldham County.* The entire county.  
*Owen County.* The entire county.  
*Owsley County.* The entire county.  
*Pendleton County.* The entire county.  
*Powell County.* The entire county.  
*Robertson County.* The entire county.  
*Rockcastle County.* The entire county.  
*Rowan County.* The entire county.

KENTUCKY—Continued

*Scott County.* The entire county.  
*Shelby County.* The entire county.  
*Spencer County.* The entire county.  
*Taylor County.* The entire county.  
*Trimble County.* The entire county.  
*Washington County.* The entire county.  
*Wolfe County.* The entire county.  
*Woodford County.* The entire county.

MARYLAND

*Allegany County.* The entire county.  
*Garrett County.* The entire county.

MICHIGAN

*Alcona County.* The entire county.  
*Alcona County.* The entire county.  
*Alpena County.* The entire county.  
*Antrim County.* The entire county.  
*Arenac County.* The entire county.  
*Barry County.* The entire county.  
*Bay County.* The entire county.  
*Benzie County.* The entire county.  
*Berrien County.* That portion of the county lying outside the Benton Harbor Wholesale Fruit Market in Benton Harbor. The market is bounded by Territorial Road, Red Arrow Highway, and Crystal Avenue.

*Branch County.* The entire county.  
*Calhoun County.* The entire county.  
*Cass County.* The entire county.  
*Charlevoix County.* The entire county.  
*Cheboygan County.* The entire county.  
*Clare County.* The entire county.  
*Clinton County.* The entire county.  
*Crawford County.* The entire county.  
*Eaton County.* The entire county.  
*Emmet County.* The entire county.  
*Genesee County.* The entire county.  
*Gladwin County.* The entire county.  
*Grand Traverse County.* The entire county.  
*Gratiot County.* The entire county.  
*Hillsdale County.* The entire county.  
*Huron County.* The entire county.  
*Ingham County.* The entire county.  
*Ionia County.* The entire county.  
*Iosco County.* The entire county.  
*Isabella County.* The entire county.  
*Jackson County.* The entire county.  
*Kalamazoo County.* The entire county.  
*Kalkaska County.* The entire county.  
*Kent County.* The entire county.  
*Lake County.* The entire county.  
*Lapeer County.* The entire county.  
*Leelanau County.* The entire county.  
*Lenawee County.* The entire county.  
*Livingston County.* The entire county.  
*Macomb County.* The entire county.  
*Manistee County.* The entire county.  
*Mason County.* The entire county.  
*Mecosta County.* The entire county.  
*Midland County.* The entire county.  
*Missaukee County.* The entire county.  
*Monroe County.* The entire county.  
*Montcalm County.* The entire county.  
*Montgomery County.* The entire county.  
*Muskegon County.* The entire county.  
*Newaygo County.* The entire county.  
*Oakland County.* The entire county.  
*Oceana County.* The entire county.  
*Ogemaw County.* The entire county.  
*Oscoda County.* The entire county.  
*Otsego County.* The entire county.  
*Ottawa County.* The entire county.  
*Presque Isle County.* The entire county.  
*Roscommon County.* The entire county.  
*Saginaw County.* The entire county.  
*Sanilac County.* The entire county.  
*Shiawassee County.* The entire county.  
*St. Clair County.* The entire county.  
*St. Joseph County.* The entire county.  
*Tuscola County.* The entire county.  
*Van Buren County.* The entire county.  
*Washtenaw County.* The entire county.  
*Wayne County.* The entire county.  
*Wexford County.* The entire county.

NEW YORK

The entire State.

OHIO

The entire State.

PENNSYLVANIA

The entire State.

VIRGINIA

*Alleghany County.* The entire county.  
*Highland County.* The entire county.

WEST VIRGINIA

The entire State.

(Secs. 8 and 9, 37 Stat. 318, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 150ee; 29 F.R. 16210, as amended; 7 CFR 301.84-2)

This supplemental regulation shall become effective upon publication in the FEDERAL REGISTER when it shall supersede 7 CFR 301.84-2a, effective April 1, 1969.

The Director has determined that each of the quarantined States, wherein only portions of the State have been designated as regulated areas, is enforcing a quarantine or regulation with restrictions on intrastate movement of the regulated articles substantially the same as the restrictions on interstate movement of such articles imposed by the quarantine and regulations in this subpart, and that in each case designation of less than the entire State as a regulated area will otherwise be adequate to prevent the interstate spread of the cereal leaf beetle. This determination has not been made concerning Indiana, Ohio, New York, Pennsylvania, and West Virginia. Further, the Director of the Plant Pest Control Division has determined that infestations of the cereal leaf beetle exist or are likely to exist in the civil divisions and parts of civil divisions, in Illinois, Kentucky, Maryland, Michigan, and Virginia, listed above, or that it is necessary to regulate such localities because of their proximity to infestation or their inseparability for quarantine enforcement purposes from infested localities. Therefore, the States of Indiana, Ohio, New York, Pennsylvania, and West Virginia and the civil divisions and parts of civil divisions in the other States listed above, are designated as cereal leaf beetle regulated areas.

The purpose of this revision is to regulate portions of Kentucky, Maryland, and Virginia, and to regulate in their entirety New York and West Virginia, all of which were previously nonquarantined States.

In the previously quarantined States the revision extends the regulated area to the entire States of Indiana and Pennsylvania. Also, in Illinois the regulated area is extended to the entire counties of Edgar, Kankakee, and Vermilion, and to portions of Piatt County, all of which were previously nonregulated; in some previously regulated counties, additional areas were also added.

This document imposes restrictions that are necessary in order to prevent the spread of the cereal leaf beetle. Therefore, it should be made effective at the earliest practicable date in order to accomplish its purpose in the public interest. Accordingly, it is found under the

administrative procedure provisions of 5 U.S.C. 553, that notice and other public procedure with respect to the foregoing regulation are unnecessary and impracticable, and good cause is found for making the regulation effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 24th day of July 1969.

[SEAL] D. R. SHEPHERD,  
Director,  
Plant Pest Control Division.

[F.R. Doc. 69-8891; Filed, July 28, 1969;  
8:50 a.m.]

## PART 301—DOMESTIC QUARANTINE NOTICES

### Subpart—Cereal Leaf Beetle

#### EXEMPTIONS

Under authority of § 301.84-2 of the Cereal Leaf Beetle Quarantine regulations (7 CFR 301.84-2, as amended, 34 F.R. 12373), a supplemental regulation exempting certain articles from specified requirements of the regulations is hereby issued to appear in 7 CFR 301.84-2b as set forth below. The Director of the Plant Pest Control Division has found that facts exist as to the pest risk involved in the movement of such articles which make it safe to relieve the requirements as provided therein.

#### § 301.84-2b Exempted articles.

(a) The following articles are exempt<sup>1</sup> from the certification and permit requirements of this subpart if they meet the applicable conditions prescribed in subparagraphs (1) through (3) of this paragraph and have not been exposed to infestation after cleaning or other handling as prescribed in said subparagraphs:

(1) Small grains, except oats and barley, if cleaned to meet State seed sales requirements of the State of origin.

(2) Grass and forage seed, if cleaned to meet State seed sales requirements of the State of origin.

(3) Soybeans, if transported in covered vehicles and moved to designated plants;<sup>2</sup> or, if cleaned to meet State seed sales requirements of the State of origin.

(b) The following articles are exempt<sup>3</sup> from the certification, permit, and other requirements of this subpart under the applicable conditions prescribed in subparagraphs (1) through (5) of this paragraph:

(1) Small grains such as barley, oats, and wheat from December 1 of any year through the following May 31.

<sup>1</sup> The articles hereby exempted remain subject to applicable restrictions under other quarantines.

<sup>2</sup> Any plant is eligible for designation under this subpart if the operator thereof applies approved pesticides as outlined by an inspector, and enters a compliance agreement (as defined in § 301.84-1(c)). Information as to designated plants may be obtained from the inspector.

<sup>3</sup> See footnote 1 on page 1.

(2) Soybeans from March 16 of any year through the following August 31.

(3) Ear corn, other than sweet or fresh market corn, from April 1 of any year through the following July 31.

(4) Hay, except marsh hay, from January 16 of any year through the following May 31.

(5) Straw and marsh hay from March 1 of any year through the following June 30.

(Secs. 8 and 9, 37 Stat. 318, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 150ee; 29 F.R. 16210, as amended; 7 CFR 301.84-2)

This list of exempted articles shall become effective upon publication in the FEDERAL REGISTER when it shall supersede the list of exempted articles in 7 CFR 301.84-2b, which became effective April 1, 1969.

The principal purpose of this document is to exempt soybeans, if cleaned to meet State seed sales requirements of the State of origin.

This document relieves certain restrictions which are not deemed necessary to prevent the interstate spread of the cereal leaf beetle and should be made effective promptly in order to be of maximum benefit to persons subject to the restrictions being relieved. Therefore, under the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to this document are impracticable and unnecessary, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 24th day of July 1969.

[SEAL] D. R. SHEPHERD,  
Director,  
Plant Pest Control Division.

[F.R. Doc. 69-8890; Filed, July 28, 1969;  
8:50 a.m.]

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

[Valencia Orange Reg. 285, Amdt. 1]

### PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

#### Limitation of Handling

*Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908, 33 F.R. 19829) 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 recommendation 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) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of Valencia oranges grown in Arizona and designated part of California.

*Order, as amended.* The provision in paragraph (b) (1) (i), (ii), and (iii) of § 908.585 (Valencia Orange Regulation 285, 34 F.R. 12016) are hereby amended to read as follows:

#### § 908.585 Valencia Orange Regulation 285.

- (b) Order. (1) \* \* \*  
(i) District 1: 227,000 cartons;  
(ii) District 2: 345,000 cartons;  
(iii) District 3: 78,000 cartons.

(Secs. 1-19, 49 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: July 23, 1969.

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

[F.R. Doc. 69-8859; Filed, July 28, 1969;  
8:47 a.m.]

## Title 8—ALIENS AND NATIONALITY

### Chapter I—Immigration and Naturalization Service, Department of Justice

#### PART 214—NONIMMIGRANT CLASSES

#### PART 238—CONTRACTS WITH TRANSPORTATION LINES

#### Miscellaneous Amendments

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

The last sentence of subparagraph (1) Without visas of paragraph (c) Transits of § 214.2 *Special requirements for admission, extension, and maintenance of status* is amended to read as follows:

"The privilege of transit without a visa may be authorized only under the conditions that the carrier, without the prior consent of the Service, will not refund the ticket which was presented to the Service as evidence of the alien's confirmed and onward reservations, that the

alien will not apply for extension of temporary stay or for adjustment of status under section 245 of the Act, and that at all times he is not aboard an aircraft which is in flight through the United States he shall be in the custody directed by the district director."

The listing of transportation lines under "At Montreal" of § 238.4 *Preinspection outside the United States* is amended by adding the following transportation line in alphabetical sequence: "Air France" and the listing of transportation lines under "At Toronto" of § 238.4 is amended by adding the following transportation lines in alphabetical sequence: "Air France," "British United Airways (Services) Ltd.," and "Standard Airways, Inc."

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall be effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 553 of Title 5 of the United States Code (80 Stat. 383), as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the amendment to § 214.2(c) (1) is clarifying in nature and relieves restrictions regarding custody and the amendment to § 238.4 adds transportation lines to the listings.

Dated: July 22, 1969.

RAYMOND F. FARRELL,  
Commissioner of  
Immigration and Naturalization.

[F.R. Doc. 69-8862; Filed, July 28, 1969;  
8:48 a.m.]

## Title 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. C-1561]

#### PART 13—PROHIBITED TRADE PRACTICES

##### Berger-Teich, Inc., et al.

Subpart—Furnishing false guaranties: § 13.1053 *Furnishing false guaranties*; § 13.1053-35 *Fur Products Labeling Act*. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*; § 13.1108-45 *Fur Products Labeling Act*. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*; § 13.1185-30 *Fur Products Labeling Act*; § 13.1212 *Formal regulatory and statutory requirements*; § 13.1212-30 *Fur Products Labeling Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*; § 13.1852-35 *Fur Products Labeling Act*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Berger-Teich, Inc., et al., New York, N.Y., Docket C-1561, July 10, 1969]

##### *In the Matter of Berger-Teich, Inc., a Corporation, and Manny Teich and Alfred S. Berger, Individually and as Officers of Said Corporation*

Consent order requiring a New York City manufacturing furrier to cease misbranding, falsely invoicing and guaranteeing its fur products.

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

*It is ordered*, That respondents Berger-Teich, Inc., a corporation, and its officers, and Manny Teich and Alfred S. Berger, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation or distribution of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

##### A. Misbranding fur products by:

1. Representing, directly or by implication, on labels that the fur contained in any fur product is natural when the fur contained therein is pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

2. Failing to affix labels to fur products showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

##### B. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b) (1) of the Fur Products Labeling Act.

2. Representing, directly or by implication, on invoices that the fur contained in the fur products is natural when such fur is pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

*It is further ordered*, That respondents Berger-Teich, Inc., a corporation, and its officers, and Manny Teich and Alfred S. Berger, individually and as officers of said corporation and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from furnishing a false guaranty that any fur product is not misbranded, falsely invoiced or falsely advertised when the respondents have reason to believe that such fur product may be introduced, sold, transported, or distributed in commerce.

*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 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.

Issued: July 10, 1969.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 69-8880; Filed, July 28, 1969;  
8:49 a.m.]

[Docket No. C-1560]

#### PART 13—PROHIBITED TRADE PRACTICES

##### Etowah Textiles, Inc., et al.

Subpart—Furnishing false guaranties: § 13.1053 *Furnishing false guaranties*; § 13.1053-80 *Textile Fiber Products Identification Act*. Subpart—Misbranding or mislabeling: § 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*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 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) [Cease and desist order, Etowah Textiles, Inc., et al., Cartersville, Ga., Docket C-1560, July 10, 1969]

##### *In the Matter of Etowah Textiles, Inc., a Corporation, and Jesse C. Akins, Individually and as an Officer of Said Corporation, and Samuel M. Timms, Individually and as a Former Officer of Said Corporation*

Consent order requiring a Cartersville, Ga., manufacturer of carpets and other fabric products to cease misbranding and falsely guaranteeing its textile fiber products and failing to maintain required records.

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

*It is ordered*, That respondents Etowah Textiles, Inc., a corporation, and its officers, and Jesse C. Akins, individually and as an officer of said corporation, and Samuel M. Timms, individually and as a former officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported in commerce, or the importation into the United States, 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:

A. Misbranding textile fiber products by:

1. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising, or otherwise identifying such products as to the name or amount of constituent fibers contained therein.

2. Failing to affix a stamp, tag, label or other means of identification to each such product showing in a clear, legible and conspicuous manner each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

B. Failing to maintain and preserve proper records showing the fiber content of the textile fiber products manufactured by said respondents, as required by section 6 of the Textile Fiber Products Identification Act and Rule 39 of the regulations promulgated thereunder.

*It is further ordered,* That respondents Etowah Textiles, Inc., a corporation, and its officers, and Jesse C. Akins, individually and as an officer of said corporation, and Samuel M. Timms, individually and as a former officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from furnishing a false guaranty that any textile fiber product is not misbranded or falsely invoiced under the provisions of the Textile Fiber Products Identification Act.

*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 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.

Issued: July 10, 1969.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[P.R. Doc. 69-8881; Filed, July 28, 1969;  
8:49 a.m.]

## Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Barban

A petition (PP 9F0782) was filed with the Food and Drug Administration by

Gulf Oil Corp., Gulf Building, Pittsburgh, Pa. 15230, proposing the establishment of tolerances for negligible residues of the herbicide barban (4-chloro-2-butynyl *m*-chlorocarbamate) in or on the raw agricultural commodities barley, flax, lentils, mustard seed, peas, safflower seed, soybeans, sugar beets, sunflower seed, and wheat at 0.1 part per million.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which the tolerances are being established.

Based on consideration given the data submitted in the petition, and other relevant material, the Commissioner of Food and Drugs concludes that:

1. The tolerances established by this order will protect the public health.

2. Tolerances are unnecessary regarding meat, milk, poultry, or eggs since the proposed usage is not reasonably expected to result in residues of the herbicide occurring in these commodities. The usage is classified in the category specified in § 120.6(a) (3).

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d) (2), 68 Stat. 512; 21 U.S.C. 346a(d) (2)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 120 is amended by adding a new section to Subpart C as follows:

§ 120.268 Barban; tolerances for residues.

A tolerance of 0.1 part per million is established for negligible residues of the herbicide barban (4-chloro-2-butynyl *m*-chlorocarbamate) in or on the raw agricultural commodities barley, flax seed, lentils, mustard seed, peas, safflower seed, soybeans, sugar beets, sugar beet tops, sunflower seed, and wheat.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order 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. Objections may be accompanied by a memorandum or brief in support thereof.

*Effective date.* This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d) (2), 68 Stat. 512; 21 U.S.C. 346a(d) (2))

Dated: July 22, 1969.

R. E. DUGGAN,  
Acting Associate Commissioner  
for Compliance.

[P.R. Doc. 69-8835; Filed, July 28, 1969;  
8:46 a.m.]

## Title 50—WILDLIFE AND FISHERIES

Chapter II—Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior

SUBCHAPTER F—AID TO FISHERIES

PART 250—FISHERIES LOAN FUND PROCEDURES

Change of Interest Rate

Public Law 89-85 amended section 4 of the Fish and Wildlife Act of 1956 by providing that any fishery loan shall "Bear an interest rate of not less than (a) a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity, plus (b) such additional charge, if any, toward covering other costs of the program as the Secretary may determine to be consistent with its purpose." The average market yield of such outstanding obligations was 6½ percent as of June 30, 1969, up 1 percent from June 30, 1968. In order to comply with Public Law 89-85 and insure compliance in case of any further increases in the average market yield it is necessary to increase the interest rate charged on fisheries loans from 6½ percent to 7½ percent.

This amendment relates to matters which are exempt from the rule making requirements of the Administrative Procedure Act (5 U.S.C. 1003).

In view of the necessity for making the effective date as soon as possible, this amendment is hereby adopted and will become effective upon publication in the FEDERAL REGISTER.

Section 250.10 is amended by deleting "6½ percent" and substituting "7½ percent" therefor.

H. E. CROWTHER,  
Director.

Bureau of Commercial Fisheries.

[P.R. Doc. 69-8861; Filed, July 28, 1969;  
8:47 a.m.]

## Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

SUBCHAPTER C—AIRCRAFT

[Docket No. 69-EA-86; Amdt. 39-807]

PART 39—AIRWORTHINESS DIRECTIVES

Fairchild Hiller Aircraft

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to issue an airworthiness directive applicable to Fairchild Hiller FH-1100 type rotorcraft.

Recent failures of the engine to transmission drive shaft have occurred as a

result of excessive axial end play on installation where excessive engine to transmission misalignment exists.

Since this is a condition which can exist or develop in rotorcraft of similar type design, an airworthiness directive is being issued which will require inspections of engine to transmission drive shafts on FH-1100 rotorcraft.

As a situation exists requiring expeditious adoption of the regulation, notice and public procedure hereon are impractical and the amendment may be made effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.85 (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

**FAIRCHILD HILLER.** Applies to all FH-1100 Type Rotorcraft certificated in all categories. Compliance required as follows:

1. Within the next ten (10) hours' time in service after the effective date of this A.D., unless already accomplished, inspect alignment of engine-to-transmission drive shaft, P/N 19E49-3B, to determine whether the alignment falls within the criteria established in tables 24-1-1A and 24-1-1B of Fairchild Hiller Service Manual No. 24-2 dated May 27, 1969. Where the criteria is exceeded, the engine-to-transmission drive shaft, P/N 19E49-3B, must be replaced and the misalignment corrected prior to further flight with a new or serviceable drive shaft of like part number.

2. The inspection in paragraph 1 of this A.D. must be repeated whenever a hard landing is made, or the engine or transmission or their support structure is replaced, or the drive shaft removed and reinstalled, and during the 100 hours' time in service inspection of the drive shaft axial end play as outlined in paragraph 3 of this A.D.

3. Within the next ten (10) hours' time in service, unless already accomplished, and every 100 hours' time in service thereafter except as indicated in paragraph (b) below, inspect the engine-to-transmission drive shaft for axial end play to determine whether the end play falls within the criteria established by paragraphs 24-21-5 A-3 and B-3, of the aforementioned Service Manual.

(a) Where the end play is 0.030 inch or more in the front end (transmission end) and 0.020 inch or more in the aft end (engine end), the drive shaft assembly must be replaced prior to further flight with a new or serviceable drive shaft of like part number.

(b) Where the end play is between 0.015 and 0.030 inch for the front end and between 0.010 and 0.020 inch for the aft end, the drive shaft assembly must be inspected every 25 hours' time in service after the initial inspection, provided the carbon socket P/N 2484222 is replaced before the end play exceeds the limits of paragraph 3(a).

4. The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Fairchild Hiller Corp., Aircraft Division, Showalter Road, Hagerstown, Md. 21740. These documents may also be examined at Engineering and Manufacturing Branch, Federal Aviation Administration, Eastern Region, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. A historical file on this A.D. which includes the incorporated material in full is maintained by the FAA at its Eastern Region

Headquarters. (Fairchild Hiller Service Bulletin SB FH-1100-24-4 covers the subject of this A.D.)

This amendment is effective August 1, 1969.

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

Issued in Jamaica, N.Y., on July 18, 1969.

WAYNE HENDERSHOT,  
*Acting Director, Eastern Region.*

[F.R. Doc. 69-8837; Filed, July 28, 1969; 8:46 a.m.]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 69-SO-73]

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

**Alteration of Control Zone**

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Jackson, Tenn., control zone.

The Jackson control zone is described in § 71.171 (34 F.R. 4557). In the description, an extension predicated on the McKellar VOR 208° radial has a designated width of 2 miles each side of the radial and a designated length of 8.5 miles from the VOR.

U.S. Standards for Terminal Instrument Procedures (TERPs), issued after extensive consideration and discussion with Government agencies concerned and affected industry groups, are now being applied to update the criteria for instrument approach procedures. The criteria for the designation of controlled airspace for the protection of these procedures was revised to conform to TERPs and achieve increased and efficient utilization of airspace.

Because of this revised criteria and a revision to AL-5062 VOR RWY 2 instrument approach procedure to McKellar Field, it is necessary to alter the control zone description by increasing the width of the extension predicated on the McKellar VOR 208° radial from 2 to 2.5 miles each side of the radial and reducing the length from 8.5 to 6.5 miles southwest of the VOR.

In view of the foregoing, notice and public procedure hereon are unnecessary and action is taken herein to amend the description accordingly.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.171 (34 F.R. 4557), the Jackson, Tenn., control zone is amended as follows: " \* \* \* within 2 miles each side of the McKellar VOR (latitude 35°36'12.5" N., longitude 88°54'37.4" W.) 208° radial, extending from the 5-mile radius zone to 8.5 miles southwest of the VOR \* \* \* is deleted and " \* \* \* within 2.5 miles each side of the McKellar VOR 208° radial, extending from the 5-mile radius zone to 6.5 miles southwest of the VOR \* \* \* is substituted therefor.

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

Issued in East Point, Ga., on July 18, 1969.

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

[F.R. Doc. 69-8838; Filed, July 28, 1969; 8:46 a.m.]

[Airspace Docket No. 69-CE-18]

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

**Alteration, Extension, and Designation of Federal Airways**

On June 3, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 8711) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would realign and extend Federal airway Nos. 72, 88, 175, 178, 179, 234, and 335, and designate a new airway from Maples, Mo., to Troy, Ill.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., September 18, 1969, as hereinafter set forth.

In § 71.123 (34 F.R. 4509) the following changes are made:

1. In V-72 "Troy, Ill." is deleted and "Farmington, Mo.; Centralia, Ill.; Bible Grove, Ill.; INT Bible Grove 015° and Vandalia, Ill., 075° radials." is substituted therefor.

2. V-88 is amended to read: "From Tulsa, Okla., INT Tulsa 044° and Springfield, Mo., 261° radials; Springfield; Vichy, Mo.; INT Vichy 091° and St. Louis, Mo., 171° radials."

3. V-175 is amended to read: "From Malden, Mo.; Vichy, Mo.; Hallsville, Mo., including a west alternate via INT Vichy 321° and Hallsville 183° radials; Macon, Mo.; Kirksville, Mo.; Des Moines, Iowa; Sioux City, Iowa."

4. V-178 is amended to read: "From Vichy, Mo.; Farmington, Mo.; Paducah, Ky., including a south alternate; Central City, Ky.; New Hope, Ky.; Lexington, Ky.; Bluefield, W. Va."

5. V-179 is amended to read: "From Paducah, Ky.; Marion, Ill.; Centralia, Ill.; INT Centralia 010° and Vandalia, Ill., 162° radials; Vandalia; Capital, Ill."

6. V-234 is amended to read: "From Anton Chico, N. Mex.; INT Anton Chico 067° and Dalhart, Tex., 243° radials; Dalhart; Liberal, Kans.; 32 miles, 74 miles, 75 MSL, Hutchinson, Kans.; Emporia, Kans.; Butler, Mo.; Vichy, Mo.; INT Vichy 091° and Centralia, Ill., 253° radials; Centralia."

7. V-335 is amended to read: "From St. Louis, Mo.; INT St. Louis 171° and Marion, Ill., 290° radials; Marion."

8. V-134 is added:

V-134 From Maples, Mo.; Troy, Ill.

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

Issued in Washington, D.C., on July 22, 1969.

T. McCORMACK,  
Acting Chief, Airspace and  
Air Traffic Rules Division.

[P.R. Doc. 69-8839; Filed, July 28, 1969;  
8:46 a.m.]

[Airspace Docket No. 69-WE-41]

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

##### Alteration of Federal Airway

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to extend VOR Federal airway No. 458 from Julian, Calif., westward via Oceanside, Calif., to Santa Catalina, Calif., via the alignment of VOR Federal airway No. 208 and to extend it eastward from Imperial, Calif., to Yuma, Ariz., via the alignment of VOR Federal airway No. 66. This action would improve flight planning and facilitate air traffic control procedures by providing a single numbered airway for air traffic operating between Santa Catalina and Yuma. This route is experiencing increasing air traffic as it is used to bypass the congested San Diego, Calif., Metropolitan Area.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Since this amendment is editorial in nature and neither assigns nor reassigns the navigable airspace, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to make the appropriate changes to aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., September 18, 1969, as hereinafter set forth:

In § 71.123 (34 F.R. 4509) V-458 is amended to read as follows:

V-458 From Santa Catalina, Calif., via Oceanside, Calif., Julian, Calif.; INT Julian 130° and Imperial Calif., 272° radials; Imperial; 13 miles, 24 miles, 25 MSL, Yuma, Ariz., excluding the airspace within R-2503 and below 2,000 feet MSL outside the United States. The portion outside the United States has no upper limit.

(Secs. 307(a), 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510); Executive Order 10854 (24 F.R. 9585); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c))).

Issued in Washington, D.C., on July 22, 1969.

T. McCORMACK,  
Acting Chief, Airspace and  
Air Traffic Rules Division.

[P.R. Doc. 69-8840; Filed, July 28, 1969;  
8:46 a.m.]

[Airspace Docket No. 69-SW-18]

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

##### Alteration and Revocation of Federal Airways

On May 21, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 7976) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would realign segments of V-163 from Corpus Christi, Tex., via Three Rivers, Tex., to San Antonio, Tex., including a standard west alternate from Three Rivers to San Antonio; revoke V-68 from McAllen, Tex., to San Antonio and its east alternate from McAllen to Armstrong INT; and renumber the segment of V-68 from McAllen to Corpus Christi, Tex., and its east alternate from McAllen to Armstrong INT via Harlingen, Tex., as V-20.

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

Subsequent to publication of the notice, it was determined that the San Antonio radial of 167° T that defined the centerline of V-163 established a changeover point only 19 nautical miles from Three Rivers. This would induce a separation problem for aircraft operating on the Three Rivers radials of V-163 and V-163 west alternate north of Three Rivers. To alleviate this problem, it was determined that the 168° T radial of San Antonio would establish the changeover point on V-163 at approximately midpoint between Three Rivers and San Antonio. Accordingly, action is taken herein to describe V-163 via the San Antonio 168° T in lieu of the 167° T radial as stated in the NPRM.

Since the change in the San Antonio radial of 1° is minor in nature, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., September 18, 1969, as hereinafter set forth.

Section 71.123 (34 F.R. 4509, 6079) is amended as follows:

1. In V-20 "From Corpus Christi, Tex.," is deleted and "From McAllen, Tex., INT McAllen 039° and Corpus Christi, Tex., 181° radials; Corpus Christi, including a south alternate from McAllen to INT McAllen 039° and Corpus Christi 181° radials via Harlingen, Tex.," is substituted therefor. The following is added at the end of the description "The airspace on the main airway above 14,000 feet MSL from McAllen to 49 miles north-east and the airspace within Mexico is excluded."

2. In V-68 all after "Junction 310° radials;" is deleted and "San Antonio, Tex." is substituted therefor.

3. In V-163 all between "via Harlingen, Tex.;" and "12 AGL INT San Antonio 002°" is deleted and "Three

Rivers, Tex., including a west alternate via INT Corpus Christi 296° and Three Rivers 165° radials; INT Three Rivers 345° and San Antonio 168° radials; San Antonio, including a west alternate;" is substituted therefor.

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

Issued in Washington, D.C., on July 22, 1969.

T. McCORMACK,  
Acting Chief, Airspace and  
Air Traffic Rules Division.

[P.R. Doc. 69-8842; Filed, July 28, 1969;  
8:46 a.m.]

[Airspace Docket No. 69-SW-50]

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

##### Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Nacogdoches, Tex., transition area.

On May 3, 1969, a final rule was published in the FEDERAL REGISTER (34 F.R. 7275) designating the Nacogdoches, Tex., transition area, effective 0901 G.m.t., June 26, 1969.

The northerly extension of the transition area was based on the 343° true bearing from the Nacogdoches RBN. This bearing was the proposed approach course of the NDB (ADF) instrument approach procedure which had been developed to serve the Del Rentzel Airport at Nacogdoches. The approach procedure was published effective June 26, 1969; however, the U.S. Coast and Geodetic Survey had refined the course/bearings and had changed the 335° magnetic (343° true) bearing to the 331° magnetic (339° true) bearing. Action is taken herein to correct the northerly extension designation.

Subsequent to issuance of the proposal to designate the Nacogdoches, Tex., transition area, the criteria for designation of terminal controlled airspace was changed. Accordingly, additional airspace is required to provide the controlled airspace protection which was intended. These areas are small and there are no airports of record therein. Further, no adverse comments were received in response to circularization of the proposal to designate this transition area. Action is taken herein to encompass the additional airspace.

Since this amendment is minor in nature and is required in the interest of safety, notice and public procedures hereon are not practical and the amendment may be made effective to coincide with the next charting date.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective September 18, 1969, as hereinafter set forth.

In § 71.181 (34 F.R. 4637, 7275) the Nacogdoches, Tex., transition area is amended to read:

NACOGDOCHES, TEX.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Del Rentzel Airport (latitude 31°34'35" N., longitude 94°42'25" W.), within 2.5 miles each side of the Lufkin VORTAC 001° radial extending from the 5-mile radius area to 17 miles north of the VORTAC, and within 3.5 miles each side of the 339° and 159° bearings from the Nacogdoches RBN (latitude 31°38'01" N., longitude 94°44'01" W.) extending from the 5-mile radius area to 11.5 miles north of the RBN.

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

Issued in Fort Worth, Tex., on July 17, 1969.

A. L. COULTER,  
Acting Director, Southwest Region.

[P.R. Doc. 69-8943; Filed, July 28, 1969; 8:46 a.m.]

[Airspace Docket No. 69-SW-34]

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

**Designation of Control Zone and Alteration of Transition Areas**

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to designate the Jonesboro, Ark., control zone and alter the Jonesboro and Paragould, Ark., transition areas.

On June 6, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 9036) stating the Federal Aviation Administration proposed to alter controlled airspace in the Jonesboro, Ark., terminal area.

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

Subsequent to issuance of the notice it was determined that the Jonesboro Flight Service Station, which provides the weather service necessary for the designation of a control zone, will operate on a part-time basis. The control zone must be designated accordingly. Additionally, the Paragould, Ark., transition area designation must be amended to exclude the Jonesboro, Ark., control zone. Action is taken herein to make these changes.

Since the amendment of the Paragould, Ark., transition area is editorial in nature and does not affect the extent of controlled airspace, notice and public procedures thereon are unnecessary and the amendment may be made effective to coincide with the designation of the Jonesboro, Ark., control zone.

In consideration of the foregoing Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., September 18, 1969, as hereinafter set forth.

(1) In § 71.171 (34 F.R. 4557) the following control zone is added:

JONESBORO, ARK.

Within a 5-mile radius of Jonesboro Municipal Airport (lat. 35°49'50" N., long.

90°38'55" W.) and within 3 miles each side of the Jonesboro VOR 048° radial extending from the 5-mile radius zone to 8 miles northeast of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

(2) In § 71.181 (34 F.R. 4707) the Jonesboro, Ark., transition area is amended to read:

JONESBORO, ARK.

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Jonesboro Municipal Airport (lat. 35°49'50" N., long. 90°38'55" W.) and within 3.5 miles each side of the Jonesboro VOR 048° radial extending from the 8.5-mile radius area to 11.5 miles northeast of the VOR excluding the portion within the Paragould, Ark., transition area.

(3) In § 71.181 (34 F.R. 4742) the Paragould, Ark., transition area is amended by deleting the period after "RBN" and adding "excluding the portion within the Jonesboro, Ark., control zone."

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

Issued in Fort Worth, Tex., on July 17, 1969.

A. L. COULTER,  
Acting Director, Southwest Region.

[P.R. Doc. 69-8944; Filed, July 28, 1969; 8:46 a.m.]

[Airspace Docket No. 69-SO-60]

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

**Designation of Transition Area**

On June 13, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 9348), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Orangeburg, S.C., transition area.

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

Subsequent to publication of the notice, the geographic coordinate (lat. 33°27'40" N., long. 80°51'30" W.) for Orangeburg Airport was obtained from Coast and Geodetic Survey. Additionally, the longitudinal ordinate for the Orangeburg RBN was shown as "(long. 80°52'41" N.)" in lieu of "(long. 80°52'41" W.)". It is necessary to alter the description by appropriately inserting the geographic coordinate for the airport and correcting the longitudinal ordinate for the Orangeburg RBN.

Since this amendment is editorial in nature, notice and public procedure hereon are unnecessary and action is taken herein to alter the description accordingly.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., September 18, 1969, as hereinafter set forth.

In § 71.181 (34 F.R. 4637), the following transition area is added:

ORANGEBURG, S.C.

That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of Orangeburg Airport (lat. 33°27'40" N., long. 80°51'30" W.); within 4 miles each side of the 226° bearing from the Orangeburg RBN (lat. 33°26'23" N., long. 80°52'41" W.), extending from the 7.5-mile radius area to 9.5 miles southwest of the RBN.

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

Issued in East Point, Ga., on July 17, 1969.

JAMES G. ROGERS,  
Director, Southern Region.

[P.R. Doc. 69-8945; Filed, July 28, 1969; 8:46 a.m.]

[Airspace Docket No. 69-WE-50]

**PART 73—SPECIAL USE AIRSPACE**

**Alteration of Restricted Area**

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to redefine the boundaries of the Naval Missile Facility, Point Arguello, Calif., Restricted Area R-2516.

The U.S. Air Force has stated that a portion of the restricted area is excess to Department of the Air Force requirements.

Since this amendment will restore airspace to the public use, notice and public procedure are unnecessary, and for this reason the amendment may be made effective without regard to the 30-day period preceding effectiveness.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER as hereinafter set forth.

Section 73.25 (34 F.R. 4814) is amended as follows:

R-2516 NAVAL MISSILE FACILITY, POINT ARGUELLO, CALIF.

Boundaries: Beginning at lat. 34°59'32" N., long. 120°41'50" W.; to lat. 34°53'30" N., long. 120°33'20" W.; to lat. 34°50'15" N., long. 120°31'30" W.; to lat. 34°46'15" N., long. 120°26'40" W.; to lat. 34°39'50" N., long. 120°31'15" W.; to lat. 34°35'00" N., long. 120°31'40" W.; to lat. 34°34'52" N., long. 120°42'37" W.; thence 3 nautical miles from and parallel to the shoreline to the point of beginning.

Designated altitudes: Surface to unlimited. Time of designation: Continuous.

Using agency: Commander, Air Force Western Test Range, Vandenberg AFB, Calif.

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

Issued in Washington, D.C., on July 22, 1969.

T. McCORMACK,  
Acting Chief, Airspace and  
Air Traffic Rules Division.

[P.R. Doc. 69-8941; Filed, July 28, 1969; 8:46 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 9713; Amdt. 659]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

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

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending § 97.11 of Subpart B to amend low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
From—	To—				2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	65 knots
Owosso Int/DME Fix	10-mile DME Fix, R 283°	Direct	2600	T-dn	300-1	300-1	200-1/2
10-mile DME Fix, R 283°	2-mile DME Fix (final)	Direct	1281	C-dn	500-1	500-1	500-1 1/2
R 172°, FNT VOR clockwise	R 283°, FNT VOR	Via 10-mile DME Arc.	2600	S-dn-9	500-1	500-1	500-1
R 040°, FNT VOR counterclockwise	R 283°	Via 10-mile DME Arc.	2600	A-dn	800-2	800-2	800-2
				Minimums with DME:			
				C-dn	400-1	500-1	500-1 1/2
				S-dn-9f	400-1	400-1	400-1

Procedure turn S side of crs, 283° Outbd, 103° Inbd, 2100' within 10 miles of VOR.  
 Minimum altitude over 2-mile DME Fix on final approach crs, 1281'.  
 Crs and distance, breakoff point to Runway 9, 091°-0.50 mile.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5 mile of FNT VOR make left-climbing turn and proceed to Davis Int via FNT R 078° at 2400' or when directed by ATC make climbing right turn and proceed direct to FN LOM at 2100'.  
 #400-3/4 authorized, with operative high-intensity runway lights, except 4-engine turbojets.  
 MSA within 25 miles of facility: 000°-090°-2200'; 090°-180°-2600'; 180°-270°-2200'; 270°-360°-2600'.  
 City, Flint; State, Mich.; Airport name, Bishop; Elev., 781'; Fac. Class., L-BVORTAC; Ident., FNT; Procedure No. VOR Runway 9, Amdt. 9; Eff. date, 14 Aug. 69; Sup. Amdt. No. 8; Dated, 11 Feb. 67

2. By amending § 97.17 of Subpart B to establish instrument landing system (ILS) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
From—	To—				2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	65 knots
Owosso Int	LOM (final)	Direct	2000	T-dn	300-1	300-1	200-1/2
FNT VOR	LOM	Direct	2100	C-dn	400-1	500-1	500-1 1/2
Russell Int	LOM	Direct	2700	S-dn-9°	400-3/4	400-3/4	400-3/4
Posters Int	LOM	Direct	2500	A-dn	800-2	800-2	800-2
St. Johns Int	Vernon Int	Via FNT, R 272°	2500				
Vernon Int	LOM (final)	Direct	2000				
Bancroft Int	LOM (final)	Via crs 045° and FNT ILS LOC.	2000				
R 172°, FNT VOR clockwise	10-mile DME Fix and FNT, R 272°	Via 10-mile DME Arc.	2700				
10-mile DME Fix and FNT, R 272°	LOM (final)	Direct	2000				
R 340°, FNT VOR counterclockwise	10-mile DME Fix and FNT, R 272°	Via 10-mile DME Arc.	2600				

Procedure turn S side of crs, 271° Outbd, 091° Inbd, 2100' within 10 miles.  
 Minimum altitude over LOM, 2000'.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, make left-climbing turn and proceed to Davis Int via FNT, R 078° at 2400' or, when directed by ATC, make climbing right turn and proceed direct to FN LOM at 2100'.  
 # RVR 2400' authorized Runway 9.  
 \* RVR 4000'.

City, Flint; State, Mich.; Airport name, Bishop; Elev., 781'; Fac. Class., ILS; Ident., I-FNT; Procedure No. LOC Runway 9, Amdt. Orig.; Eff. date, 14 Aug. 69



3. By amending § 97.17 of Subpart B to amend instrument landing system (ILS) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LDA

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
From—	To—				2-engine or less 65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots
				T-dn.....	300-1	300-1	200-1/2
				C-dn.....	NA	NA	NA
				*LDIN-18.....	1100-2	1100-2	1100-2
				A-dn.....	1200-2	1200-2	1200-2
				#VGS inoperative minimums			
				*LDIN-18.....	1100-2	1100-2	1100-2

Radar required.  
Radar vectors will be provided to intercept final approach crs NW of #VGS interception point.  
Procedure turn not authorized.  
Final approach crs, 146°.  
Minimum altitude at #VGS interception Inbnd, 2500'.  
Altitude of #VGS and distance to beam approach end of runway at OM, 1822'—5.6 miles; at MM, 791'—2.4 miles.  
If visual contact not established upon descent to DH or 2.2 miles after passing OM, make right-climbing turn direct to Washington RBN at 1500'. Hold S, 1 minute, left turns, 001° Inbnd.  
#VGS unusable below 1115' MSL.  
#VGS (vertical guidance system). This guidance is provided by standard glide slope equipment and is paired in frequency with the localizer. No special tuning required.  
\*LDIN lights must be operational to execute this approach.  
CAUTION: 296' Washington Monument 1.7 miles N of airport.  
Jet operations restricted between the hours of 2300 and 0700 local time. See AIM.  
Inoperative components table does not apply to this procedure. Reductions for lighting aids not authorized.  
Supplementary charting information: Start profile at 7.6 miles from end of runway at MEA 2500'.

City, Washington; State, D.C.; Airport name, Washington National; Elev., 15'; Facility, I-ASO; Procedure No. LDA Runway 18, Amdt. 1; Eff. date, 14 Aug. 69; Sup. Amdt. No. Orig.; Dated, 5 June 69

4. By amending § 97.17 of Subpart B to cancel instrument landing system (ILS) procedures as follows:

Flint, Mich.—Bishop, ILS Runway 9, Amdt. 10, 11 Feb. 1967, canceled, effective 14 Aug. 1969.  
Washington, D.C.—Washington National, LDA Runway 15, Orig., 5 June 1969, canceled, effective 14 Aug. 1969.

5. By amending § 97.23 of Subpart C to establish very high frequency omnirange (VOR) and very high frequency-distance measuring equipment (VOR/DME) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes			Minimum altitudes (feet)	Missed approach MAP: 3.6 miles after OCN VOR.
From—	To—	Via		
OCN R 301°, 5-mile DME.....	OCN VOR (NOPT).....	Direct.....	2100	Climbing right turn to 2500' direct to OCN VORTAC and hold.* Supplementary charting information: *Hold S, 1 minute, right turns, 325° Inbnd. Final approach crs to center of airport. Chart unlighted high-tension lines 2900' E of airport, 170°. LRCO, 122.1R.
Pacific Int.....	OCN VOR (NOPT).....	Direct.....	2100	

Procedure turn S side of crs, 264° Outbnd, 084° Inbnd, 2100' within 10 miles of OCN VOR.  
FAF, OCN VOR. Final approach crs, 097°. Distance FAF to MAP, 3.6 miles.  
Minimum altitude over OCN VOR, 2100'.  
MSA: 000°-090°-6800'; 090°-180°-4000'; 180°-270°-2100'; 270°-360°-6700'.  
NOTES: (1) Radar vectoring. (2) Use NAS Miramar altimeter setting.  
%IFR departure procedures: Runway 6, right turn after takeoff; climb direct to OCN VOR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA		
C.....	720	1	600	720	1	600	NA	NA
A.....	Not authorized.			T 2-eng. or less—Runway 6, 400-1; Runway 24, 300-1.5%			T over 2-eng.—Runway 6, 400-1; Runway 24, 300-1.5%	

City, Oceanside; State, Calif.; Airport name, Oceanside Municipal; Elev., 30'; Facility, OCN; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 14 Aug. 69

6. By amending § 97.23 of Subpart C to amend very high frequency omnirange (VOR) and very high frequency-distance measuring equipment (VOR/DME) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RV R.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes			Minimum altitudes (feet)	Missed approach MAP: 6 miles after passing Greenup Int.
From—	To—	Via		
ECB VOR.....	YRK VOR.....	Direct.....	3000	Climbing left turn to 3000' direct YRK VOR and hold; or, when directed by ATC, right-climbing turn to 2600' on crs 139° direct HT LOM. Hold W, 1 minute, right turns, 114° Inbd. Supplementary charting information: Hold W, 1 minute, right turns, 118° Inbd. Final approach crs intercepts Runway 10 threshold. Chart 1028 <sup>1</sup> powerline tower 38°34'32" N./82°47'15" W.
HT LOM.....	YRK VOR.....	Direct.....	3000	
YRK VOR.....	Greenup Int (NOPT).....	Direct.....	2000	

Procedure turn S side of crs, 298° Outbd, 118° Inbd, 3000' within 10 miles of YRK VOR.

FAF, Greenup Int. Final approach crs, 118°. Distance FAF to MAP, 6 miles.

Minimum altitude over YRK VOR, 3000'; over Greenup Int, 2000'.

MSA: 000°-090°-2400'; 090°-180°-2900'; 180°-270°-2500'; 270°-360°-2500'.

NOTE: Use Huntington altimeter setting.

CAUTION: Transmission line towers of varying heights to 1028' MSL within 2 miles NW of airport crossing final approach crs.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-10.....	1340	1	794	1340	1½	794	1340	1½	794	NA
C.....	1340	1	794	1340	1½	794	1380	1½	834	NA
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.			

City, Ashland; State, Ky.; Airport name, Ashland-Boyd County; Elev., 546'; Facility, YRK; Procedure No. VOR Runway 10, Amdt. 2; Eff. date, 14 Aug. 69; Sup. Amdt. No. 1; Dated, 10 Apr. 69

Terminal routes			Minimum altitudes (feet)	Missed approach MAP: BTL VORTAC.
From—	To—	Via		
AZO VOR.....	BTL VORTAC.....	Direct.....	2600	Climb to 3000' and proceed to Hickory Int via BTL VORTAC R 351°; or, when directed by ATC, make right-climbing turn to 2600' on BTL R 035°, then reverse crs to the left and return to BTL VORTAC. Supplementary charting information: Final approach crs intercepts runway centerline 2200' from end of runway. Runway 31, TDZ elevation, 929'.
LFD VORTAC.....	BTL VORTAC.....	Direct.....	2600	
Marshall Int.....	Clark Int (NOPT).....	Direct.....	2000	
R 015°, BTL VORTAC CW.....	R 118°, BTL VORTAC.....	12-mile Arc.....	2500	
R 223°, BTL VORTAC CCW.....	R 118°, BTL VORTAC.....	12-mile Arc.....	2500	
12-mile DME Fix.....	Clark 4-mile DME Fix (NOPT).....	R 118°, BTL VORTAC.....	2000	

Procedure turn N side of crs, 118° Outbd, 298° Inbd, 2600' within 10 miles of BTL VORTAC.

Final approach crs, 298°.

Minimum altitude over Clark Int/4-mile DME Fix, \*1420' (\*2000' from 12-mile Arc).

MSA: 000°-180°-2700'; 180°-270°-2300'; 270°-360°-2200'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-31.....	1420	1	491	1420	1	491	1420	1	491	1420	1	491
C.....	1420	1	479	1420	1	479	1420	1½	479	1500	2	559
Dual VOR or VOR/DME Minimums:												
S-31.....	1380	1	451	1380	1	451	1380	1	451	1380	1	451
C.....	1380	1	439	1400	1	439	1400	1½	439	1500	2	559
A.....	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Battle Creek; State, Mich.; Airport name, W. K. Kellogg Regional; Elev., 941'; Facility, BTL; Procedure No. VOR Runway 31, Amdt. 2; Eff. date, 14 Aug. 69; Sup. Amdt. No. 1; Dated, 5 June 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ECG VOR.
				Climb to 1500' right turn direct to ECG VOR and hold. Supplementary charting information: Hold SW, 2 minutes, right turns, 022° in'nd. REIL and VASI, Runways 10-28, HIRL Runways 10-28. Restricted areas R-5301B, R-5301A, and R-5302 S of holding pattern. TDZ elevation, 12'.

Procedure turn not authorized. Two-minute holding pattern S of ECG VOR, 022° Inbnd, right turns, 1200'.  
Final approach crs, 022°.  
MSA: 000°-090°-1400'; 090°-180°-1200'; 180°-270°-2000'; 270°-360°-1400'.  
NOTE: Use Norfolk, Va., altimeter setting when control zone not effective, and increase circling and straight-in MDA 100' all categories.  
#Alternate minimums not authorized when control zone not effective.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-1.....	480	1	468	480	1	468	480	1	468	480	1	468
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	480	1	468	480	1	468	480	1½	468	580	2	568
A.....	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Elizabeth City; State, N.C.; Airport name, Elizabeth City CGAS; Elev., 12'; Facility, ECG; Procedure No. VOR Runway 1, Amdt. 1; Eff. date, 14 Aug. 69; Sup. Amdt. No. Orig.; Dated, 3 Apr. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ECG VOR.
				Climb to 1500', right turn, direct to ECG VOR and hold. Supplementary charting information: Hold SW, 1 minute, right turns, 022° in'nd. Final approach crs lies 400' left of the extended runway centerline at a point 8000 from threshold. HIRL, Runways 10-28. REIL and VASI, Runways 10-28. Restricted area R-5301B, R-5301A, and R-5302S of holding pattern. TDZ elevation, 12'.

Procedure turn W side of crs, 004° Outbnd, 184° Inbnd, 1500' within 10 miles of ECG VOR.  
Final approach crs, 184°.  
MSA: 000°-090°-1400'; 090°-180°-1200'; 180°-270°-2000'; 270°-360°-1400'.  
NOTE: Use Norfolk, Va., altimeter setting when control zone not effective, and increase circling and straight-in MDA 100' all categories.  
#Alternate minimums not authorized when control zone not effective.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-19.....	480	1	468	480	1	468	480	1	468	480	1	468
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	480	1	468	480	1	468	480	1½	468	580	2	568
A.....	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Elizabeth City; State, N.C.; Airport name, Elizabeth City CGAS; Elev., 12'; Facility, ECG; Procedure No. VOR Runway 19, Amdt. 1; Eff. date, 14 Aug. 69; Sup. Amdt. No. Orig.; Dated, 3 Apr. 69

RULES AND REGULATIONS

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.5 miles after passing LAX VOR.	
				Climbing left turn to intercept LAX R 076°, then via LAX R 076° to LaHabra Int at 3000'. Supplementary charting information: TDZ elevation, 60'.	

Procedure turn S side of crs, 254° Outbnd, 074° Inbnd, 2000' within 10 miles of LAX VOR. FAF, LAX VOR. Final approach crs, LAX R 083°. Distance FAF to MAP, 4.5 miles. Minimum altitude over LAX VOR, 1600'; over Judy Int, 600'. MSA: 345-075°—7200'; 075°-255°—2000'; 255°-345°—5100'.  
NOTE: Radar vectoring.  
\*All circling S of airport due to traffic restrictions N.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS		
S-7.....	600	1	540	600	1	540	600	1	540	NA		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA			
C*.....	600	1	537	640	1	577	660	1½	597	NA		
VOR/DME Minimums:												
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-7.....	480	1	420	480	1	420	480	1	420		NA	
A.....	Standard.		T 2-eng. or less—Runways 7/25, 300-1.				T over 2-eng.—Runways 7/25, 300-1.					

City, Hawthorne; State, Calif.; Airport name, Hawthorne Municipal; Elev., 63'; Facility, LAX; Procedure No. VOR Runway 7, Amdt. 5; Eff. date, 14 Aug. 69; Sup. Amdt. No. 4; Dated, 24 Oct. 68

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 6.7 miles after passing Orange Int. (9-mile DME).	
Huguenot VOR.....	Orange Int (9-mile DME) (NOPT)	Direct	2500	Climb to 3000' on HUG VOR R 079°, left-climbing turn to 3200' direct to HUG VORTAC and hold. Supplementary charting information: Hold W, 1 minute, right turns, 079° Inbnd. Runway 8, TDZ elevation, 361'.	

Procedure turn N side of crs, 259° Outbnd, 079° Inbnd, 3200' within 10 miles of Orange Int (9-mile DME). FAF, Orange Int (9-mile DME). Final approach crs, 079°. Distance FAF to MAP, 6.7 miles. Minimum altitude over Orange Int (9-mile DME), 2500'. MSA: 000°-090°—3700'; 090°-180°—2900'; 180°-270°—3400'; 270°-360°—3500'.  
NOTES: (1) Radar vectoring. (2) Use Stewart AFB altimeter setting.  
\*Night minimums not authorized Runways 8/26 and 11/29—no runway lights.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D	
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS	
S-8*.....	1180	1	819	1180	1½	819	1180	1½	819	NA	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA		
C*.....	1180	1	819	1180	1½	819	1180	1½	819	NA	
A.....	Not authorized		T 2-eng. or less—400-1 all runways.				T over 2-eng.—400-1 all runways.				

City, Montgomery; State, N.Y.; Airport name, Orange County; Elev., 361'; Facility, HUG; Procedure No. VOR Runway 8, Amdt. 1; Eff. date, 14 Aug. 69; Sup. Amdt. No. Orig.; Dated, 5 June 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 5 miles after passing ILM VORTAC;	
R 276°, ILM VORTAC CW	ILM, R 021°	8-mile DME Arc	1600	Climb to 1700' on R 201° within 15 miles of	
R 047°, ILM VORTAC CCW	ILS, R 021°	8-mile DME Arc	1600	ILM VORTAC; or, when directed by	
Rocky Int.	ILM VORTAC (NOPT)	ILM, R 356°	1500	ATC, left turn climb to 1700' direct to	
Scott Int.	ILM VORTAC (NOPT)	ILM, R 018°	1500	LOM and hold.	
Davis Int.	ILM VORTAC (NOPT)	ILM, R 047°	1500	Supplementary charting information:	
8-mile Arc	ILM VORTAC (NOPT)	ILM, R 021°	1500	Hold SE, 1 minute, right turns, 343° Inbd. Final approach crs to center of airport. HIRLS Runways 16/34.	

Procedure turn W side of crs, 021° Outbd, 201° Inbd, 1500' within 10 miles of ILM VORTAC.  
FAF, ILM VORTAC. Final approach crs, 201°. Distance FAF to MAP, 5 miles.  
Minimum altitude over ILM VORTAC, 1500'.  
MSA: 000°-090°-1500'; 090°-180°-1700'; 180°-270°-2300'; 270°-360°-2100'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	540	1	500	540	1	500	540	1½	500	600	2	500
A	Standard.			T 2-eng. or less—RVR 24', Runway 34; Standard all other runways.			T over 2-eng.—RVR 24', Runway 34; Standard all other runways.					

City, Wilmington; State, N.C.; Airport name, New Hanover County; Elev., 31'; Facility, ILM; Procedure No. VOR-1, Amdt. 5; Eff. date, 14 Aug. 69; Sup. Amdt. No. 4; Dated, 12 Sept. 68

7. By amending § 97.25 of Subpart C to amend localizer (LOC) and localizer-type directional aid (LDA) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.  
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.7 miles after passing Wesley Int.	
ILM VORTAC	Wesley Int.	Direct	1600	Climb to 1700' on ILM LOC crs 163° to IL	
IL LOM	Wesley Int.	Direct	1600	LOM and hold; or, if directed by ATC,	
Currie Int.	ILM LOC (BC)	R 311°, 8.2 miles	1600	make climbing right turn to heading 276°	
R 047°, ILM VORTAC CCW	ILM LOC (BC)	8-mile DME Arc ILM, R 337° lead radial.	1600	to 1700' intercept ILM R 237°, proceed to	
8-mile Arc	Wesley Int (NOPT)	LOC (BC)	1500	Swamp Int. Hold SW, 1 minute, right turns, 057° Inbd. Supplementary charting information: Hold SE, 1 minute, right turns, 343° Inbd. Runway 16, TDZ elevation, 30'. HIRLS 16/34.	

Procedure turn W side of crs, 343° Outbd, 163° Inbd, 1600' within 10 miles of Wesley Int.  
FAF, Wesley Int. Final approach crs, 163°. Distance FAF to MAP, 4.7 miles.  
Minimum altitude over Wesley Int, 1500'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
8-16	460	¾	430	460	¾	430	460	¾	430	460	1	430
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	540	1	500	540	1	500	540	1½	500	600	2	500
A	Standard.			T 2-eng. or less—RVR 24', Runway 34; Standard all other runways.			T over 2-eng.—RVR 24', Runway 34; Standard all other runways.					

City, Wilmington; State, N.C.; Airport name, New Hanover County; Elev., 31'; Facility, I-ILM; Procedure No. LOC (BC) Runway 16, Amdt. 2; Eff. date, 14 Aug. 69; Sup. Amdt. No. 1; Dated, 12 Sept. 68

8. By amending § 97.27 of Subpart C to establish nondirectional beacon (automatic direction finder) (NDB/ADF) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Minimum altitudes (feet)	Missed approach MAP: 3.4 miles after passing BDG NDB.
From--	To--	Via			
Dove Creek VOR.....	Blanding NDB.....	Direct.....		8500	Climbing right turn to 7500' direct BDG NDB and hold.* Supplementary charting information: *Hold S, 1 minute, right turns, 353° Inbud. LRCC—DVC, 122.1. Runway 35, TDZ elevation, 5815'.

Procedure turn E side of crs, 173° Outbud, 353° Inbud, 7500' within 10 miles of BDG NDB.  
FAF, BDG NDB. Final approach crs, 353°. Distance FAF to MAP, 3.4 miles.  
Minimum altitude over BDG NDB, 6500'.  
MSA: 030°-210°-8000'; 210°-300°-10,100'; 300°-030°-12,400'.

Notes: (1) Final approach from holding pattern not authorized; procedure turn required. (2) Use Monticello, Utah, altimeter setting, except operators with approved weather reporting service. (3) Approach not authorized when R-6410 is active, or Monticello, Utah, altimeter setting not available.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-35.....	6280	1	465	6280	1	465	6280	1	465	6280	1	465
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	6420	1	535	6440	1	575	6460	1½	595	6480	2	595
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Blanding; State, Utah; Airport name, Blanding Municipal; Elev., 5885'; Facility, BDG; Procedure No. NDB (ADF) Runway 35, Amdt. Orig.; Eff. date, 14 Aug. 69

Terminal routes				Minimum altitudes (feet)	Missed approach MAP: 6.9 miles after passing VBW NDB.
From--	To--	Via			
Crawford Int.....	VBW NDB.....	Direct.....		5200	Climbing right turn to 5200' direct VBW NDB and hold. Supplementary charting information: Hold SW, 1 minute, right turns, 035° Inbud. Chart Mountain Ridge SE of airport.
MOL VOR.....	VBW NDB.....	Direct.....		5200	

Procedure turn E side of crs, 360° Outbud, 150° Inbud, 5200' within 10 miles of VBW NDB.  
FAF, VBW NDB. Final approach crs, 150°. Distance FAF to MAP, 6.9 miles.  
Minimum altitude over VBW NDB, 4900'.  
MSA: 000°-090°-5100'; 090°-180°-4900'; 180°-270°-5500'; 270°-360°-5600'.

NOTE: Use Charlottesville altimeter setting.

CAUTION: Precipitous terrain underlying this procedure. Turbulence of varying intensities may be encountered.

CAUTION: Mountain Ridge SE of airport.

%IFR departure procedure: Runway 4, left turn; Runway 22, right turn direct VBW NDB, climb in SW holding pattern to 4000' before proceeding on crs.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	2360	1½	1168	2360	2	1168	2360	2½	1168	2360	2½	1168
A.....	Not authorized.			T 2-eng. or less—Standard.%			T over 2-eng.—Standard.%					

City, Staunton; State, Va.; Airport name, Shenandoah Valley; Elev., 1192'; Facility, VBW; Procedure No. NDB (ADF)-1, Amdt. Orig.; Eff. date, 14 Aug. 69

9. By amending § 97.27 of Subpart C to amend nondirectional beacon (automatic direction finder) (NDB/ADF) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR. If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: CDN NDB.
Blythewood Int.	CDN NDB	Direct	2000	Climbing left turn to 2000' direct to CDN NDB and hold. Supplementary charting information: Hold NE, 1 minute, right turns, 222° Inland.
CTF VOR	CDN NDB	Direct	2000	
Lamar Int.	CDN NDB	Direct	2000	

Procedure turn W side of crs, 042° Outbd, 222° Inbd, 2000' within 10 miles of CDN NDB.

Final approach crs, 222°

MSA: 000°-090°-1900'; 090°-180°-1700'; 180°-270°-2000'; 270°-360°-2000'.

Notes: (1) Use Shaw AFB altimeter setting. (2) Aircraft will cancel IFR flight plan with SSC APC or JAX ARTCC prior to landing or upon reaching VFR conditions.

\*Night minimums not authorized.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C*	1020	1	713	1020	1	713	NA			NA		
A	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Not authorized.					

City, Camden; State, S.C.; Airport name, Woodward Field; Elev., 307'; Facility, CDN NDB; Procedure No. NDB (ADF) Runway 23, Amdt. 1; Eff. date, 14 Aug. 60; Sup. Amdt. No. Orig.; Dated, 29 Aug. 68

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 2.7 miles after passing EKV NDB.
ECG VOR	EKV NDB	Direct	1500	Climb to 1500', left turn, direct to EKV NDB and hold. Supplementary charting information: Hold SE, 1 minute, right turns, 314° Inbd. REIL and VASI, Runways 10-28. HIRL, Runways 10-28. Restricted areas R-5301B, R-5301A, and R-5302 S of holding pattern.

Procedure turn N side of crs, 134° Outbd, 314° Inbd, 1500' within 10 miles of EKV RDN.

FAF, EKV NDB. Final approach crs, 323°. Distance FAF to MAP, 2.7 miles.

Minimum altitude over EKV NDB, 1000'.

MSA: 000°-090°-1400'; 090°-180°-1200'; 180°-270°-2000'; 270°-360°-1400'.

NOTE: Use Norfolk, VA, altimeter setting when control zone not effective, and increase circling MDA 160' all categories.

#Alternate minimums not authorized when control zone not effective.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	500	1	488	500	1	488	500	1½	488	580	2	568
A	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Elizabeth City; State, N.C.; Airport name, Elizabeth City CGAS; Elev., 12'; Facility, EKV; Procedure No. NDB (ADF)-1, Amdt. 2; Eff. date, 14 Aug. 60; Sup. Amdt. No. 1; Dated, 3 Apr. 69

RULES AND REGULATIONS

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 4 miles after passing SIR NDB.	
CKW VOR.....	SIR NDB.....	Direct.....	9000	Climbing left turn to 9000' direct to SIR NDB and hold.* Supplementary charting information: *Hold E 9000', 254° Inbnd, right turns, 1 minute. Chart crs and distance missed approach point to airport. Chart in profile. Missed approach 4 nautical miles after SIR NDB.	
Edson Fix.....	SIR NDB (NOPT).....	Direct.....	8700		

Procedure turn N side of crs, 074° Outbnd, 254° Inbnd, 9000' within 10 miles of SIR NDB.  
FAF, SIR NDB. Final approach crs, 254°. Distance FAF to MAP, 4 miles.  
Minimum altitude over SIR NDB, 8700'.  
MSA: 000°-180°-12,300'; 180°-270°-9000'; 270°-360°-11,100'.  
%IFR departure procedures: Climb direct to SIR NDB, then climb on crs, eastbound V-6; westbound direct to CKW VOR.  
#High unlighted terrain 7810', 2.1 miles W of airport; circling W of airport not authorized for Category D aircraft.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C#.....	7400	1¼	616	7540	1¼	756	7740	1¼	956	7740	2	966
A.....	1200-2.			T 2-eng. or less—Standard.%			T over 2-eng.—Standard.%					

City, Rawlins; State, Wyo.; Airport name, Rawlins Municipal; Elev., 6784'; Facility, SIR; Procedure No. NDB (ADF)-1, Amdt. 3; Eff. date, 14 Aug. 69; Sup. Amdt. No. 2 Dated, 13 Mar. 69

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.6 miles after passing LOM	
Wilmington VORTAC.....	LOM.....	Direct.....	1700	Climb to 1700' on crs 343° from IL LOM within 15 miles; or, when directed by ATC, make left turn to 270° climbing to 1700' intercept ILM VORTAC R 237° and proceed to Swamp Int. Supplementary charting information: Runway 34, TDZ elevation, 30'. HIRLS 16/34.	
Swamp Int.....	LOM.....	Direct.....	1700		
Currie Int.....	LOM.....	Direct.....	1700		
Carolina Beach NDB.....	LOM.....	Direct.....	1700		
Green Int.....	LOM.....	Direct.....	1700		
Wesley Int.....	LOM.....	Direct.....	1700		
Delco Int.....	LOM.....	Direct.....	2000		

Procedure turn W side of crs, 163° Outbnd, 343° Inbnd, 1700' within 10 miles of LOM.  
FAF, LOM. Final approach crs, 343°. Distance FAF to MAP, 4.6 miles.  
Minimum altitude over LOM, 1500'.  
MSA: 000°-090°-1500'; 090°-180°-1700'; 180°-270°-2300'; 270°-360°-2100'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
B-34.....	500	RVR 40	470	500	RVR 40	470	500	RVR 40	470	500	RVR 50	470
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	540	1	509	540	1	509	540	1½	509	600	2	569
A.....	Standard.			T 2-eng. or less—RVR 24', Runway 34; Standard all other runways.			T over 2-eng.—RVR 24', Runway 34; Standard all other runways.					

City, Wilmington; State, N.C.; Airport name, New Hanover County; Elev., 31'; Facility, IL; Procedure No. NDB (ADF) Runway 34, Amdt. 8; Eff. date, 14 Aug. 69; Sup. Amdt. No. 7; Dated, 12 Sept. 68



10. By amending § 97.29 of Subpart C to amend instrument landing system (ILS) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.  
 If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes			Minimum altitudes (feet)	Missed approach MAP: ILS DH 789', LOC 4.1 miles after passing IA LOM.
From—	To—	Via		
Walcottville Int.	IA LOM (NOPT)	Direct	1800	Climb straight ahead to 2000' within 10 miles, right turn direct IA LOM and hold. Supplementary charting information: Hold E of IA LOM 1-minute right turns 378° inbound. TDZ elevation, 589'. Numerous obstructions penetrating 40:1 all runways except 28R and 10L.
Grand Island Int.	IA LOM	Direct	2300	
Buffalo VOR	IA LOM (NOPT)	BUF VOR R 360°/E crs ILS.	2000	

Procedure turn N side of crs, 098° Outbd, 278° Inbd, 1800' within 10 miles of IA LOM.  
 FAF, IA LOM. Final approach crs, 278°. Distance FAF to MAP, 4.1 miles.  
 Minimum glide slope interception altitude, 1800'. Glide slope altitude at OM, 1755'; at MM, 805'.  
 MSA: 090°-150°-2600'; 150°-240°-3700'; 240°-330°-2500'; 330°-060°-1500'.  
 NOTES: (1) Radar vectoring. (2) Back crs unusable.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D			
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	
8-28R	789	RVR 24	200	789	RVR 24	200	789	RVR 24	200	789	RVR 24	200	
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	
8-28R	960	RVR 24	371	960	RVR 24	371	960	RVR 24	371	960	RVR 40	371	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	1080	1	490	1080	1	490	1080	1 1/4	490	1140	2	550	
A	Standard.	T 2-eng. or less—RVR 24', Runway 28R, 1 mile required. Runways 10R-28L. Standard all others.						T over 2-eng.—RVR 24', Runway 28R, 1 mile required. Runways 10R-28L. Standard all others.					

City, Niagara Falls; State, N.Y.; Airport name, Niagara Falls International; Elev., 590'; Facility, I-IA; Procedure No. ILS Runway 28R, Amdt. 15; Eff. date, 14 Aug. 69; Sup. Amdt. No. 14; Dated, 19 June 69

Terminal routes			Minimum altitudes (feet)	Missed approach MAP: DH 4698'; LOC 3.8 miles after passing PI LOM.
From—	To—	Via		
PIH VORTAC	PI LOM	Direct	7000	Climb direct to PIH VORTAC, continue climb to 7000' on R 262° within 10 miles or when directed by ATC, climb to 7000', right turn to PI LOM and hold. Supplementary charting information: TDZ elevation, 4448'. †Hold NE, 1 minute, right turns, 208° inbound.
R 338°, PIH VORTAC CW	R 029°, PIH VORTAC	18-mile Arc PIH, R 023° lead radial.	7000	
R 029°, 18-mile DME Fix PIH VORTAC	PI LOM (NOPT)*	NE Crs PIH LOC	7000	
IDA VOR	PI LOM (NOPT)*	IDA VOR, R 180° and NE crs PIH LOC.	7400	

Procedure turn W side of crs, 028° Outbd, 208° Inbd, 7000' within 10 miles of PI LOM.  
 FAF, PI LOM. Final approach crs, 208°. Distance FAF to MAP, 3.8 miles.  
 Minimum altitude over PI LOM, 5700'.  
 Minimum glide slope interception altitude, 6500'. Glide slope altitude at OM, 5608'; at MM, 4663'.  
 Distance to runway threshold at OM, 3.8 miles; at MM, 0.6 mile.  
 MSA: 000°-180°-10,300'; 180°-270°-6300'; 270°-360°-6500'.  
 NOTE: Final approach from holding pattern not authorized. Procedure turn required.  
 \*Procedure turn required when glide slope not operative; OM altitude, 5700'.  
 †IFR departure procedures: Climb direct to PIH VORTAC; southeastbound V21/V257 continue climb on R 235° PIH VORTAC within 10 miles so as to cross PIH VORTAC at or above 7800'; all maneuvering N of R 235°.  
 ‡Circling not authorized SE of Runways 3-21.  
 §Categories A, B, C, no penalty in DH for imperative SALS.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D			
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	
8-21§	4698	1/4	250	4698	1/4	250	4698	1/4	250	4698	1/4	250	
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	
8-21	4730	1/4	272	4730	1/4	272	4730	1/4	272	4730	1	272	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C§	4800	1	352	4900	1	452	4900	1 1/4	462	6000	2	552	
A	Standard.	T 2-eng. or less—Standard. †						T over 2-eng.—Standard. †					

City, Pocatello; State, Idaho; Airport name, Pocatello Municipal; Elev., 4448'; I-PIH; Procedure No. ILS Runway 21, Amdt. 12; Eff. date, 14 Aug. 69; Sup. Amdt. No. 11; Dated, 8 May 69

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS—Continued

Terminal routes		Missed approach	
From--	To--	Via	Minimum altitudes (feet)
Swamp Int.	LOM	Direct	1700
Wilmington VORTAC	LOM	Direct	1700
Currie Int.	LOM	Direct	1700
Carolina Beach NDB	LOM	Direct	1700
Green Int.	LOM	Direct	1700
Wesley Int.	LOM	Direct	1700
Delco Int.	LOM	Direct	3000

MAP: ILS DH 230; LOC 4.6 miles after passing LOM

Climb to 1700' on crs of 343° from LOM within 15 miles or, when directed by ATC, make left turn to 270° climbing to 1700' intercept ILM VORTAC R 237° and proceed to Swamp Int.

Supplementary charting information: Runway 34, TDZ elevation, 30'. HIRLS 1634.

Procedure turn W side of crs, 163° Outbd, 343° Inbd, 1700' within 10 miles of LOM.  
FAF, LOM, Final approach crs, 343°. Distance FAF to MAP, 4.6 miles.  
Minimum glide slope interception altitude, 1700'. Glide slope altitude at OM, 1410'; at MM, 242'.  
Distance to runway threshold at OM, 4.6 miles; at MM, 0.6 mile.  
MSA: 000°-090°-1500'; 090°-180°-1700'; 180°-270°-2300'; 270°-360°-2100'.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-34	230	RVR 24	200	230	RVR 24	200	230	RVR 24	200	230	RVR 24	200
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-34	380	RVR 24	350	380	RVR 24	350	380	RVR 24	350	380	RVR 40	350
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	540	1	509	540	1	509	540	1½	509	600	2	509
A	Standard		T 2-eng. or less—RVR 24', Runway 34; Standard all other Runways.				T over 2-eng.—RVR 24', Runway 34; Standard all other Runways.					

City, Wilmington; State, N.C.; Airport name, New Hanover County; Elev., 31'; Facility, I-ILM; Procedure No. ILS Runway 34, Amdt. 12; Eff. date, 14 Aug. 69; Sup. Amdt. No. II; Dated, 12 Sept. 68

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), 601, Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on July 11, 1969.

JAMES F. RUDOLPH,  
Director, Flight Standards Service.

[F.R. Doc. 69-8420; Filed, July 28, 1969; 8:45 a.m.]

## Title 49—TRANSPORTATION

### Chapter X—Interstate Commerce Commission

#### SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Rev. S.O. 1009]

#### PART 1033—CAR SERVICE

##### Railroad Operating Regulations for Freight Car Movement

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 22d day of July 1969.

It appearing, that there are acute shortages of freight cars throughout the country; that certain carriers are unable to furnish an adequate supply of freight cars to shippers located on their lines; that these shortages of freight cars are impeding the movement of agricultural, forest manufactured products, and other commodities; and that the existing car service rules, regulations, and practices of the railroads are ineffective with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of freight cars to meet the requirements of shippers. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the in-

terest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than 30 days' notice.

It is ordered, That:

#### § 1033.1009 Service Order No. 1009.

(a) *Railroad operating regulations for freight car movement.* Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its car service:

(1) *Placing of cars.* (i) Loaded cars, which after placement will be subject to demurrage rules applicable to detention of cars awaiting unloading, shall be actually placed within 24 hours, exclusive of Sundays and holidays, following arrival at destination.

(ii) Actual placement means placing a car on industrial interchange tracks, on other-than-public-delivery tracks serving the consignee, or on public delivery tracks. Proper notice for cars placed on public delivery tracks shall be sent or given within 24 hours after placement, exclusive of Saturdays, Sundays, and holidays.

(iii) When delivery of a car, either empty or loaded, consigned or ordered

to an industrial interchange track or to an other-than-public-delivery track cannot be made because of any condition attributable to the consignor or consignee, such car will be held at destination or, if it cannot reasonably be accommodated there, at an available hold point and constructive placement notice shall be sent or given the consignor or consignee within 24 hours, exclusive of Saturdays, Sundays, and holidays, after arrival of car at destination or hold point.

(iv) Loaded cars held at destination for accessorial terminal services described in the applicable tariffs, such as holding for orders or inspection, shall be placed on unloading, hold, or inspection tracks, and proper notice given within 24 hours, exclusive of Saturdays, Sundays, and holidays, after arrival at destination. On cars set off and held short of billed destination, or on cars held at destination and short of inspection tracks, a written notice shall be sent or given to consignee or other party entitled to receive such notice, within 24 hours of arrival, exclusive of Saturdays, Sundays, and holidays, at the hold point. Time and charges shall be computed following such notice and demurrage or detention charges assessed in accordance with provisions of governing tariffs.

(2) *Removal of cars.* (i) Empty cars must be removed from point of unloading or interchange tracks of industrial plants

within 24 hours, exclusive of Sundays and holidays, following unloading or release by consignee or shipper, unless such empty cars are ordered or appropriated by the shipper with approval of carrier for reloading within such 24-hour period. Empty foreign cars not ordered for loading at point where made empty must be forwarded, set aside for cleaning or repairs, or delivered to connecting lines within 24 hours, following removal of empty cars.

(ii) Outbound loaded freight cars must be removed from point of loading or interchange tracks of industrial plants within 24 hours, exclusive of Sundays and holidays, following acceptance by carrier of the shipping instructions covering the cars. Such cars must be forwarded, set aside for repairs, or delivered to connecting lines within 24 hours, following release and removal.

(iii) Cars subject to subdivisions (i) and (ii) of this subparagraph not made accessible to the carrier shall be subject to demurrage until such time as they become, and remain, accessible to the carrier.

(3) *Forwarding of cars.* (i) Loaded cars and empty cars of system, foreign or private ownership, shall not be held in excess of 24 hours for any purpose, except as follows:

(ii) Loaded cars held subject to instructions of consignee, consignor, or other qualified owner of the freight contained therein.

(iii) Cars held for repairs or cleaning.

(iv) Cars held because no train or switch engine service is available between hold point and destination.

(v) Empty system cars when the holding line is not the beneficiary of car distribution directions or orders issued by this Commission applicable to the kind of car held.

(4) *Cars held for repairs or cleaning.* (i) Loaded cars of system, foreign or private ownership; empty cars of foreign or private ownership; and, when the holding line is the beneficiary of car

distribution directions or orders issued by this Commission applicable to the kind of car held, empty system freight cars which are held for light repairs or cleaning shall be placed on repair or cleaning tracks not later than the first 7 a.m., exclusive of Sundays and holidays after time carded for repairs or cleaning, or after arrival at point where repairs or cleaning are performed. Light repairs or cleaning shall be accomplished on same calendar day, exclusive of Sundays and holidays, that cars are placed on repair or cleaning tracks; except that when necessary to order material from car owner to make the repairs to foreign or private cars, repairs to foreign or private cars held awaiting such material shall be completed prior to 11:59 p.m., of the calendar day which includes the first 7 a.m., inclusive of Sundays and holidays, after receipt of such material at the station at which the repair point is located.

(ii) Light repairs are defined as repairs requiring less than 20 man-hours by repair track forces to complete.

(5) *Railroad operating regulations for the movement of freight cars.* (i) No common carrier by railroad subject to the Interstate Commerce Act shall delay the movement of cars by holding such cars in yards, terminals, or sidings for the purpose of increasing the time in transit of such cars.

(ii) Cars shall not be set out between terminals except in cases of emergencies or sound operating practices.

(iii) Backhauling cars for the purpose of increasing the time in transit is prohibited.

(iv) Through cars shall not be handled on local or way freight trains for the purpose of increasing the time in transit of such cars.

(v) The use by any common carrier by railroad for the movement of cars over its line, of any route other than its usual and customary fast freight route from point of receipt of the car from consignor, or connecting line, to

point of delivery to consignee, or to next connecting line, except for the purpose of according a lawfully established transit privilege (not including a diversion or reconignment privilege) is hereby prohibited.

(b) *Application.* (1) The provisions of this order shall apply to intrastate, interstate and foreign commerce.

(2) Holidays shall be those listed in Item 25 of Agent B. B. Maurer's Tariff ICC H-36, naming Car Demurrage Rules and Charges, supplements thereto or successive issues thereof.

(c) *Rules and regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Effective date.* This order shall become effective at 12:01 a.m., July 25, 1969.

(e) *Expiration date.* This order shall expire at 11:59 p.m., December 31, 1969, unless otherwise modified, changed, or suspended by order of this 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))

*It is further ordered,* That a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all the railroads subscribing to the car service and per diem agreement under the terms of that agreement; 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.

By the Commission, Railroad Service Board.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 69-8874; Filed, July 28, 1969; 8:48 a.m.]

# Proposed Rule Making

## DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[ 50 CFR Part 33 ]

### PEE DEE NATIONAL WILDLIFE REFUGE, N.C.

#### Fishing

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715), and the Endangered Species Preservation Act of October 15, 1966 (80 Stat. 926, 16 U.S.C. 668aa), it is proposed to amend 50 CFR 33.4 by the addition of Pee Dee National Wildlife Refuge, N.C. to the list of areas open to fishing, as legislatively permitted.

It has been determined that regulated fishing may be permitted as designated on the Pee Dee National Wildlife Refuge without detriment to the objectives for which the area was established.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections, with respect to this proposed amendment, to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C. 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

Section 33.4 is amended by the following addition:

#### § 33.4 List of open areas; fishing.

\* \* \* \* \*

NORTH CAROLINA

\* \* \* \* \*

Pee Dee National Wildlife Refuge.

\* \* \* \* \*

JOHN S. GOTTSCHALK,  
Director, Bureau of  
Sport Fisheries and Wildlife.

JULY 23, 1969.

[F.R. Doc. 69-8882; Filed, July 28, 1969; 8:49 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[ 21 CFR Part 138 ]

#### DRUGS

#### Proposed Additional Official Names

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 508, 76 Stat. 1789; 21 U.S.C. 358) and

the administrative procedure provisions of 5 U.S.C. 552 (80 Stat. 383, as amended 81 Stat. 54) and under authority delegated to him (21 CFR 2.120), the Commissioner of Food and Drugs proposes

that § 138.2 be amended by alphabetically inserting the following items as official names for drugs:

#### § 138.2 Drugs; official names.

Official name	Chemical name or description	Molecular formula
Acodapone	4',4''-Sulfonylbis(acetamide)	C <sub>15</sub> H <sub>16</sub> N <sub>2</sub> O <sub>8</sub> S
Acronine	3,12-Dihydro-6-methoxy-3,8,12-trimethyl-7H-pyrazolo[2,3-c]pyridine-7-one	C <sub>18</sub> H <sub>24</sub> N <sub>2</sub> O
Adiphenine	2-(Diethylamino)ethyl diphenylacetate	C <sub>20</sub> H <sub>22</sub> N <sub>2</sub> O <sub>2</sub>
Amquinatate	Methyl 7-(diethylamino)-4-hydroxy-6-propyl-3-quinolinecarboxylate	C <sub>24</sub> H <sub>32</sub> N <sub>2</sub> O <sub>2</sub>
Apazone	5-(Dimethylamino)-9-methyl-2-propyl-1H-pyrazolo[1,2-a][1,2,4]benzotriazine-1,3(2H)-dione	C <sub>18</sub> H <sub>20</sub> N <sub>4</sub> O <sub>2</sub>
Bromazepam	7-Bromo-1,3-dihydro-5-(2-pyridyl)-2H-1,4-benzodiazepin-2-one	C <sub>15</sub> H <sub>12</sub> BrN <sub>2</sub> O
Carbomer	A polymer of acrylic acid crosslinked with allyl sucrose	
Cephaloglycyl	7-(6-2-Amino-2-phenylacetamido)-3-(hydroxymethyl)-8-oxo-5-thia-1-aza bicyclo[4.2.0]oct-2-ene-2-carboxylic acid, acetate	C <sub>18</sub> H <sub>18</sub> N <sub>2</sub> O <sub>8</sub> S
Cephalothin	3-(Hydroxymethyl)-8-oxo-7-[2-(2-thienyl)acetamido]-5-thia-1-azabicyclo[4.2.0]oct-2-ene-2-carboxylic acid, acetate	C <sub>18</sub> H <sub>16</sub> N <sub>2</sub> O <sub>8</sub> S <sub>2</sub>
Clintazone	2-Pentyl-6-phenyl-1H-pyrazolo[1,2-a]cinnoline-1,3(2H)-dione	C <sub>22</sub> H <sub>22</sub> N <sub>2</sub> O <sub>2</sub>
Chemsatine	(+)-2-[2-(p-Chloro-α-methyl-α-phenylbenzyl)oxy]ethyl-1-methylpyrrolidine	C <sub>18</sub> H <sub>22</sub> ClNO
Clindamycin	Methyl 7(S)-chloro-6,7,8-trideoxy-6-trans-(1-methyl-4-propyl-1,2-pyrroldinyl)acetamido-1-thio-1,3-dioxane-2-galacto-octopyranoside; 7(S)-chloro-7-deoxylincomycin	C <sub>21</sub> H <sub>32</sub> ClN <sub>2</sub> O <sub>8</sub> S
Clortermine	α-Chloro-α,α-dimethylphenethylamine	C <sub>10</sub> H <sub>14</sub> ClN
Colestipol	Tetraethyleneptamine polymer with 1-chloro-2,3-epoxypropane	
Dexpanthenol	n(+)-2,4-Dihydroxy-N-(3-hydroxypropyl)-3,3-dimethylbutamide	C <sub>8</sub> H <sub>18</sub> NO <sub>4</sub>
Domiphen	Dodecylidimethyl(3-phenoxyethyl)ammonium	C <sub>22</sub> H <sub>36</sub> NO
Epimecrol	3-Methoxyestra-1,3,5(10)-triene-19α,17α-diol	C <sub>24</sub> H <sub>36</sub> O <sub>2</sub>
Fetoxylate	2-Phenoxyethyl 1-(3-cyano-3,3-diphenylpropyl)-4-phenylisonicotinate	C <sub>24</sub> H <sub>28</sub> N <sub>2</sub> O <sub>2</sub>
Flucytosine	5-Fluorocytosine	C <sub>4</sub> H <sub>4</sub> FN <sub>2</sub> O
Finoctinolide	6α,9-Difluoro-11β,16α,17,21-tetrahydroxyprogesterone-1,4-diene-3,20-dione, cyclic 16,17-acetal with acetone, 21 acetate	C <sub>24</sub> H <sub>32</sub> F <sub>2</sub> O <sub>7</sub>
Flutiazin	8-(Trifluoromethyl)phenothiazine-1-carboxylic acid	C <sub>12</sub> H <sub>7</sub> F <sub>3</sub> N <sub>2</sub> O <sub>2</sub> S
Isocetamic acid	N-Acetyl-N-(3-amino-2,4,6-trifluorophenyl)-2-methyl-β-alanine	C <sub>12</sub> H <sub>11</sub> F <sub>3</sub> N <sub>2</sub> O <sub>2</sub>
Kethoxal	3-Ethoxy-1,1-dihydroxy-2-butanone	C <sub>6</sub> H <sub>12</sub> O <sub>3</sub>
Laramycin	An antibiotic substance derived from <i>Streptomyces bikiniensis</i> var. <i>laramensis</i>	
Memotine	3,4-Dihydro-1-(p-methoxyphenoxy)methyl]isoquinoline	C <sub>17</sub> H <sub>20</sub> N <sub>2</sub> O <sub>2</sub>
Metapine	2-Methyl-11-(4-methyl-piperazinyl) dibenzo[ <i>b,h</i> ]thiazepine	C <sub>24</sub> H <sub>28</sub> N <sub>2</sub> S
Mithramycin	From <i>Streptomyces oryzae</i> n.sp. and <i>Streptomyces tanashiensis</i>	
Moranfel	(E)-1,4,5,6-Tetrahydro-1-methyl-2-[2-(3-methyl-2-thienyl)vinyl]pyrimidine	C <sub>12</sub> H <sub>16</sub> N <sub>2</sub> S
Orgotein	A pure, water-soluble, highly compact protein of fairly low molecular weight (about 34,000) with a predominantly alpha-helical configuration; the molecule is chelated with from two (2) to four (4) atoms of divalent metals, for example, Mg, Zn, and Cu, and it is presently produced from bovine liver in a multistep process.	
Ormetoprim	2,4-Diamino-5-(6-methylveratryl)pyrimidine	C <sub>11</sub> H <sub>14</sub> N <sub>4</sub> O <sub>2</sub>
Pemoline	2-Amino-5-phenyl-2-oxazolin-4-one	C <sub>8</sub> H <sub>9</sub> N <sub>2</sub> O <sub>2</sub>
Perhexilene	2-(2,3-Dicyclohexylethyl)piperidine	C <sub>18</sub> H <sub>34</sub> N
Polacrilin	A synthetic ion-exchange resin prepared through the polymerization of methacrylic acid and divinylbenzene and supplied in the hydrogen or free-acid form.	
Poligeenan	3,6-Anhydro-4-β-D-galactopyranosyl-α-D-galactopyranose 2,4'-bis-(potassium sodium sulfate) (1-3')-polysaccharide	[C <sub>12</sub> H <sub>14</sub> M <sub>2</sub> O <sub>10</sub> S <sub>2</sub> ] <sub>n</sub> , where M = Na or K
Prarozin	1-(4-Amino-6,7-dimethoxy-2-quinazolinyl)-4-(2-furyl)piperazine	C <sub>18</sub> H <sub>18</sub> N <sub>2</sub> O <sub>4</sub>
Pyratel	(E)-1,4,5,6-Tetrahydro-1-methyl-2-[2-(2-thienyl)vinyl]pyrimidine	C <sub>12</sub> H <sub>16</sub> N <sub>2</sub> S
Ritodrine	<i>Erythro</i> -p-hydroxy-α-1-[(p-hydroxyphenyl)amino]ethyl]benzyl alcohol	C <sub>17</sub> H <sub>19</sub> NO <sub>2</sub>
Tramadol	(±)-trans-2-[(Dimethylamino)methyl]-1-(m-methoxyphenyl)cyclohexanol	C <sub>18</sub> H <sub>25</sub> NO <sub>2</sub>

Any interested person may, within 60 days after publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: July 16, 1969.

HERBERT L. LEY, JR.,  
Commissioner of Food and Drugs.

[F.R. Doc. 69-8707; Filed, July 28, 1969; 8:45 a.m.]

## DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[ 14 CFR Parts 61, 67 ]

[Docket No. 7775; Notice 69-23A]

### CARDIOVASCULAR STANDARDS; FIRST-CLASS MEDICAL CERTIFICATE FOR CERTAIN COMMERCIAL PILOTS; AND CHANGE IN DURATION OF FIRST-CLASS MEDICAL CERTIFICATES

Notice of Extension of Comment Period

The Federal Aviation Administration proposed in Notice 69-23, published in

the FEDERAL REGISTER on May 30, 1969 (34 F.R. 8370), to amend Parts 61 and 67 of the Federal Aviation Regulations: (1) To require from each applicant for a first-class medical certificate an initial, baseline resting electrocardiographic examination, and double Master's exercise electrocardiograms initially, and when he is 35, 40, 45, and 50, and annually after he is 50 years of age; (2) to require a commercial pilot serving as a pilot of an aircraft operated under Part 121 or 127 to hold a first-class medical certificate; and (3) to extend the duration of first-class medical certificates to 12 months when the holder is less than 50 years of age upon issuance. The notice stated that consideration would be given to all comments received on or before July 28, 1969.

The American Heart Association, the American College of Cardiology, and the Air Line Pilots Association have each requested a 60-day extension of time for submission of comments. The petitioners state that a careful study is required to assess the impact of the proposed rules changes on the aviation industry, and that the original comment period is too short for adequate consideration of the effects of the proposed rules changes. Notice 69-23 contains proposals that are complex, and their impact may be widespread within the aviation industry. In view of this, I find that the petitioners have shown a substantive interest in the proposed rules changes, that good cause exists for the extension, and that the extension is consistent with the public interest.

Therefore, pursuant to the authority contained in sections 313(a), 601, and 602 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)), the time within which comments on Notice 69-23 will be received is hereby extended to September 28, 1969.

Issued in Washington, D.C., on July 25, 1969.

P. V. SIEGEL,  
Federal Air Surgeon.

[F.R. Doc. 69-8028; Filed, July 28, 1969;  
8:50 a.m.]

[ 14 CFR Part 71 ]

[Airspace Docket No. 69-AL-9]

CONTROL ZONE

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the effective period of the Aniak, Alaska, control zone.

The Aniak control zone is effective from 0545 to 2145 local time daily. These times coincide with the hours of operation of the Aniak Flight Service Station because weather observations required to support the control zone designation are taken by the flight service station specialists. It is planned to reduce the hours of operation of the Aniak FSS from 16 hours daily to 8 hours Monday through Friday. Weather observation

will be available only during the period when the FSS is in operation. Therefore, it will be necessary to reduce the effective period of the Aniak control zone to coincide with the Aniak FSS hours of operation.

During the times when the Aniak FSS is not in operation Aniak air/ground communications are remotely controlled by the Bethel FSS. Normal air traffic control and FSS services, except airport advisories, are provided continuously.

In order to allow for anticipated variation in times of designation, it is proposed to make the Aniak control zone effective during specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Alaska Airman's Guide and Chart Supplement. It is planned to reduce the effective period of the Aniak control zone from 16 hours daily to 8 hours Monday through Friday.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Alaskan Region, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska 99501. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before final action is taken on this proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conference with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Division. Any data, views, or arguments presented during such conference 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 public docket will be available for examination by interested persons at the office of the Regional Counsel, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska 99501.

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

Issued in Anchorage, Alaska, on July 17, 1969.

LYLE K. BROWN,  
Director, Alaskan Region.

[F.R. Doc. 69-8846; Filed, July 28, 1969;  
8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[ 7 CFR Part 51 ]

PEARS FOR CANNING

Standards for Grades

Correction

In F.R. Doc. 69-8610 appearing at page 12181 of the issue for Wednesday,

July 23, 1969, the second sentence of § 51.1346 should read "Unless otherwise specified, the pears shall not be further advanced than yellowish green."

[ 7 CFR Part 948 ]

[Area No. 2]

IRISH POTATOES GROWN IN COLORADO

Expenses and Rate of Assessment

Consideration is being given to the approval of the expenses and rate of assessment, hereinafter set forth, which were recommended by the Area Committee for Area No. 2 established pursuant to Marketing Agreement No. 97 and Order No. 948, both as amended (7 CFR Part 948).

This marketing order program regulates the handling of Irish potatoes grown in the State of Colorado and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with these proposals may file the same, in quadruplicate, with the Hearing Clerk, Room 112A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than the 15th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposals are as follows:

§ 948.260 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred by the Area Committee for Area No. 2 to enable such committee to perform its functions, pursuant to the provisions of Marketing Agreement No. 97, as amended, and this part, during the fiscal period ending June 30, 1970, will amount to \$11,124.20.

(b) The rate of assessment to be paid by each handler pursuant to Marketing Agreement No. 97, as amended, and this part, shall be \$0.0022 per hundredweight of potatoes grown in Area No. 2 handled by him as the first handler thereof during said fiscal period.

(c) Unexpended income in excess of expenses for the fiscal period ending June 30, 1970, may be carried over as a reserve.

(d) Terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97, as amended, and this part.

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

Dated: July 24, 1969.

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

[F.R. Doc. 69-8892; Filed, July 28, 1969;  
8:50 a.m.]

JUNE 1969

REFERENCE POINTS FOR COMMUNITIES WITH LICENSED TELEVISION BROADCAST STATIONS AND/OR CONSTRUCTION PERMITS—Continued

ther Notice, paragraph 8; see also paragraphs 6 and 6a.)

The list of reference points set forth below rearranges the NCTA list in alphabetical order by States and communities within each State, and supplies reference points for communities missing on the NCTA list. The newly supplied reference points are for the main post office in the community or for the estimated center of the community where post office locations were not ascertainable on the maps available to the Commission's engineering staff. The list set forth below is incorporated in the rule making proposed by the further notice, and may be the subject of comment in the filings on the further notice.

FEDERAL COMMUNICATIONS COMMISSION, BEN F. WAPLE, Secretary.

JUNE 1969

REFERENCE POINTS FOR COMMUNITIES WITH LICENSED TELEVISION BROADCAST STATIONS AND/OR CONSTRUCTION PERMITS

FEDERAL COMMUNICATIONS COMMISSION

[ 47 CFR Part 74 ]

LIST OF CATV REFERENCE POINTS Notice of Proposed Rule Making

JULY 23, 1969.

In its further notice of proposed rule making in Docket No. 18397, released on May 16, 1969 (34 F.R. 7981), the Commission proposed to use the list of reference points compiled by the National Cable Television Association (Further Notice, Appendix B). The Commission stated that reference points for communities with outstanding construction permits, and for any omitted communities of license, would be added to the NCTA list as promptly as possible (Further Notice, paragraph 8; see also paragraphs 6 and 6a.)

The list of reference points set forth below rearranges the NCTA list in alphabetical order by States and communities within each State, and supplies reference points for communities missing on the NCTA list. The newly supplied reference points are for the main post office in the community or for the estimated center of the community where post office locations were not ascertainable on the maps available to the Commission's engineering staff. The list set forth below is incorporated in the rule making proposed by the further notice, and may be the subject of comment in the filings on the further notice.

FEDERAL COMMUNICATIONS COMMISSION, BEN F. WAPLE, Secretary.

JUNE 1969

REFERENCE POINTS FOR COMMUNITIES WITH LICENSED TELEVISION BROADCAST STATIONS AND/OR CONSTRUCTION PERMITS

Table with columns: State, Community, Longitude (S, W, N, E), and Description. Lists communities in Alabama, Alaska, Arizona, and Arkansas.

Table with columns: State, Community, Longitude (S, W, N, E), and Description. Lists communities in California, Colorado, Connecticut, Delaware, and Florida.

PROPOSED RULE MAKING

JUNE 1969

REFERENCE POINTS FOR COMMUNITIES WITH LICENSED TELEVISION BROADCAST STATIONS AND/OR CONSTRUCTION PERMITS—Continued

State	Community	Latitude	Longitude	Description
Kansas	Ensign	37 28 48	100 14 00	C
	Garden City	37 57 54	100 52 20	C
	Goodland	39 20 53	101 42 35	A
	Great Bend	38 22 04	98 45 58	A
	Hays	38 52 16	99 19 57	A
	Hutchinson	38 03 11	97 55 20	A
	Pittsburg	37 24 59	97 42 11	A
	Salina	38 00 30	97 38 49	A
	Topeka	39 03 16	99 40 22	A
	Wichita	37 41 30	97 29 16	A
Kentucky	Ashland	38 28 36	82 38 22	A
	Bowling Green	36 59 41	86 20 33	A
	Covington	39 05 00	84 30 29	A
	Elizabethtown	38 41 38	85 01 33	A
	Harard	37 14 04	87 11 31	A
	Lexington	38 02 50	84 29 46	A
	Louisville	38 14 47	85 45 49	A
	Madisonville	37 19 45	87 29 54	A
	Morristown	38 10 56	83 20 09	A
	Murray	36 36 35	88 18 39	A
	Newport	39 05 28	84 29 20	A
	Owensboro	37 46 37	87 06 43	A
	Owensville	38 22 11	88 39 16	A
	Padesah	37 05 15	88 53 06	A
	Pikesville	37 28 47	82 31 07	A
	Somersett	37 05 23	84 26 17	A
Louisiana	Alexandria	31 18 53	92 11 00	A
	Baton Rouge	30 26 38	91 13 00	A
	Hotchkiss	30 55 34	92 01 04	A
	Lafayette	30 13 24	93 12 32	A
	Lake Charles	30 22 39	92 04 55	A
	Monroe	30 46 53	92 04 13	A
	New Orleans	30 29 46	90 44 58	A
	Savoyport	32 38 41	92 58 13	A
	West Monroe	31 48 53	90 48 29	A
Mississippi	Arcata	34 48 13	88 46 15	A
	Baugar	35 11 04	87 49 47	A
	Calusa	34 43 11	88 49 47	A
	Orono	34 01 42	79 21 19	A
	Poland Spring	33 20 33	89 11 19	A
	Portland	33 04 47	88 00 43	A
	Presque Isle	33 17 36	79 36 45	A
	Baltimore	39 29 07	76 45 45	A
Maryland	Hagerstown	39 38 30	77 45 15	A
	Saltbury	38 27 36	76 07 05	A
Massachusetts	Attenu	42 17 36	71 03 24	A
	Boston	42 21 34	71 06 24	A
	Cambridge	42 35 15	72 35 54	A
	Greenfield	42 38 15	70 55 41	A
	New Bedford	42 06 27	72 35 23	A
	Springfield	42 15 37	71 48 17	A
	Worcester	42 18 15	72 12 57	A
Michigan	Allen Park	42 18 58	83 10 48	A
	Barren Creek	43 36 04	83 03 15	A
	Bay City	44 15 10	83 23 32	B
	Chubbuck	45 29 48	83 02 37	A
	Detroit	42 19 48	84 28 28	A
	Escanaba	45 44 45	85 08 18	A
	Flint	43 00 50	83 41 33	A
	Friday Harbor	42 58 03	85 40 13	A
	Grand Rapids	42 14 43	84 24 22	A
	Jackson	42 17 29	85 35 14	A
	Kalamazoo	42 44 41	84 33 15	A
	Lansing	43 02 37	84 46 31	A
	Marquette	45 16 12	84 46 31	A
	Mount Pleasant	43 14 17	86 15 02	A
	Muskegon	43 14 17	86 15 02	A

JUNE 1969

REFERENCE POINTS FOR COMMUNITIES WITH LICENSED TELEVISION BROADCAST STATIONS AND/OR CONSTRUCTION PERMITS—Continued

State	Community	Latitude	Longitude	Description
Georgia	Albany	31 34 36	81 09 22	A
	Albion	33 51 34	83 22 29	A
	Altoona	33 45 10	81 58 00	A
	Augusta	33 28 20	81 40 10	A
	Chadsworth	34 05 08	83 21 18	A
	Columbus	32 58 28	84 59 24	A
	Dawson	32 28 05	84 57 50	A
	Douglas	32 07 31	85 27 50	A
	Eastman	32 07 42	81 01 22	A
	Evans	32 04 41	81 03 21	A
	Swannah	32 50 15	82 39 47	B
	Townsville	32 11 31	82 23 25	A
	Waycross	32 11 31	82 23 25	A
Guam	Agaña	13 23 23	144 45 00	A
Hawaii	Honolulu	19 43 42	155 05 30	A
	Hilo	19 18 36	155 30 27	A
	Waikaloa	20 53 45	156 11 58	A
Idaho	Boise	43 29 26	112 03 28	A
	Idaho Falls	46 29 05	117 02 19	A
	Meridian	46 43 58	116 59 54	A
	Pocatello	41 45 23	114 38 21	A
	Arvada	41 45 23	114 38 21	A
	Twin Falls	42 35 25	114 38 21	A
Illinois	Rockford	42 08 56	89 30 22	A
	Carbondale	37 43 28	88 14 46	A
	Champaign	40 07 05	88 57 11	A
	Chicago	41 51 52	87 37 57	A
	Decatur	42 17 52	89 37 07	B
	Freeport	42 02 14	88 16 53	B
	Harrisburg	39 44 03	90 13 44	A
	Jacksonville	41 31 32	88 04 52	A
	Joliet	41 19 49	90 05 44	A
	La Salle	41 30 31	90 30 49	A
	Madison	38 43 47	88 05 00	A
	Olney	40 41 42	89 35 33	A
	Peoria	39 59 59	89 24 12	A
	Quincy	42 16 07	89 05 46	A
	Rockford	42 16 07	89 05 46	A
	Rock Island	41 30 49	90 34 24	A
	Springfield	39 47 56	89 38 51	A
	Urbana	40 06 41	88 13 13	A
Indiana	Bloomington	39 09 56	86 31 52	A
	Elkhart	41 04 21	85 08 26	A
	Evansville	37 58 20	87 34 21	A
	Fort Wayne	41 04 21	85 08 26	A
	Gary	41 35 59	87 20 07	A
	Hammond	41 35 13	87 27 43	A
	Indianapolis	39 46 07	86 09 46	A
	Lafayette	40 25 11	85 29 49	A
	Merrill	40 33 17	85 23 16	A
	Muncie	40 11 28	85 23 16	A
	Richmond	39 49 49	86 53 26	A
	Roanoke	40 57 59	83 22 30	A
	St. John	41 40 23	86 15 01	A
	South Bend	41 47 00	87 28 13	A
	Terre Haute	39 28 03	87 31 12	A
	Vincennes	38 49 52	87 31 12	A
	Ames	42 01 26	93 26 44	B
	Cedar Rapids	41 58 45	91 39 48	C
	Davenport	41 31 24	90 24 21	A
	Des Moines	41 35 14	93 37 00	A
	Dubuque	42 29 55	90 40 08	A
	Fort Dodge	43 30 12	94 11 05	B
	Mason City	43 09 15	93 12 00	A
	Mason City	43 29 46	96 24 30	A
	Spartanburg	42 29 46	96 24 30	A
	Waterloo	42 29 46	96 24 30	A

REFERENCE POINTS FOR COMMUNITIES WITH LICENSED TELEVISION BROADCAST STATIONS AND/OR CONSTRUCTION PERMITS—Continued

State	Community	Latitude	Longitude	Description	
Michigan—continued	Ontonagon	42 35 41	84 33 43	#	
	Saginaw	43 28 32	83 56 05	#	
	Sanile St. Marie	46 29 58	84 20 37	#	
	Traverse City	44 45 47	85 37 25	#	
	Minnesota	Alexandria	45 13 06	95 22 20	A
		Appleton	45 01 02	92 01 02	B
		Austin	43 29 17	92 58 20	B
		Duluth	46 46 46	92 06 34	A
		Hibbing	47 25 43	92 56 21	A
		Mankato	44 09 49	93 15 43	A
		Minneapolis	44 01 11	92 28 03	#
		Rochester	44 33 33	94 09 38	A
		St. Cloud	45 03 59	93 03 11	A
		St. Paul	45 42 37	94 35 12	C
		Walker	47 05 37	94 33 08	A
	Mississippi	Biloxi	30 23 43	88 53 08	A
		Columbus	30 29 40	88 25 23	#
		Greenwood	30 27 04	89 05 36	#
		Gulfport	30 27 56	89 11 06	#
		Jackson	32 17 57	89 57 48	A
		Laurel	31 41 40	89 42 02	A
		Meridian	31 57 37	88 42 02	B
		Tupelo	34 15 28	89 31 25	A
		Waynesboro	32 47 24	91 22 45	A
		Yazoo	32 05 29	91 22 45	A
		Missouri	Cape Girardeau	38 24 40	92 10 24
	Hammond		37 18 29	92 19 46	A
Jefferson City	37 04 56		94 25 20	#	
Joplin	36 45 20		94 30 50	#	
Kansas City	39 04 11		94 34 56	#	
Kickapoo	36 45 20		94 30 50	#	
Poplar Bluff	36 45 20		94 30 50	#	
St. Joseph	37 08 27		94 31 26	#	
St. Louis	38 42 08		90 13 28	A	
Sedalia	37 12 03		93 13 22	#	
Springfield	37 12 03		93 13 22	#	
Montana	Billings	45 47 04	108 30 04	#	
	Butte	46 01 06	112 52 11	#	
	Glasgow	47 06 42	104 43 02	#	
	Great Falls	47 29 23	111 18 25	#	
	Helena	46 30 33	112 02 24	#	
	Kalispell	48 11 45	114 18 44	#	
	Missoula	46 24 34	108 30 30	#	
	Missoula	46 24 34	108 30 30	#	
	Albion	41 41 23	107 39 53	A	
	Allamore	42 06 04	102 32 06	#	
	Russell	42 35 00	99 32 10	#	
	Grand Island	40 55 33	98 29 23	#	
	Hastings	40 35 21	98 29 23	#	
	Hayes Center	40 30 36	101 01 18	C	
Hay Springs	42 41 03	102 41 22	A		
Nebraska	Kearney	40 41 36	99 04 23	A	
	Lexington	40 46 30	99 44 41	#	
	Lincoln	40 48 39	96 42 15	#	
	McCook	40 12 02	100 37 25	#	
	Merriman	42 35 07	101 34 42	#	
	Neffels	42 01 06	97 34 42	#	
	North Platte	41 08 14	100 45 45	#	
	Omaha	41 15 43	98 06 14	#	
	Swetshammer	41 31 40	103 30 00	C	
	Superior	40 01 12	98 04 00	C	
	Elko	40 50 00	115 45 41	#	
	Handerson	38 02 00	114 08 37	#	
	Las Vegas	36 19 20	115 08 37	#	
New Hampshire	Berlin	43 08 02	71 19 44	#	
	Durham	43 08 02	71 19 44	#	
	Haverhill	43 42 03	71 53 33	#	
	Keene	42 56 02	72 16 44	#	
	Lebanon	43 38 34	72 13 12	#	
	Litchfield	44 38 22	71 45 33	#	
	Manchester	42 59 28	71 45 33	#	

PROPOSED RULE MAKING

REFERENCE POINTS FOR COMMUNITIES WITH LICENSED TELEVISION BROADCAST STATIONS AND/OR CONSTRUCTION PERMITS—Continued

State	Community	Latitude	Longitude	Description
New Jersey	Allentown	40 04 21	74 26 03	#
	Burlington	40 48 16	74 12 14	#
	Gloucester	40 37 57	74 15 22	#
	London	40 44 14	74 10 19	#
	Newark	40 29 38	74 26 40	A
	New Brunswick	40 54 51	74 00 51	#
	Paterson	40 29 18	75 01 17	#
	Union	40 05 01	74 48 43	A
	Walden	42 25 09	74 13 47	#
	Windsor	42 25 09	74 13 47	#
	Clarks Summit	42 25 09	74 13 47	#
	Clarks Summit	42 25 09	74 13 47	#
	Clarks Summit	42 25 09	74 13 47	#
	Clarks Summit	42 25 09	74 13 47	#
	Clarks Summit	42 25 09	74 13 47	#
	Clarks Summit	42 25 09	74 13 47	#
	Clarks Summit	42 25 09	74 13 47	#
	Clarks Summit	42 25 09	74 13 47	#
	Clarks Summit	42 25 09	74 13 47	#
	Clarks Summit	42 25 09	74 13 47	#
New Mexico	Albuquerque	34 10 58	108 20 10	#
	Albuquerque	35 23 47	104 31 26	#
	Albuquerque	35 23 47	104 31 26	#
	Albuquerque	35 23 47	104 31 26	#
	Albuquerque	35 23 47	104 31 26	#
	Albuquerque	35 23 47	104 31 26	#
	Albuquerque	35 23 47	104 31 26	#
	Albuquerque	35 23 47	104 31 26	#
	Albuquerque	35 23 47	104 31 26	#
	Albuquerque	35 23 47	104 31 26	#
	Albuquerque	35 23 47	104 31 26	#
	Albuquerque	35 23 47	104 31 26	#
	Albuquerque	35 23 47	104 31 26	#
New York	Albany	42 02 52	73 54 47	#
	Albany	42 02 52	73 54 47	#
	Albany	42 02 52	73 54 47	#
	Albany	42 02 52	73 54 47	#
	Albany	42 02 52	73 54 47	#
	Albany	42 02 52	73 54 47	#
	Albany	42 02 52	73 54 47	#
	Albany	42 02 52	73 54 47	#
	Albany	42 02 52	73 54 47	#
	Albany	42 02 52	73 54 47	#
	Albany	42 02 52	73 54 47	#
	Albany	42 02 52	73 54 47	#
North Carolina	Ashville	35 03 12	79 52 54	#
	Chapel Hill	35 54 51	79 02 11	#
	Charlotte	35 13 44	80 29 43	#
	Columbia	35 55 06	79 19 04	#
	Cornelius	35 24 29	80 34 43	B
	Durham	35 53 48	78 54 00	B
	Fayetteville	35 03 12	79 52 54	#
	Greensboro	36 04 17	77 47 55	B
	Greenville	35 40 54	81 30 29	#
	Hickory	35 37 14	80 40 15	A
	High Point	36 43 00	77 25 54	#
	Jacksonville	34 43 00	81 02 39	A
	Lenoir	35 02 33	78 28 71	A
	New Bern	35 46 38	78 28 71	A
	Raleigh	35 46 38	78 28 71	A
	Washington	34 14 14	77 36 59	A
	Washington	36 06 52	80 14 42	#
Winston-Salem	36 06 52	80 14 42	#	
Boonville	45 06 42	98 41 29	#	
Dyersville	46 52 55	102 41 08	#	
Deckersville	46 52 55	102 41 08	#	
Fargo	46 52 30	96 17 33	#	
Kissel	46 14 00	101 11 32	B	
Pennington	46 18 00	96 18 41	A	
Valley City	46 08 21	96 36 01	A	
Washington	41 06 40	83 06 00	#	
Akron	41 06 40	83 06 00	#	
Albion	41 17 37	83 06 00	#	
Boeing Green	40 47 30	83 06 00	#	
Clinton	37 26 07	84 33 55	#	
Cremona	41 29 11	83 06 00	#	
Cleveland	39 45 47	84 11 43	#	
Columbus	39 45 47	84 11 43	#	
Dayton	39 45 47	84 11 43	#	
Korbiering	40 44 22	84 08 34	A	
Lima	40 44 22	84 08 34	A	
Marion	40 77 48	83 10 26	#	
Marion	40 77 48	83 10 26	#	
Newark	40 03 33	83 24 13	#	





## PROPOSED RULE MAKING

JUNE 1969

## REFERENCE POINTS FOR COMMUNITIES WITH LICENSED TELEVISION BROADCAST STATIONS AND/OR CONSTRUCTION PERMITS—Continued

State	Community	Latitude			Longitude			Description	
		°	'	"	°	'	"		
West Virginia	Bluefield	37	15	29	81	13	20	A	
	Charleston	38	21	01	81	37	02	*	
	Clarksburg	39	16	50	80	20	38	*	
	Huntington	38	25	12	82	26	33	*	
	Morgantown	39	37	41	79	57	28	*	
	Oak Hill	37	58	31	81	08	45	B	
	Parkersburg	39	15	57	81	33	46	*	
	Weston	39	02	19	80	28	05	*	
	Wheeling	40	04	03	80	43	20	*	
	Wisconsin	Eau Claire	44	48	31	91	29	49	*
		Fond Du Lac	43	46	35	88	26	52	*
Green Bay		44	30	48	88	00	50	*	
Janesville		42	40	52	89	01	39	*	
La Crosse		43	48	48	91	15	02	A	
Madison		43	04	23	89	22	55	*	
Milwaukee		43	02	19	87	54	15	*	
Rhineland		45	38	09	89	24	50	A	
Superior		46	43	14	92	06	07	*	
Wausau		44	57	30	89	37	40	*	
Wyoming	Casper	42	51	00	106	19	22	*	
	Cheyenne	41	08	09	104	49	07	*	
	Rawlins	41	47	23	107	14	37	#	
	Riverton	43	01	29	108	23	03	A	

## Explanation of Description:

A. Tolerance  $\pm 01$  seconds.B. Tolerance  $\pm 02$  seconds.C. Tolerance  $\pm 10$  seconds.

\*All centers are references to main Post Office except where asterisk indicates U.S. Department of Commerce Special Publication No. 238 reference points, or a # indicates the estimated center of town.

Post Office locations are current as of June 30, 1967, except for coordinates from Publication No. 238.

[F.R. Doc. 69-8764; Filed, July 28, 1969; 8:45 a.m.]

# Notices

## DEPARTMENT OF JUSTICE

Office of Alien Property  
CATHERINE KUECKENS

### Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

*Claimant, Claim No., Property, and Location*

Mrs. Catherine Kueckens, Lindenstrasse 17, Loxstedt Bez. Bremen, Germany; Claim No. 35515; Vesting Order No. 2081; \$16,257.93 in the Treasury of the United States.

Executed at Washington, D.C., on July 23, 1969.

For the Attorney General.

WILLIAM D. RUCKELSHAUS,  
Assistant Attorney General,  
Civil Division, Director, Office  
of Alien Property.

[F.R. Doc. 69-8863; Filed, July 28, 1969;  
8:48 a.m.]

## DEPARTMENT OF STATE

[Public Notice 311]

### U.S. CITIZENS

#### Validation of Passports for Travel to, in, or Through Mainland China

Pursuant to the authority of Executive Order 11295 and in accordance with 22 CFR 51.73(c) (2) and (3), applications for special validation of passports for travel to, in, or through Mainland China will be determined to be in the national interest of the United States if the applicant falls within at least one of the following categories of persons:

- (1) Members of the Congress of the United States;
- (2) Journalists;
- (3) Members of the teaching profession;
- (4) Scholars with postgraduate degrees;
- (5) Students currently enrolled in colleges and universities;
- (6) Scientists;
- (7) Medical doctors; or
- (8) Representatives of the American Red Cross.

In accordance with 22 CFR 51.73(d), applications for special validation of passport under this Public Notice should be accompanied by documentary or other

evidence sufficient to permit a determination that the applicant falls within at least one of the eight categories of persons listed above. Any application for such validation of a passport that is to be issued, or for such validation of a passport already issued for a period of validity that has not expired, may be made either to the Passport Office of the Department of State, Washington, D.C. 20524, to any Passport Agency in the United States, or to any U.S. diplomatic or consular post outside the United States.

This Public Notice remains in effect until revoked or amended by public notice.

*Effective date.* This Notice becomes effective on July 23, 1969.

[SEAL] ELLIOT L. RICHARDSON,  
Acting Secretary of State.

JULY 23, 1969.

[F.R. Doc. 69-8931; Filed, July 25, 1969;  
3:16 p.m.]

## DEPARTMENT OF THE TREASURY

Internal Revenue Service

ROBERT J. BOLBERT

### Notice of Granting of Relief

Notice is hereby given that Robert J. Bolbert, 7311 West Dreyer Place, Apartment No. 3, West Allis, Wis., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on January 4, 1960, in the Municipal Court, City and County of Milwaukee, Wis., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Robert J. Bolbert, because of such conviction to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be prevented under chapter 44, title 18, United States Code, from obtaining a license under that chapter as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition under title VII of the Omnibus Crime Control and Safe Streets Act of 1968 (82 Stat. 236; 18 U.S.C., Appendix) because of such conviction it would be unlawful for Mr. Bolbert, to receive, possess, or transport in commerce a firearm. Notice is hereby further given that I have considered Robert J. Bolbert's application and have found:

- (1) The conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction, and the applicant's record and reputation, are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the requested relief to Robert J. Bolbert from disabilities incurred by reason of his conviction, would not be contrary to the public interest.

*It is ordered.* Pursuant to the authority vested in the Secretary of the Treasury by section 925(c), of title 18, United States Code and delegated to me by the regulations in Title 26, Part 178, Code of Federal Regulations, that Robert J. Bolbert be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms, incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 23d day of July 1969.

[SEAL] RANDOLPH W. THROWER,  
Commissioner of Internal Revenue.

[F.R. Doc. 69-8871; Filed, July 28, 1969;  
8:48 a.m.]

## DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

PAUMA INDIAN RESERVATION,  
CALIF.

### Ordinance Legalizing Introduction, Sale, or Possession of Intoxicants

JULY 23, 1969.

In accordance with authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2, and in accordance with the Act of August 15, 1953, Public Law 277, 83d Congress, first session (67 Stat. 586), I certify that the following ordinance relating to the application of the Federal Indian Liquor Laws on the Pauma Indian Reservation, Calif., was adopted on June 5, 1969, by the Pauma Band of Mission Indians, which has jurisdiction over the area of Indian country included in the ordinance, reading as follows:

Whereas, Public Law 277, 83d Congress, approved August 15, 1953, provides that sections 1154, 1156, 3113, 3488, and 3618 of title 18, United States Code, commonly referred to as the Federal Indian Liquor Laws, shall not apply to any act or transaction within any area of Indian country provided such act or transaction is in conformity with both the laws of the State in which such act or transaction occurs and with an ordinance duly adopted by the tribe having jurisdiction over such area of Indian country, certified by the Secretary of the Interior, and published in the FEDERAL REGISTER.

Therefore, be it resolved that the introduction, sale, or possession of intoxicating beverages shall be lawful within the Indian country under the jurisdiction of the Pauma Band: *Provided*, That such introduction, sale, or possession is in conformity with the laws of California.

Be it further resolved that any tribal laws, resolutions, or ordinances heretofore enacted which prohibit the sale, introduction, or possession of intoxicating beverages are hereby repealed.

T. W. TAYLOR,  
*Acting Commissioner  
of Indian Affairs.*

[P.R. Doc. 69-8873; Filed, July 28, 1969;  
8:48 a.m.]

#### Fish and Wildlife Service

### CHAMISSO NATIONAL WILDLIFE REFUGE, ALASKA

#### Notice of Public Hearing Regarding Wilderness Proposal

Notice is hereby given in accordance with provisions of the Wilderness Act of September 3, 1964 (Public Law 88-577; 78 Stat. 890-896; 16 U.S.C. 1131-1136), that a public hearing will be held beginning at 9 a.m., on November 13, 1969, in Room 509, Cordova Building, 555 Cordova Street, Anchorage, Third Judicial District, Alaska, on a proposal leading to a recommendation to be made to the President of the United States by the Secretary of the Interior, regarding the desirability of including the proposed Chamisso Wilderness within the National Wilderness Preservation System. The proposal consists of approximately 455 acres within the Chamisso National Wildlife Refuge and is located in the Second Judicial District, State of Alaska.

A brochure containing a map and information about the Chamisso Wilderness proposal may be obtained from the Associate Supervisor, Bureau of Sport Fisheries and Wildlife, Post Office Box 280, Anchorage, Alaska 99501, or the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 3737, Portland, Oreg. 97208.

Individuals or organizations may express their oral or written views by appearing at this hearing, or they may submit written comments for inclusion in the official record of the hearing to the Regional Director at the above address by December 29, 1969.

JOHN S. GOTTSCHALK,  
*Director, Bureau of Sport  
Fisheries and Wildlife.*

JULY 24, 1969.

[P.R. Doc. 69-8867; Filed, July 28, 1969;  
8:48 a.m.]

### FARALLON NATIONAL WILDLIFE REFUGE, CALIF.

#### Notice of Public Hearing Regarding Wilderness Proposal

Notice is hereby given in accordance with provisions of the Wilderness Act of September 3, 1964 (Public Law 88-577;

78 Stat. 890-896; 16 U.S.C. 1131-1136), that a public hearing will be held beginning at 9 a.m., on October 30, 1969, in the Ceremonial Courtroom, Federal Building, 450 Golden Gate Avenue, San Francisco, San Francisco County, Calif., on a proposal leading to a recommendation to be made to the President of the United States by the Secretary of the Interior, regarding the desirability of including the Farallon Wilderness proposal within the National Wilderness Preservation System. The proposal consists of approximately 141 acres within the Farallon National Wildlife Refuge and is located in San Francisco County, State of California.

A brochure containing a map and information about the Farallon Wilderness proposal may be obtained from the Refuge Manager, Sacramento National Wildlife Refuge, Route 1, Box 311, Willows, Calif. 95988, or the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 3737, Portland, Oreg. 97208.

Individuals or organizations may express their oral or written views by appearing at this hearing, or they may submit written comments for inclusion in the official record of the hearing to the Regional Director at the above address by December 14, 1969.

JOHN S. GOTTSCHALK,  
*Director, Bureau of  
Sport Fisheries and Wildlife.*

JULY 24, 1969.

[P.R. Doc. 69-8868; Filed, July 28, 1969;  
8:48 a.m.]

### SIMEONOF NATIONAL WILDLIFE REFUGE, ALASKA

#### Notice of Public Hearing Regarding Wilderness Proposal

Notice is hereby given in accordance with provisions of the Wilderness Act of September 3, 1964 (Public Law 88-577; 78 Stat. 890-896; 16 U.S.C. 1131-1136), that a public hearing will be held beginning at 1:00 p.m. on November 13, 1969, in Room 509, Cordova Building, 555 Cordova Street, Anchorage, Third Judicial District, Alaska, on a proposal leading to a recommendation to be made to the President of the United States by the Secretary of the Interior, regarding the desirability of including the proposed Simeonof Wilderness within the National Wilderness Preservation System. The proposal consists of approximately 24,931 acres within the Simeonof National Wildlife Refuge and is located in the Third Judicial District, State of Alaska.

A brochure containing a map and information about the Simeonof Wilderness proposal may be obtained from the Refuge Manager, Aleutian Islands National Wildlife Refuge, Cold Bay, Alaska 99571, or the Associate Supervisor, Bureau of Sport Fisheries and Wildlife, Post Office Box 280, Anchorage, Alaska 99501, or the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 3737, Portland, Oreg. 97208.

Individuals or organizations may express their oral or written views by appearing at this hearing, or they may submit written comments for inclusion in the official record of the hearing to the Regional Director at the above address by December 29, 1969.

JOHN S. GOTTSCHALK,  
*Director, Bureau of  
Sport Fisheries and Wildlife.*

JULY 24, 1969.

[P.R. Doc. 69-8869; Filed, July 28, 1969;  
8:48 a.m.]

### WEST SISTER ISLAND NATIONAL WILDLIFE REFUGE, OHIO

#### Notice of Public Hearing Regarding Wilderness Proposal

Notice is hereby given in accordance with provisions of the Wilderness Act of September 3, 1964 (Public Law 88-577; 78 Stat. 890-896; 16 U.S.C. 1131-1136), that a public hearing will be held beginning at 9 a.m., on October 15, 1969, at the Municipal Building, Oregon, Lucas County, Ohio, on a proposal leading to a recommendation to be made to the President of the United States by the Secretary of the Interior, regarding the desirability of including the West Sister Island Wilderness proposal within the National Wilderness Preservation System. The proposal consists of approximately 82 acres within the West Sister Island National Wildlife Refuge, and is located in Lucas County, State of Ohio.

A brochure containing a map and information about the West Sister Island Wilderness proposal may be obtained from the Refuge Manager, Ottawa National Wildlife Refuge, Route 3, Oak Harbor, Ohio 43449, or the Regional Director, Bureau of Sport Fisheries and Wildlife, Twin Cities, Minn. 55111.

Individuals or organizations may express their oral or written views by appearing at this hearing, or they may submit written comments for inclusion in the official record of the hearing to the Regional Director at the above address by November 30, 1969.

JOHN S. GOTTSCHALK,  
*Director, Bureau of  
Sport Fisheries and Wildlife.*

JULY 24, 1969.

[P.R. Doc. 69-8870; Filed, July 28, 1969;  
8:48 a.m.]

## DEPARTMENT OF COMMERCE

### Bureau of International Commerce

[Case No. 395]

### ROLAND WERKSTÄETTEN G.m.b.H. AND HERBERT GREVE

#### Order Denying Export Privileges

In the matter of Roland Werkstaetten G.m.b.H., Mathildenstrasse 29, Bremen, Federal Republic of Germany, and Herbert Greve, Sechslingspforte 3, 2000

Hamburg 22, Federal Republic of Germany, Case No. 395; respondents.

The Director, Investigations Division, Office of Export Control, by charging letter dated February 26, 1969, brought charges against the above respondents for violations of the Export Regulations.<sup>1</sup> The charging letter was duly served and the respondents acknowledged receipt thereof but did not answer the charges or deny the allegations.

The charging letter alleges in substance that for the purpose of supporting an application for validated export licenses for certain machines, respondents represented in end-use statements to the Office of Export Control that the machines would be used in West Germany in the manufacture of miniature ball bearings; that respondents certified that they would not resell the machines outside of West Germany; that they would send a supplemental statement to the U.S. exporter disclosing any change of facts or intentions which occurred after the statements had been prepared and forwarded, and that unless authorized by the U.S. Export Regulations or by written approval of the U.S. Department of Commerce they would not re-export, resell or otherwise dispose of the machines to any country not approved for export as brought to their attention by any means, or to any person if there was reason to believe that it would result in disposition of the commodities contrary to the representations in the statement or contrary to the U.S. Export Regulations. It is further alleged that the machines were exported to respondent and that they sold the machines to a Swiss firm and that they were subsequently delivered to an unauthorized destination. Violations of § 381.5(c) of the Export Regulations are charged in that respondents failed to notify the U.S. exporter or Office of Export Control of change in material facts and intentions which were set forth in the end-use statements.

In accordance with the usual practice the case was referred to the Compliance Commissioner and he held an informal hearing on June 24, 1969 at which evidence in support of the charges was submitted.

The Compliance Commissioner considered the evidence and has reported the findings of fact and findings that violations have occurred and has recommended that the sanction hereinafter set forth be imposed.

After considering the record I confirm and adopt the findings of fact of the Compliance Commissioner which are as follows:

**Findings of fact.** 1. The firm Roland Werkstaetten G.m.b.H., respondent herein, is a limited liability company with an address in Bremen, West Germany. The company was organized in 1964 to trade in, design, and produce machinery and

parts. The respondent Herbert Greve, a resident of Hamburg, West Germany, was the organizer of the company, and he was a director and the only active official. The transactions hereinafter described were carried out by Greve in the name of and on behalf of the company.

2. On April 20, 1965, Greve on behalf of Roland Werkstaetten G.m.b.H. (hereinafter Roland) executed two Single Transaction Statements (Form FC-842), sometimes called end-use statements, available from Office of Export Control. The said statements were executed for submission to the Office of Export Control and were so submitted in support of applications for validated export licenses by a U.S. supplier to export to Roland two grinding machines used in the manufacture of ball bearings.

3. In each of the end-use statements Greve represented that the machines would be used in West Germany in the production of miniature ball bearings and that the machines would not be sold for use outside of West Germany. He certified that he and his company would promptly send to the exporter a supplemental statement disclosing any change of facts or intentions set forth in the statement which would occur after the statement had been prepared and forwarded. Greve further certified that he and his company, except as specifically authorized by the U.S. Export Regulations or by prior written approval of the U.S. Department of Commerce, would not re-export, resell, or otherwise dispose of the machines in question: (1) To any country not approved for export as brought to their attention by any means; or (2) to any person if there was reason to believe that it would result, directly or indirectly, in disposition of the commodities contrary to the representations in the statement or contrary to the U.S. Export Regulations.

4. On the basis of the representations and certifications in the statements the Office of Export Control issued validated export licenses authorizing the U.S. supplier to export the machines in question to Roland in West Germany, as ultimate consignee. The machines, valued at approximately \$34,000 each, were exported on January 28, 1966 by the U.S. supplier to Roland in West Germany in accordance with the terms of the export licenses.

5. On arrival of the machines in West Germany they were held in storage at the port of Bremen.

6. If respondents ever intended to use the machines for the manufacture of ball bearings in West Germany, they abandoned this intention and on June 14, 1966, sold the two machines to a Swiss firm without sending to the U.S. exporter or the Office of Export Control a supplemental statement disclosing any changes of facts or intentions. The Office of Export Control did not authorize the sale of the machines to the Swiss firm.

7. The machines were reexported from West Germany and were delivered to a destination which would not have been authorized by the Office of Export Control.

Based on the foregoing I have concluded that respondents violated § 381.5 (c) of the U.S. Export Regulations (now § 387.5(c) of the U.S. Export Control Regulations), in that they failed to notify the U.S. exporter or the Office of Export Control of a change of material facts or intentions which were set forth in end-use statements which they made in support of applications for validated export licenses.

Now, after considering the record in the case and the report and recommendation of the Compliance Commissioner and being of the opinion that his recommendation as to the sanction that should be imposed is fair and just and calculated to achieve effective enforcement of the law: *It is hereby ordered:*

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

II. Except as qualified in paragraph IV hereof, the respondents for the period of 7 years are hereby denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control documents; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data; (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

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

IV. Four years after the effective date of this order the respondents may apply to have the effective denial of their export privileges held in abeyance while they remain on probation. Such applications as may be filed by said respondents shall be supported by evidence showing their compliance with the terms of this order and such disclosure of their import and export transactions as may be necessary to determine their compliance with

<sup>1</sup> On June 1, 1969 the title of the regulations under the Export Control Act was changed from Export Regulations to Export Control Regulations. There were also editorial changes in the regulations and changes in section numbers.

this order. Such applications will be considered on their merits and in the light of conditions and policies existing at that time. The respondents' export privileges may be restored under such terms and conditions as appear to be appropriate.

V. During the time when the respondents or other person within the scope of this order are prohibited from engaging in any activity within the scope of Part II hereof, no person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, in any manner or capacity, on behalf of or in any association with the respondents or other persons denied export privileges within the scope of this order, or whereby the respondents or such other persons may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, re-exportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondents or other person denied export privileges within the scope of this order; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

This order shall become effective on July 28, 1969.

Dated: July 22, 1969.

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

[F.R. Doc. 69-8872; Filed, July 28, 1969;  
8:48 a.m.]

**Business and Defense Services  
Administration**

**BALL STATE UNIVERSITY**

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 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 Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00497-98-76500. Applicant: Ball State University, Muncie, Ind.

47306. Article: Spectrograph, Model GH 650/640. Manufacturer: Optische Werke, C. A. Steinhell Sehne G.m.b.H., West Germany. Intended use of article: The article will be used to study the following phenomena:

(a) Hyperfine structure studies of the three different types of forbidden atomic spectral lines.

(b) The study of interference between magnetic-dipole and electric-quadrupole radiation by using the Zeeman effect in mixed forbidden lines of even isotopes of Pb, Hg, Au, Te, and other selected metals.

(c) The study of interference between magnetic-dipole and electric-quadrupole radiation as seen in the hyperfine components of mixed forbidden lines of odd isotopes of elements such as Pb, Hg, Au, Sb, As, and Te.

Pb-Lead, Hg-Mercury, Au-Gold, Te-Tellurium, As-Arsenic, and Sb-Antimony. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is intended for purposes that require for their accomplishment the capability of distinguishing as separate lines those lying closely together in the region of 6,647 angstroms. In addition, the applicant's proposed studies require freedom of the image from astigmatism over a wide spectral range. The foreign article has these capabilities which are provided by means of a glass prism optical system. We are advised by the National Bureau of Standards (NBS) in its memorandum dated June 18, 1969 that domestic spectrographs employing gratings cannot provide the necessary freedom from astigmatism and, further, that NBS knows of no other types of spectrographs being manufactured in the United States that are of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

CHARLEY M. DENTON,  
*Assistant Administrator for In-*  
*dustry Operations, Business*  
*and Defense Services Ad-*  
*ministration.*

[F.R. Doc. 69-8824; Filed, July 28, 1969;  
8:45 a.m.]

**DUDLEY OBSERVATORY**

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 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 Scien-

tific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00508-01-46040. Applicant: Dudley Observatory, 100 Fuller Road, Albany, N.Y. 12205. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, Inc., The Netherlands. Intended use of article: The article will be used in a program of research on micrometeorites. The particles are collected at high altitudes by use of sounding rocket borne sampling devices. The size of the particles which are collected by this technique ranges from less than 0.1 micron to a few microns in diameter. The program is designed to determine the chemical composition of micrometeorites. Chemical analysis of particles in this size range can be carried out by use of dispersive X-ray spectrometer attachment to an electron microscope. Decision: Application approved provided the X-ray spectrometer attachment accompanies the foreign article at the time of entry. Reasons: The foreign article can be equipped with a dispersive X-ray spectrometer attachment which the applicant states is necessary for conducting research on micrometeorites to determine their chemical composition. The most closely comparable domestic electron microscope to the foreign electron microscope is the Model EMU-4B manufactured by the Radio Corp. of America (RCA). For purposes that do not require a dispersive X-ray spectrometer attachment for their accomplishment, the RCA Model EMU-4B is considered of equivalent scientific value to the foreign article. The applicant has been informed by RCA that this firm does not manufacture a comparable attachment for the Model EMU-4B. We are advised by the National Bureau of Standards (NBS) in its memorandum dated June 10, 1969, that without the dispersive X-ray spectrometer attachment, the RCA Model EMU-4B is not of equivalent scientific value to the foreign article for the purposes for which this article is intended to be used. Since the dispersive X-ray spectrometer attachment is necessary for the accomplishment of the purposes for which the foreign article is intended to be used, it is an accompanying accessory within the meaning of § 602.1(b) (4) of the cited regulations. In order to qualify for duty-free entry under the above section of the regulations, the accessory must accompany the foreign article in the same shipment. In this regard, we note that the applicant has indicated that the purchase of the foreign article is contingent on obtaining favorable action on the application.

We therefore find that the RCA Model EMU-4B is not of equivalent scientific value to the foreign article provided the purchase order includes the X-ray spectrometer attachment and provided further such attachment accompanies the foreign article at the time of entry.

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.

CHARLEY M. DENTON,  
Assistant Administrator for In-  
dustry Operations, Business  
and Defense Services Admin-  
istration.

[F.R. Doc. 69-8825; Filed, July 28, 1969;  
8:45 a.m.]

#### HEALTH RESEARCH, INC.

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 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 Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00376-33-46500. Applicant: Health Research, Inc., 84 Holland Avenue, Albany, N.Y. 12208. Article: Ultramicrotome, LKB 8800 Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used for studies concerning the ultrastructure and cytochemistry of a number of parasitic helminths. The various cytochemical techniques have been evaluated using vertebrate tissue. One concern, therefore, is to study the reliability of these cytochemical techniques on tissues from invertebrate organisms. Further, it is anticipated that the results of studying the chemistry of certain organelles found in these parasitic worms will allow a better understanding of the relationship of these animals to their various hosts. Ultrathin sections are required in long series and equal thickness for electron microscopy of specimens concerning these studies. 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 the purposes for which such articles is intended to be used, is being manufactured in the United States. Reasons: (1) The foreign article has a guaranteed minimum thickness capability of 50 angstroms. The most closely comparable domestic instrument is the Model MT-2 Ultramicrotome which is manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2 has a guaranteed minimum thickness capability of 100 angstroms. The better thin sectioning capability of the foreign article is pertinent because the thinner the section that can be examined under an electron microscope, the more it is possible to take advantage of the ultimate resolving power of the electron microscope. (2) The foreign article has a thermal advance. For

the purposes for which the foreign article is intended to be used, the applicant requires a long series of ultrathin sections. We are advised by the Department of Health, Education, and Welfare (HEW), in its memorandum dated April 3, 1969, that only thermal advance ultramicrotomes have performed satisfactorily where long series of ultrathin and uniform sections are required.

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

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

CHARLEY M. DENTON,  
Assistant Administrator for In-  
dustry Operations, Business  
and Defense Services Admin-  
istration.

[F.R. Doc. 69-8826; Filed, July 28, 1969;  
8:45 a.m.]

#### MOUNT SINAI SCHOOL OF MEDICINE

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 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 Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00391-33-46040. Applicant: Mount Sinai School of Medicine, Fifth Avenue and 100th Street, New York, N.Y. 10029. Article: Electron microscope, Elmiskop 101. Manufacturer: Siemens AG, West Germany. Intended use of article: The article will be used for studies in biomedical research involving the following problems:

1. Correlative studies of cellular ultrastructure with biochemical and immunologic studies of the immune response.
2. The use of tissue culture systems of lymphoid cells and fibroblasts will be employed in the study of the pathogenesis and genetics of certain human diseases (e.g.: agammaglobulinemia, infectious hepatitis). Cellular ultrastructure will be investigated in these systems.
3. Events during normal and abnormal immunologic responses will be studied by electron microscopic autoradiography.
4. Virus-like particles associated with several disease states will be studied by electron microscopy using negative staining techniques (i.e.: infectious mononucleosis, hepatitis).

5. Macromolecules, particularly antigen-antibody complement complexes will be investigated using the techniques of negative staining and shadow casting.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides a guaranteed resolving capability of 3.5 angstroms. The most closely comparable domestic instrument is the Model EMU-4B, manufactured by the Radio Corp. of America (RCA), which provides a guaranteed resolving capability of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability). We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated April 9, 1969, that for the purposes for which the applicant intends to use the foreign article, the difference between 5 and 3.5 angstroms is pertinent because the techniques employed in specimen preparation permits the highest attainable resolutions to be utilized. For this reason, we find that the RCA Model EMU-4B is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

CHARLEY M. DENTON,  
Assistant Administrator for In-  
dustry Operations, Business  
and Defense Services Admin-  
istration.

[F.R. Doc. 69-8827; Filed, July 28, 1969;  
8:45 a.m.]

#### NEW YORK STATE MUSEUM AND SCIENCE SERVICE—GEOLOGICAL SURVEY

##### Notice of Application for Duty-Free Entry of Scientific Article

The following notice of application published in Volume 34, No. 115 of the FEDERAL REGISTER (Tuesday, June 17, 1969), pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) is hereby amended to delete "and accessories" from the article.

Docket No. 69-00633-88-74000. Applicant: New York State Museum and Science Service—Geological Survey, Room 973, State Education Building Annex, Albany, N.Y. 12224. Article: Portable single-channel seismograph, Model FS-3. Manufacturer: Huntce Ltd., Canada. Intended use of article: The article will be used for a scientific study of the preglacial drainage patterns and glacial and postglacial surficial deposits of New York State to gain a better understanding of

the Pleistocene history. Application received by Commissioner of Customs: May 26, 1969.

CHARLEY M. DENTON,  
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-8828; Filed, July 28, 1969; 8:45 a.m.]

#### RUTGERS STATE UNIVERSITY

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 397) and the regulations issued thereunder (32 F.R. 2433 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 Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00409-75-76595. Applicant: Rutgers, The State University, Department of Physics, New Brunswick, N.J. 08903. Article: Split-pole magnetic spectrometer system, Type SP 90. Manufacturer: Scanditronix, Sweden. Intended use of article: The article will be used to pursue a wide variety of experimental studies in nuclear spectroscopy and related phenomena requiring very high energy resolution as good as 4 kilo-electronvolts (4 keV). Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is to be used for experimental studies in nuclear spectroscopy and reaction mechanisms. The applicant specified an instrument having a magnetic field of at least 16,000 gauss and that the field be uniform within one part in 2,000 at all points away from the fringe field. In addition, the applicant specified that the poles be constructed of carbon steel having a carbon content of not more than 0.02 percent and a nitrogen content of less than 0.01 percent. The most closely comparable domestic instrument was that offered by the Spectromatic Industries (Spectrograph). The domestic manufacturer took exception to the applicant's specification for the steel of which the poles are to be constructed, offering instead to furnish poles made of 0.06 percent carbon with no quoted value for the minimum nitrogen content. More importantly, the domestic manufacturer guaranteed a uniformity of one part in 2,000 only at 7,000 gauss or, alternatively, to optimize the uniformity at any other field of the applicant's choosing. (See quotation No. 665-50, dated May 25, 1966, attached to

letter from Spectrograph dated June 6, 1966.) We are advised by the National Bureau of Standards (NBS) in its memorandum dated May 2, 1969, that for the applicant's intended purposes, the uniformity of one part in 2,000 at all fields between 7,000 to 16,000 gauss is a pertinent characteristic.

For this reason, we find that the instrument offered by Spectrograph is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

CHARLEY M. DENTON,  
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-8829; Filed, July 28, 1969; 8:45 a.m.]

#### STATE UNIVERSITY OF NEW YORK

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 397) and the regulations issued thereunder (32 F.R. 2433 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 Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00367-65-82600. Applicant: State University of New York at Stony Brook, Stony Brook, N.Y. 11790. Article: Thermoanalyzer, vacuum recording. Manufacturer: Mettler Instrument Corp., Switzerland. Intended use of article: The article will be used for regulating and studying properties of materials which require simultaneously high vacuum because of their sensitivity to oxidation and high temperature because of their high melting points. This equipment is for analyzing and conducting experiments in the extreme end of the spectrum of temperature and vacuum conditions. 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 the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is a recording vacuum thermoanalyzer system which is capable of differential thermal analysis (DTA) and differential gravimetric analysis (TGA) simultaneously on the same sample in a controlled gas environment. There are comparable domestic in-

struments capable of either one or the other analysis on separate samples. We are advised by the National Bureau of Standards (NBS) in a memorandum dated March 24, 1969, that the simultaneous analysis by TGA and DTA on the same sample is pertinent to the purposes for which the foreign article is intended to be used. NBS further advises they know of no other domestic instrument or apparatus that can be used for the purposes for which the foreign article is intended to be used.

CHARLEY M. DENTON,  
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-8830; Filed, July 28, 1969; 8:45 a.m.]

#### TEMPLE UNIVERSITY MEDICAL SCHOOL

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 397) and the regulations issued thereunder (32 F.R. 2433 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 Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00377-33-46040. Applicant: Temple University Medical School, 3400 North Broad Street, Philadelphia, Pa. 19140. Article: Electron Microscope, Elmiskop 101. Manufacturer: Siemens, West Germany. Intended use of article: The article will be used for the following investigations:

1. The study of the cross-linkages in the filaments of the pigment synthesizing organelle of the melanocyte;
2. The localization of isoproterenol to specific organelles in the cells of the salivary gland;
3. The identification of elemental copper in the enzyme tyrosinase.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides a guaranteed resolving capability of 3.5 angstroms. The most closely comparable domestic instrument is the Model EMU-4B electron microscope, manufactured by the Radio Corp. of America (RCA), which has a guaranteed resolution of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capabilities.) We are advised by the Department of Health, Education, and



Welfare (HEW) in a memorandum dated April 7, 1969, that the difference in the guaranteed resolving capabilities is pertinent to the purposes for which the foreign article is intended to be used, because the difference, 1.5 angstroms, in the guaranteed resolving powers is very significant to the accomplishment of the intended purposes.

For this reason, we find that the RCA Model EMU-4B is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

CHARLEY M. DENTON,  
Assistant Administrator for  
Industry Operations, Business  
and Defense Services Administration.

[P.R. Doc. 69-8831; Filed, July 28, 1969;  
8:45 a.m.]

#### UNIVERSITY OF CALIFORNIA

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 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 Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00375-33-46040. Applicant: University of California, San Francisco Medical Center, San Francisco, Calif. 94122. Article: Electron microscope, Siemens Model Elmiskop 101. Manufacturer: Siemens AG, West Germany. Intended use of article: The article will be used for investigation of the ultrastructure of cells and macromolecules. The investigation will be directed toward several problems concerning mitochondrial membranes that remain unsolved at present. One problem concerns the relevance of the widely accepted Danielli model of cell membranes structure to the structural organization of the outer and inner membranes of mammalian heart mitochondria. Another problem of mammalian heart mitochondria concerns the functional role of the 85-90 angstrom particles seen after negative staining of submitochondrial vesicles. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign ar-

ticle provides a guaranteed resolving capability of 3.5 angstroms. The most closely comparable domestic instrument is the Model EMU-4B, manufactured by the Radio Corp. of America (RCA), which has a guaranteed resolution of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capabilities.) We are advised by the Department of Health, Education, and Welfare (HEW) in a memorandum dated April 7, 1969, that the difference in the guaranteed resolving capabilities is pertinent to the purposes for which the foreign article is intended to be used, because the difference, 1.5 angstroms, in the guaranteed resolving powers is very real and significant to the accomplishment of the intended purposes with the better resolving capabilities of the foreign article than with the lesser resolving capability of the comparable RCA Model EMU-4B.

For this reason, we find that the RCA Model EMU-4B is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

CHARLEY M. DENTON,  
Assistant Administrator for  
Industry Operations, Business  
and Defense Services Administration.

[P.R. Doc. 69-8832; Filed, July 28, 1969;  
8:45 a.m.]

#### UNIVERSITY OF CALIFORNIA

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 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 Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00380-91-46500. Applicant: University of California at Irvine, Irvine, Calif. 92664. Article: Ultramicrotome, Model LKB 8800 Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used in connection with the following research projects:

1. Determining planes of division and orientation of cells in plant tissue cultures;
2. Correlating living structures of plant culture cells with light and electron microscopic images in the material after fixation;

3. Understanding the three-dimensional organization of cuticle components in polychaete worms;

4. Reconstructing the process of secretion in plant hair-like trichomes.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article has a minimum thickness capability of 50 angstroms. The only known domestic ultramicrotome is the Model MT-2, manufactured by Ivan Sorvall, Inc. (Sorvall), which has a minimum thickness capability of 100 angstroms. The thinner the specimen section, the more is it possible to take advantage of the maximum resolving capabilities of the electron microscope for which the specimen is being prepared. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated May 8, 1969, that the research program of the applicant requires ultrathin sections of less than 100 angstroms. In addition, HEW advises that this program requires long series of ultrathin sections of uniform thickness and that "It has generally been conceded by expert microscopists that only thermal advance ultramicrotomes have performed satisfactorily where long series of ultrathin and uniform sections are required." The foreign article is equipped with a thermal advance (feed) whereas the Sorvall Model MT-2 has a mechanical advance. For these reasons, we find that the Sorvall MT-2 ultramicrotome is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

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

CHARLEY M. DENTON,  
Assistant Administrator for  
Industry Operations, Business  
and Defense Services Administration.

[P.R. Doc. 69-8833; Filed, July 28, 1969;  
8:45 a.m.]

#### UNIVERSITY OF MISSOURI

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 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 Scientific Instrument Evaluation Division,

Department of Commerce, Washington, D.C.

Docket No. 69-00370-91-46500. Applicant: University of Missouri, Department of Botany, 100 LeFevre Hall, Columbia, Mo. 65201. Article: Ultramicrotome, LKB 8800, Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used in studies concerning chromosome ultrastructure in microsporocytes of Lillium. The cells are sectioned in both ultrathin section for electron microscopy and in thicker section for light microscopy. Different stages of meiosis will be prepared for study. The ultrathin sections needed must be prepared in long series and must be cut in equal thickness throughout. In order to correlate the ultrastructural observations with meiotic stage thicker sections adjacent to the thick sections must be cut for examination in the light microscope and it is therefore imperative that the operator be able to quickly and easily change the cutting thickness anywhere for 50 Å to 2 microns. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article has a guaranteed minimum thickness capability of 50 angstroms. The most closely comparable domestic instrument is the Model MT-2 ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall), which has a guaranteed minimum thickness capability of 100 angstroms. The thinner the specimen, the more it is possible to take advantage of the ultimate resolving capabilities of the electron microscope for which the sections are being prepared. The purpose of the experiment is to study the different stages of meiosis for which the best obtainable resolution should be available. For this reason, we find that the lower minimum thickness capability of the foreign article is pertinent to the purposes for which it is intended to be used. We corollarily find that the Sorvall Model MT-2 is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

CHARLEY M. DENTON,  
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-8834; Filed, July 28, 1969; 8:46 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration SAN CARLOS AIR TRAFFIC CONTROL TOWER, SAN CARLOS, CALIF.

#### Notice of Commissioning

Notice is hereby given that on September 18, 1969, the Airport Traffic Control Tower at San Carlos, Calif., will be operationally commissioned. This information will be reflected in the FAA Organization Statement the next time it is reissued. Communications to the San Carlos Airport Traffic Control Tower should be addressed as follows:

San Carlos Airport Traffic Control Tower,  
Department of Transportation, Federal  
Aviation Administration, 779 Skyway, San  
Carlos, Calif. 94070.

Issued in Los Angeles, Calif., on  
July 15, 1969.

ARVIN O. BASNIGHT,  
Director, Western Region.

[F.R. Doc. 69-8847; Filed, July 28, 1969;  
8:47 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 21138]

### CHINA AIRLINES, LTD.

#### Notice of Hearing

In the matter of the application of China Airlines, Ltd., for the issuance of a foreign air carrier permit authorizing the foreign air transportation of persons, property, and mail between a terminal point or points in Taiwan, Republic of China, via the intermediate points of Osaka and Tokyo, Japan, to the terminal point San Francisco, Calif.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on July 29, 1969, at 10 a.m., e.d.s.t., in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned Examiner.

As agreed among the parties at the prehearing conference held on July 23, 1969, the basic issues in this proceeding are as follows:

1. Is the applicant fit, willing, and able properly to perform the air transportation proposed in its application and to conform to the provisions of the Federal Aviation Act of 1958, as amended, and the rules, regulations, and requirements of the Board thereunder?

2. Will the air transportation proposed in the carrier's application be in the public interest?

3. Is the applicant substantially owned and effectively controlled by nationals of the Republic of China?

4. If the application is granted and the permit amended, what should be the duration of the new authority, and what

terms, conditions, and limitations, if any, should be attached thereto?

For information concerning other details of this proceeding, interested persons are referred to the various documents which are in the docket of this case on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., July 23, 1969.

[SEAL] THOMAS P. SHEEHAN,  
Hearing Examiner.

[F.R. Doc. 69-8876; Filed, July 28, 1969;  
8:49 a.m.]

[Docket No. 21131]

### NOVO INDUSTRIAL CORP. AND UNITED MOTOR FREIGHT, INC.

#### Notice of Proposed Approval

Application of Novo Industrial Corp. and United Motor Freight, Inc., for approval pursuant to section 408 of the Federal Aviation Act of 1958, as amended, Docket 21131.

Notice is hereby given, pursuant to the statutory requirements of section 408(b) of the Federal Aviation Act of 1958, as amended, that the undersigned intends to issue the order set forth below under delegated authority. Interested persons are hereby afforded a period of 10 days from the date of service within which to file comments or request a hearing with respect to the action proposed in the order.

Dated at Washington, D.C., July 23, 1969.

[SEAL] A. M. ANDREWS,  
Director,  
Bureau of Operating Rights.

#### ORDER APPROVING CONTROL RELATIONSHIPS

Issued under delegated authority.  
By application filed June 27, 1969, Novo Industrial Corp. (Novo) and United Motor Freight, Inc. (United), request approval pursuant to section 408 of the Federal Aviation Act of 1958, as amended (the Act), of Novo's acquisition of United.

Novo is a diversified company with manufacturing and service divisions and subsidiaries in the United States and Canada. In 1968 the Board approved Novo's control of Air Dispatch, Inc. (ADI), a domestic and international air freight forwarder.<sup>1</sup> Thereafter Novo acquired control of three other air freight forwarders who have surrendered or soon will surrender their operating authorizations pursuant to the Board's orders of approval.<sup>2</sup> In addition Novo controls three interstate motor common carriers.<sup>3</sup>

United is an ICC certificated motor carrier whose certificated authority is restricted to the carriage of traffic that has an immediately prior or immediately subsequent movement by air carriage. Its operating authority

<sup>1</sup> See Order E-24429, Nov. 21, 1966.

<sup>2</sup> See Trans-World Forwarding and Air Expediting Co., Order E-26863, June 3, 1968; Barnett Air Cargo, Inc., Order 68-10-181, Oct. 31, 1968; and Preslate International Corp., Order 69-5-48, May 13, 1969.

<sup>3</sup> Viz., Fleet Carrier Corp., Order E-24429, Nov. 21, 1966; Boss-Linco Lines, Inc., Order 68-11-61, Nov. 14, 1968; and Hourly Messengers, Inc., Order 69-4-23, Apr. 3, 1969.

is limited to service between specific airports in the Detroit metropolitan area, on the one hand, and points in nearby Michigan counties, on the other; and between the Lansing, Mich., airport and other points in nearby Michigan counties.<sup>4</sup> Upon consummation of the acquisition, certain officers and directors of Novo and its affiliates will serve as officers and directors of United.<sup>5</sup>

No comments relative to the application have been received.

Notice of intent to dispose of the application without a hearing has been published in the FEDERAL REGISTER and a copy of such notice has been furnished by the Board to the Attorney General not later than 1 day following such publication, both in accordance with section 408(b) of the Act.

Upon consideration of the foregoing, it is concluded that United is a common carrier and Novo's acquisition of United is subject to section 408 of the Act. However, it is further concluded that such control relationships do not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, do not result in creating a monopoly and do not tend to restrain competition. Furthermore, no person disclosing a substantial interest in the proceeding is currently requesting a hearing and it is concluded that the public interest does not require a hearing. The control relationships do not appear to present any new issues not heretofore considered by the Board,<sup>6</sup> particularly in view of United's limited operations in the State of Michigan. Consequently, it appears that approval of the control relationships would not be inconsistent with the public interest.

However, the Board believes that any further expansion of the surface rights of United may give rise to issues not now present. Consequently, the approval granted herein will be effective only so long as United's surface rights are not expanded beyond their present scope. The Board will also reserve jurisdiction generally over the control relationships subject to its approval.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.13, it is found that the foregoing control relationships should be approved under section 408(b) of the Act without hearing.

Accordingly, it is ordered:

1. That the acquisition of United by Novo be and it hereby is approved;
2. That the approval granted herein shall be effective only so long as United's surface rights are not expanded beyond their present scope; and
3. That jurisdiction in this proceeding be and it hereby is retained for the purpose of imposing from time to time such further terms and conditions as the Board may find to be just and reasonable.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

<sup>4</sup> The agreement of acquisition reveals that Novo intends to establish an air freight terminal within United's operating territory under a pending agreement with General Motors Corp. The acquisition therefore is conditioned upon GM's acceptance of the freight terminal proposal.

<sup>5</sup> Such interlocking relationships as may exist between Novo and its affiliates, on the one hand, and United, on the other, would appear to fall within the exemption and approval conferred by §287.2 of the Board's economic regulations.

<sup>6</sup> See footnote 3 supra.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review is filed, or the Board gives notice that it will review this order on its own motion.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 69-8877; Filed, July 28, 1969;  
8:49 a.m.]

[Docket No. 20962]

## TRANS MERIDIAN (LONDON), LTD.

### Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on August 12, 1969, at 10 a.m., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned Examiner.

Dated at Washington, D.C., July 24, 1969.

[SEAL] GREER M. MURPHY,  
Hearing Examiner.

[F.R. Doc. 69-8878; Filed, July 28, 1969;  
8:49 a.m.]

[Docket No. 20420; Order 69-7-119]

## TWIN CITIES-DES MOINES-ST. LOUIS PROCEEDING

### Order Consolidating and Setting Applications for Hearing

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 23d day of July 1969.

On October 29, 1968, Ozark Air Lines, Inc. (Ozark), filed an application requesting nonstop authority between Minneapolis/St. Paul and Des Moines, between Des Moines and St. Louis, and between Minneapolis/St. Paul and St. Louis. By Order 68-12-38, dated December 6, 1968, the Board set the application for further proceedings in accordance with Rules 1306-1310 of the Board's procedural regulations.

Delta Air Lines, Inc. (Delta), has filed an answer in opposition to Ozark's application to the extent that Ozark requests Minneapolis/St. Paul-St. Louis nonstop authority. Braniff Airways, Inc. (Braniff), The Flying Tiger Line Inc. (FTL), and the city of Des Moines and the Greater Des Moines Chamber of Commerce (Des Moines parties) have filed answers in opposition to the application.<sup>1</sup> The Minneapolis/St. Paul Metropolitan Airports Commission has filed a

<sup>1</sup> On Mar. 18, 1969, North Central Airlines, Inc., requested leave to file an untimely answer. We will grant the motion. However, we are not persuaded that we should grant the relief requested by North Central, imposition of a pretrial two-stop restriction on Twin Cities-Kansas City operations by Ozark. North Central will be a party to this proceeding and thus will have the opportunity to argue that appropriate restrictions should be imposed in the final decision.

reply. Ozark has filed a consolidated reply to the answers.

Delta has filed a motion to consolidate its application in Docket 20583 which requests nonstop authority between Minneapolis/St. Paul and St. Louis. Braniff has filed an answer in opposition to Delta's application to the extent Delta seeks to provide single-plane service beyond St. Louis to points such as Memphis and New Orleans. Ozark and FTL have filed answers in opposition to Delta's motion to consolidate. Delta has filed a consolidated reply in response to Braniff's and Ozark's answers.

The Des Moines parties have filed a motion to consolidate their application in Docket 20636 which requests new or additional authority in the Des Moines-Twin Cities/St. Louis/Kansas City markets. Northwest Airlines, Inc., has filed an answer in support of the Des Moines parties' motion to consolidate. Braniff and Ozark have filed answers in opposition to the Des Moines parties' motion to consolidate.

Upon consideration of the foregoing pleadings and all the relevant facts, the Board has determined that there is a sufficient basis for setting Ozark's application, Docket 20420, for hearing. We shall consolidate Delta's application, Docket 20583, and the Des Moines parties' application, Docket 20636, to the extent it conforms to the scope of the proceeding.<sup>2</sup>

Accordingly, it is ordered, That:

1. The application of Ozark Air Lines, Inc., Docket 20420, be and it hereby is set for hearing before an examiner of the Board at a time and place to be hereafter designated;
2. The application of Delta Air Lines, Inc., Docket 20583, is consolidated for hearing with Docket 20420;
3. The application of the city of Des Moines and the Greater Des Moines Chamber of Commerce, Docket 20636, is consolidated for hearing with Docket 20420, to the extent it seeks authorizations in the Twin Cities-Des Moines and St. Louis-Des Moines markets;
4. The application of the Des Moines parties be and it hereby is dismissed, to the extent not consolidated herein; and
5. The motion of North Central Airlines, Inc., for leave to file an unauthorized document be and it hereby is granted.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 69-8879; Filed, July 28, 1969;  
8:49 a.m.]

<sup>2</sup> We will not consolidate the Des Moines parties' application to the extent it seeks additional authorizations in the Des Moines-Kansas City market, which is beyond the scope of the proceeding. In this market Ozark was recently awarded nonstop authority in the Ozark Air Lines, Inc., Route Realignment Investigation, Docket 16606, et al.

# FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 18606; FCC 69-790]

## AMERICAN BROADCASTING COMPANIES, INC. (ABC)

### Memorandum Opinion and Order Designating Application for Hearing on Stated Issues

In re application of American Broadcasting Companies, Inc. (ABC), Docket No. 18606, File No. BFP-381; for renewal of authority to deliver network radio and television programs to stations in Canada and Mexico.

1. The Commission has for consideration: (a) Petition to deny the above-captioned application filed November 8, 1968, on behalf of Western Telecasters, Inc., permittee of UHF Television Station KCST, San Diego, Calif. (KCST); (b) Petition to deny and for consolidation filed December 4, 1968, on behalf of Mission Cable TV, Inc., and Pacific Video Cable, Inc. (Mission); (c) opposition pleading filed December 13, 1968, on behalf of ABC; (d) opposition pleading filed December 16, 1968, on behalf of Radio-Television, S.A., and Bay City Television, Inc. (XETV); (e) Mission's reply brief of January 6, 1969; (f) reply brief of KCST, filed January 7, 1969; and (g) supplemental pleadings of XETV, filed January 17, 1969, and of KCST, filed January 30, 1969.

2. ABC, on October 4, 1968, filed the above-captioned application pursuant to section 325(b) of the Communications Act of 1934, as amended.<sup>1</sup> The petitions filed against this application relate solely to ABC's request for authority to deliver network television programs to Television Station XETV, Tijuana, Mexico, which station provides Grade A VHF television service to the San Diego market. Such authority was initially granted to ABC, without hearing, on November 23, 1955. American Broadcasting—Paramount Theatres, Inc., 13 RR 177 (1955). That grant was subsequently challenged by the CBS and NBC affiliates in San Diego. The matter was designated for hearing, and eventually culminated in Commission affirmation of the initial grant. American Broadcasting—Paramount Theatres, Inc., 13 RR 1248 (1956). The Commission found that the public interest would best be served by the wider program choice afforded by three television services, and, that absent a third television station in San Diego through which that choice could be realized, the ABC Tijuana outlet was justified. Id. at 1272. Appeal was taken to the Court of Appeals (D.C. Circuit) which set aside the grant and remanded the proceeding to the Commission, directing

<sup>1</sup> Section 325(b) requires the issuance of a special permit to establish studios in the United States intended to feed programs to foreign broadcast stations whose signals are regularly received in the United States.

it to determine whether the foreign station's programming was objectionable by United States standards. *Wrather-Alvarez Broadcasting, Inc. v. FCC*, 248 F. 2d 646, 15 RR 2108 (1957). Upon remand, the Commission considered all aspects of XETV's programming, and again concluded that the public interest, convenience, and necessity would be served by the grant of a section 325(b) permit to ABC. American Broadcasting—Paramount Theatres, Inc., 17 RR 69 (1958). ABC has applied for renewals of the permit every year since 1958, and these have been granted routinely by the Chief, Broadcast Bureau, pursuant to authority delegated in § 0.281(d)(5) of the rules.

San Diego is the 50th television market in the United States. In addition to ABC-affiliated XETV (Channel 6), the area is currently served by KFMB-TV, Channel 8 (CBS), KOGO-TV, Channel 10 (NBC), KEBS-TV, Channel 15 (noncommercial educational), and KCST, Channel 39 (independent). A construction permit is outstanding for another independent commercial station, KJOG-TV on Channel 51. No other television channels are allocated to San Diego.

4. KCST is thus the only commercial UHF station presently operating in San Diego.<sup>2</sup> In its petition to deny, KCST alleges that it cannot compete with the three operating network affiliated VHF stations (KFMB-TV (CBS), KOGO-TV (NBC) and XETV (ABC)); that it sustained a loss of approximately \$650,000 last year; that the local programming of XETV is blatantly defective; that ABC was initially permitted to deliver its programs to XETV only because a third television station was not then available in San Diego; that KCST is ready, able, and desirous of an ABC affiliation; and that the continued affiliation of ABC with XETV is not in the public interest. Mission Cable TV, Inc., and Pacific Video Cable, Inc. (Mission), in their petition to deny and for consolidation, allege that they hold franchises for CATV systems in the San Diego area; that they carry the programs of San Diego and Los Angeles television stations to about 33,000 San Diego subscribers; that in *Midwest Television, Inc., et al.*, 13 FCC 2d 478 (1968), the Commission placed restrictions (with respect to the carriage of Los Angeles signals) on CATV expansion, so as to foster UHF development in the San Diego area; and that denial of the above-captioned application "might" compel ABC to affiliate with KCST, in which event the Commission "could" be persuaded to eliminate or modify the present CATV restrictions. In the alternative, Mission asks that the instant application be consolidated in

<sup>2</sup> Ownership of Television Station KAAR was transferred to Bass Brothers and the call letters changed to KCST on Dec. 5, 1967. On Dec. 6, 1967, the Commission granted consent to an assignment of the permit from Bass Brothers to Western Telecasters, Inc., a wholly owned subsidiary of Bass Brothers. KCST was granted program test authority on Jan. 19, 1968.

hearing with the application (File No. BRCT-82) for renewal of license of Station KFMB-TV (CBS), so as to "pursue and develop ways and means of assuring and accelerating the growth and development of UHF in San Diego."<sup>3</sup>

5. In its opposition pleading, ABC asserts that denial of the instant application would not necessarily result in ABC's affiliation with KCST, in that ABC might seek secondary affiliations with the two VHF network affiliates; that such secondary affiliations or a primary affiliation with KCST would significantly aggravate ABC's competitive disadvantages vis-a-vis CBS and NBC both regionally and nationally; that XETV currently delivers a lesser audience than either the CBS or NBC affiliates; that an American Research Bureau (ARB) study found that XETV provides coverage to 86 percent of the television homes in San Diego County as compared to a 63 percent coverage for KCST; that a KCST-ABC affiliation would substantially raise the current percentage of homes not capable of receiving ABC network programs; and that a transfer of the ABC affiliation to KCST would result in an estimated annual loss to ABC in excess of \$1 million.

6. KCST replies that its Grade A and B contours encompass substantially greater areas than those of XETV; that the 63 percent KCST coverage figure is based upon the percentage of homes with all-channel receiver sets; that a KCST-ABC affiliation would accelerate the set conversion rate and attract advertisers to KCST; that since a UHF station (i.e., KCST) is now available for an ABC affiliation, the public interest no longer requires an extension of ABC's authority to deliver network programs via XETV; and that the denial of the instant application would enhance UHF development in San Diego.

7. In addition, KCST alleges that XETV's local programming is substandard when judged against the requirements imposed on U.S. stations. On the other hand, XETV maintains that the court in *Wrather-Alvarez, Inc. v. FCC*, supra, merely instructed the Commission to determine whether XETV's local programs were objectionable by U.S. standards, and that the programming requirements applicable to comparative proceedings are not necessarily relevant to a section 325(b) permit determination; that XETV does, in fact, originate nonnet-

<sup>3</sup> By Commission action of May 14, 1969, a petition to deny filed by Mission against the application for renewal of license of Television Station KFMB-TV was dismissed for lack of standing and renewal of KFMB-TV's license was granted to Dec. 1, 1971.

<sup>4</sup> The percentage of television homes in San Diego County presently receiving ABC network programs is 93 percent (88 percent coverage provided by XETV and 7 percent coverage provided by KABC-TV, Los Angeles). If ABC were to affiliate with KCST, the combined coverage through KCST and KABC-TV would, according to the ARB study, be significantly less.

work public service programing;<sup>8</sup> and that it voluntarily complies with Commission policies and rules, including sponsorship identification, equal opportunity for political candidates, and the Fairness Doctrine.

8. KCST has alleged that the competitive situation in San Diego renders impossible the successful operation of its UHF facility, and that it would thus incur direct and substantial economic injury from a renewal of the Mexican portion of the ABC application. We view these allegations as sufficient to confer standing. *FCC v. Sanders Bros.*, 309 U.S. 470 (1940); *NBC v. FCC*, 132 F. 2d 545 (1942). Where direct competition exists between broadcast interests, allegations of competitive economic injury resulting from the grant of an application for renewal of license of one station confers standing as a party in interest on the other. *WBBF, Inc.*, 10 RR 1032 (1954); see also, *Richland, Inc.*, 13 RR 113 (1955). Since KCST's petition, in addition to alleging private economic injury, poses questions of serious import as regards the public interest, we find it necessary to designate the Mexican portion of ABC's proposal for hearing.

9. Unlike the situation confronting KCST, Mission has failed to show how the grant of ABC's renewal application would result in direct or substantial economic injury. Whatever our action on ABC's application, the CATV policies governing the San Diego market would remain the same (see Second Report and Order, 2 FCC 2d 725 (1966); memorandum Opinion and Order on Reconsideration, 6 FCC 2d 309 (1967); December 13, 1968, Notice of Proposed Rule Making, 15 FCC 2d 417 (1968)). Under these policies, San Diego, being the 50th market, with UHF assignments, would not be regarded as appropriate for continued, even more widespread CATV penetration with distant or Los Angeles signals.

10. Concerning XETV's programing, the court in *Wrather-Alvarez, Inc.*, v. FCC, supra, observed that a foreign station is not bound by the laws and regulations of the United States. Obviously, we have no regulatory authority over XETV, whose programing, as relates to the needs and interests of the citizens of Mexico, is exclusively under Mexican jurisdiction. However, in the context of section 325(b) of the Act, we are required to determine the degree to which XETV's locally originated programing serves the needs and interests of persons residing within areas of the United States reached by XETV's signal.

11. As previously noted, our 1956 decision in this matter turned in large measure on the fact that there was no third television outlet in San Diego for

<sup>8</sup> XETV has submitted program data to support its contention that it originates local live public service programing and programs of interest to Mexican nationals within its service contours. KCST replies that most of these programs have not been aired within the past few years and that XETV currently broadcasts "pitifully few programs" of interest either to the Tijuana or San Diego communities.

the distribution of ABC's network programing. Since this essential fact was altered when KCST commenced operation in 1968, it is necessary, in light of KCST's current objections, that the matter be reexamined in the hearing process.

12. In view of the foregoing: *It is ordered*, That KCST's petition to deny is granted to the extent indicated above, and in all other respects is denied.

13. *It is further ordered*, That Mission's petition to deny and for consolidation is dismissed.

14. *It is further ordered*, That the above-captioned application is granted in part to the extent of authorizing the delivery of ABC network radio and television programs to stations operated or authorized by the government of Canada, as more fully described therein.

15. *It is further ordered*, That with respect to ABC's proposed delivery of programs to XETV and pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned application is designated for hearing at a time and place to be specified by subsequent order, upon the following issues:

(1) To determine the areas and populations within the predicted Grade A and Grade B contours of KCST and XETV.

(2) To determine whether, or the extent to which, ABC network programs can be made available to the San Diego viewing public if the instant proposal is denied.

(3) To determine whether a San Diego ABC television affiliate would serve the needs and interests of the San Diego viewing public better than XETV.

(4) To determine whether a grant of the ABC proposal would adversely affect the competitive relationship between VHF and UHF television stations in the San Diego market.

(5) To determine whether, or the extent to which, denial of the ABC proposal would adversely affect the ability of ABC to provide a national television network program service in the public interest.

(6) To determine, in light of the evidence adduced pursuant to the foregoing issues, whether a grant of the application would serve the public interest, convenience, and necessity.

16. *It is further ordered*, That Western Telecasters, Inc. (KCST) and Gross Broadcasting Co. (KJOG-TV) are made parties to this proceeding.

17. *It is further ordered*, That Radio-Television, S.A., licensee of XETV and/or Bay City Television, Inc., a California corporation serving as U.S. sales agent for XETV may, if desired, enter a written appearance in this proceeding and participate therein for the limited purpose of offering such information as may be helpful to the Commission in resolving the matters at issue.

18. *It is further ordered*, That with respect to Issues 2 and 5, the burden of proceeding with the introduction of evidence is placed on ABC.

19. *It is further ordered*, That with respect to Issues 1, 3, and 4, the burden of proceeding with the introduction of evidence is placed on KCST.

20. *It is further ordered*, That to avail themselves of the opportunity to be heard, the applicant and all parties herein, pursuant to § 1.221 of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

21. *It is further ordered*, That the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give public notice of the hearing in a San Diego daily newspaper, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: July 15, 1969.

Released: July 24, 1969.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>9</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[P.R. Doc. 69-8865; Filed, July 28, 1969;  
8:48 a.m.]

## FEDERAL MARITIME COMMISSION

[No. 69-19]

### PACIFIC COAST EUROPEAN CONFERENCE

#### Rates, Practices, Rules, and Regulations Regarding Movement of Cargo in Containers; Order of Investigation

Respondents Fred. Olsen Line and Interocean Line have moved to amend Order of Investigation in this proceeding by the addition of three issues allegedly arising from actions taken at a meeting of the Pacific Coast European Conference on June 4, 1969. Hearing Counsel support the motion but suggest a rewording of one of the questions proposed. No other parties oppose the motion.

Good cause appears that these matters be resolved within this proceeding. Accordingly:

*It is ordered*, That the Order of Investigation served April 24, 1969, is amended to encompass resolution of the following questions:

1. Was the amendment to Conference Rule 1(K), made at Copenhagen on June 4, 1969, properly and lawfully enacted in compliance with conference administrative rules and procedures and with section 15 of the Shipping Act, 1916?

2. If the amendment was proper, does Rule 1(K) as so modified result in an unreasonable discrimination against unitized traffic, unitized shippers, or other persons under sections 14 Fourth,

<sup>9</sup> Chairman Hyde dissenting; Commissioners Bartley and Johnson concurring in the result; Commissioner Wadsworth absent.

15, 16 First, or 17 of the Shipping Act, 1916?

3. In the event that it is determined that the amendment to Rule 1(K) was enacted in violation of section 15, or is unreasonably discriminatory in violation of the Shipping Act, 1916, should the Commission order respondents to reinstitute Rule 1(K) as it existed prior to the Copenhagen meeting?

By the Commission.

[SEAL]

THOMAS LISI,  
Secretary.

[F.R. Doc. 69-8888; Filed, July 28, 1969;  
8:49 a.m.]

#### PORT OF SEATTLE AND CARGILL, INC.

##### Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202, or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. T. P. McCutchen, Manager, Property Management Department, Port of Seattle, Post Office Box 1209, Seattle, Wash. 98111.

Agreement No. T-2161-1, between the Port of Seattle and Cargill, Inc. (Cargill), modifies the basic agreement which provides for the construction and lease of a grain elevator and terminal facilities at Seattle. The purpose of the modification is to clarify certain language in the basic agreement so as to satisfy the State of Washington that Cargill is not obligated to pay Business and Occupation Tax to the State.

Dated: July 23, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 69-8887; Filed, July 28, 1969;  
8:49 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[812-2558]

A. J. BUTLER & CO.

### Notice of Filing of Application for Order of Exemption

July 22, 1969.

Notice is hereby given that A. J. Butler & Co. ("Applicant"), 50 Broadway, New York, N.Y. 10004, prospective underwriter of a proposed offering of shares of The A. J. Butler Fund, Inc. ("Fund"), a registered closed-end investment company, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act"), for an order exempting Applicant from section 30(f) of the Act to the extent that it adopts section 16(b) of the Securities Exchange Act of 1934 ("Exchange Act") in connection with its transactions incident to the distribution of Fund shares. 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.

Fund shares are to be purchased by Applicant at a price of \$9.15 per share, pursuant to an underwriting agreement to be entered into between Fund and Applicant. Upon the effective date of the Fund's registration statement under the Securities Act of 1933, the shares will be sold to the public at a maximum offering price of \$10 per share, the underwriting commission thus being 85 cents per share. Sales to selected dealers may be made by Applicant at the offering price less a maximum concession of 75 cents per share. Certain of the officers and directors of Fund are partners or employees of Applicant.

Section 30(f) of the Act imposes the duties and liabilities of section 16 of the Exchange Act upon, among others, beneficial owners of more than 10 percent of any class of outstanding securities of, and directors of, a registered closed-end investment company. Section 16(b) of the Exchange Act contains provisions for accountability for profits from purchases and sales or sales and purchases within 6 months of any equity security of the related issuer by those persons covered thereby.

Under the agreement to be entered into between Fund and Applicant, Applicant will acquire more than 10 percent of the outstanding shares of Fund, if any are acquired (thereby becoming an "insider" subject to section 16(b) of the Exchange Act). Fund's pending Registration Statement covers 300,000 shares of Capital Stock, \$1 par value.

Rule 16b-2 under the Exchange Act exempts certain underwriters from the operation of section 16(b) of the Exchange Act. Applicant states that the purpose of the purchase by Applicant is for resale in connection with the initial distribution of shares of the Fund. It

will thus be a transaction effected in connection with the distribution of a substantial block of securities within the purpose and spirit of the Commission's Rule 16b-2.

Applicant, however, is not exempted from section 16(b) by operation of Rule 16b-2 because Applicant has agreed to purchase 100 percent of Fund's outstanding shares, if it purchases any of Fund's shares.

In addition to purchases from Fund and sales to customers, there may be the usual transactions of purchase or sale incident to a distribution such as stabilizing purchases, and sales of shares purchased in stabilization.

Applicant states that it does not have any inside information, that there is no possibility of using inside information and, in fact, that there is no inside information in existence since Fund, prior to the initial distribution, will have virtually no assets or business of any sort.

Applicant represents that the requested exemption from the provisions of section 30(f) of the Act is necessary and 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. Applicant further represents that the transactions sought to be exempted cannot lend themselves to the practices to which section 16(b) of the Exchange Act was enacted to apply.

Section 6(c) authorizes the Commission to exempt any person, security or transaction, or any class or classes of persons, securities, or transactions, from the provisions of the Act and Rules promulgated thereunder if and to extent that 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 August 6, 1969 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 of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information in said application, unless

an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-8883; Filed, July 28, 1969;  
8:49 a.m.]

[File No. 1-3909]

### BSF CO.

#### Order Suspending Trading

JULY 23, 1969.

The capital stock (66% cents par value) and the 5% percent convertible subordinated debentures due 1969 of BSF Co. being listed and registered on the American Stock Exchange, and such capital stock being listed and registered on the Philadelphia-Baltimore-Washington Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934; and all other securities of BSF Co. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to sections 15(c) (5) and 19(a) (4) of the Securities Exchange Act of 1934, that trading in the said capital stock on such exchanges and in the debentures on the American Stock Exchange, and trading otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period July 24, 1969, through August 2, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-8884; Filed, July 28, 1969;  
8:49 a.m.]

### CAPITOL HOLDING CORP.

#### Order Suspending Trading

JULY 23, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading otherwise than on a national securities exchange in the common stock and all other securities of Capitol Holding Corp. is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of

1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period July 24, 1969, through August 2, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 68-8885; Filed, July 28, 1969;  
8:49 a.m.]

### TELSTAR, INC.

#### Order Suspending Trading

JULY 23, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock and all other securities of Telstar, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period July 24, 1969, through August 2, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-8886; Filed, July 28, 1969;  
8:49 a.m.]

## SMALL BUSINESS ADMINISTRATION

### CREDITO INVESTMENT CO., INC.

#### Notice of Application for License as Small Business Investment Company

Notice is hereby given that Credito Investment Co., Inc. (Credito) has filed an application with the Small Business Administration (SBA), pursuant to § 107.102 of the regulations governing Small Business Investment Companies (Regulations) (33 F.R. 326, 13 CFR Part 107), for a license to operate as a small business investment company under the provisions of the Small Business Investment Act of 1958, as amended (Act) (15 U.S.C., 661 et seq.).

Credito was incorporated on March 25, 1969, under the laws of the Commonwealth of Puerto Rico, with its principal office located at Recinto Sur and San Justo Streets, San Juan, P.R. 00905.

Credito's ownership will be composed as follows: Banco Credito y Ahorro Ponceno (Bank), together with its directors, officers, and 10 percent shareholders will acquire up to a combined maximum of 49.9 percent; the remaining capitalization, a minimum of 50.1 percent, will be

raised by the sale of shares to stockholders of the Bank who are neither officers, directors, nor 10 percent stockholders of the Bank. The proposed initial capitalization will be \$3 million.

Credito will only carry on business in the geographical area comprised by the Commonwealth of Puerto Rico. It will not concentrate its investments in any particular industrial category.

The officers and directors of Credito are as follows:

Esteban Anselmo Bird, No. 3 A Street, Villa Caparra, Bayamon, P.R., President and Director.

Angel Enrique Sanz, 10B, Garden Meadow Street, Bayamon, P.R., Executive Vice President and Director.

Carlos Julio Pou, 19 Atlantic Place, Ocean Park Condado, Santurce, P.R., Secretary and Director.

Jesus Dario Monllor, F17 Cleveland Street, Parkville, Guaynabo, P.R., Treasurer, Assistant Secretary and Director.

Arturo Carlos Gallardo, Ashford 876, Condado, Santurce, P.R., Director.

Matters involved in SBA's consideration of the application include the general business reputation and character of the management, and the probability of successful operations of the new company under such management, including adequate profitability and financial soundness, in accordance with the act and regulations.

Prior to final action being taken on the application, consideration will be given to any comments pertaining thereto which are submitted in writing to the Associate Administrator for Investment, Small Business Administration, Washington, D.C. 20416, within a period of 10 days from the date of publication of this notice.

A copy of this notice shall be published in a newspaper of general circulation in San Juan, P.R.

For SBA.

Dated: July 10, 1969.

A. H. SINGER,  
Associate Administrator  
for Investment.

[F.R. Doc. 69-8836; Filed, July 28, 1969;  
8:46 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. G-3073 etc.]

### HUMBLE OIL & REFINING CO. ET AL.

#### Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates<sup>1</sup>

JULY 18, 1969.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of

<sup>1</sup>This notice does not provide for consolidation for hearing of the several matters covered herein.

the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before August 14, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however*, That pursuant to § 2.56 of the Commission's general policy and interpretations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after July 1, 1967, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed for filing protests or petitions to intervene, the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

GORDON M. GRANT,  
Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-3072 D 6-18-69	Humber Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Sun and North Sun Fields, Starr County, Tex.	(9)	-----
G-4588 E 6-20-69	MACPET (successor to Mendota Oil Co.), c/o Maxine Westbo, Attorney-in-fact, 3700 Greenway Plaza Dr., Houston, Tex. 77027.	El Paso Natural Gas Co., Jack Herbert Field, Upton County, Tex.	\$ 15.92	14.65
G-5247 E 6-20-69	Katherine B. Palmer (successor to C. T. Palmer), Post Office Box 245, Shamrock, Tex.	Panhandle Eastern Pipe Line Co., Hugoton Gas Field, Morton, Seward, and Stevens Counties, Kans.	\$ 12.79 \$ 12.0	14.65
G-7526 C 6-30-69	Pan American Petroleum Corp. (Operator) et al., Post Office Box 591, Tulsa, Okla. 74102.	El Paso Natural Gas Co., Blanco and Flora Vista Fields, San Juan County, N. Mex.	13.0	15.025
G-10670 E 7-2-69	Sun Oil Co. (DX Division) (successor to Tenneco Oil Co.), Post Office Box 2939, Tulsa, Okla. 74102.	Cities Service Gas Co., Eureka Field, Grant and Alfalfa Counties, Okla.	\$ 14.0	14.65
G-14166 E 6-27-69	Triton Oil & Gas Corp. (successor to Landa Oil Co. et al.), 2626 Republic National Bank Tower, Dallas, Tex. 75201.	United Gas Pipe Line Co., North La Rosa Field, Refugio County, Tex.	13.1044	14.65
G-16405 E 6-19-69	MACPET (successor to Wm. L. McKnight d.b.a. La Gorce Oil Co.).	El Paso Natural Gas Co., Spraberry Field, Reagan County, Tex.	14.5	14.65
C162-305 E 6-23-69	Triton Oil & Gas Corp. (successor to Landa Oil Co.).	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Bayou Ramblie Area, Terrebonne Parish, La.	\$ 21.25	15.025
C162-710 E 6-27-69	Petrodynamics, Inc. (Operator), et al. (successor to Jas. F. Smith (Operator) et al.), Post Office Box 10006, Amarillo, Tex. 79106.	Panhandle Eastern Pipe Line Co., Mokane-Laverne Gas Area, Beaver County, Okla.	17.0	14.65
C162-1384 E 6-27-69	do	do	17.0	14.65
C163-234 D 6-19-69	Mobil Oil Corp. (Operator) et al., Post Office Box 1774, Houston, Tex. 77001.	Arkansas Louisiana Gas Co., Red Oak Area, Latimer, et al., Counties, Okla.	(9)	-----
C163-668 E 6-26-69	Petrodynamics, Inc. (Operator), et al. (successor to Jas. F. Smith (Operator) et al.).	Michigan Wisconsin Pipe Line Co., Mokane-Laverne Gas Area, Beaver County, Okla.	\$ 17.0	14.65
C163-1131 E 6-23-69	Alamo Petroleum Co. (successor to Sword Co.), 1150 First National Bank Bldg., Dallas, Tex. 75202.	El Paso Natural Gas Co., acreage in San Juan County, N. Mex.	\$ 14.0	15.025
C163-1174 E 6-23-69	do	do	\$ 14.0	15.025
C163-1191 E 6-23-69	do	do	12.0	15.025
C164-902 C 3-21-69	Delta Drilling Co. (Operator), et al., Post Office Box 2012, Tyler, Tex. 75701.	Northern Natural Gas Co., Ozona Area, Crockett County, Tex.	16.5	14.65
C164-902 C 3-26-69	do	do	16.97	14.65
C165-515 B 6-18-69	Atlantic Richfield Co., Post Office Box 2819, Dallas, Tex. 75221.	Texas Eastern Transmission Corp., North Lansing Field, Harrison County, Tex.	Depleted	-----
C165-536 C 6-27-69	Mobil Oil Corp.	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, Tex.	13.0	15.025
C165-1219 E 6-27-69	Petrodynamics, Inc. (successor to Jas. F. Smith).	Panhandle Eastern Pipe Line Co., Mokane-Laverne Gas Area, Beaver County, Okla.	\$ 17.0	14.65
C166-182 E 6-27-69	do	do	\$ 17.0	14.65
C166-470 C 7-2-69	Sun Oil Co. (DX Division) (Operator) et al.	Arkansas Louisiana Gas Co., Wilburton Field, Pittsburg County, Okla.	\$ 16.015	14.65
C166-819 E 6-26-69	Petrodynamics, Inc. (Operator) et al. (successor to Jas. F. Smith (Operator) et al.).	Panhandle Eastern Pipe Line Co., Mokane-Laverne Gas Area, Beaver County, Okla.	17.0	14.65
C166-888 C 6-23-69	Pan American Petroleum Corp.	Natural Gas Pipeline Co. of America, Putnam Field, Dewey County, Okla.	\$ 15.0	14.65
C167-1650 B 10-69 <sup>1</sup>	Continental Oil Co., Post Office Box 2197, Houston Tex. 77001.	Panhandle Eastern Pipe Line Co., South Peak Field, Ellis and Roger Mills Counties, Okla.	\$ 17.85 \$ 15.75	14.65
C168-402 D 6-19-69	Cabot Corp. (GLC), Post Office Box 1473, Charleston, W. Va. 25325 (partial abandonment).	Consolidated Gas Supply Corp., acreage in Calhoun County, W. Va.	(9)	-----
C168-589 C 6-30-69 <sup>2</sup>	Jerome P. McHugh, et al., 930 Petroleum Club Bldg., Denver, Colo. 80202.	El Paso Natural Gas Co., Ignacio Dakota Field, La Plata County, Colo.	\$ 14.08775	15.025
C168-1452 <sup>3</sup> B 5-9-69	Pulco Petroleum Corp., Post Office Box 869, Albuquerque, N. Mex. 87103.	Southern Natural Gas Co., South Marrero Field, Jefferson Parish, La.	Depleted	-----
C169-1077 <sup>4</sup> B 5-21-69	Rydale Oil Corp., c/o Midhurst Oil Corp., Butler, Binion, Rice, Cook & Knapp, 1100 Esperson Bldg., Houston, Tex. 77002.	United Gas Pipe Line Co., Iowa Field, Jefferson Davis Parish, La.	Depleted	-----
C169-1209 A 6-20-69	David A. Paschke, 613 Warren Ave., Flushing, Mich. 48433.	Equitable Gas Co., Skin Creek District, Lewis County, W. Va.	27.0	15.330

Filing code: A—Initial service.  
B—Abandonment.  
C—Amendment to add acreage.  
D—Amendment to delete acreage.  
E—Succession.  
F—Partial succession.

See footnotes at end of table.



Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pres-sure sur-charge
C109-1210 A 6-30-69	Calvin N. Hall, agent for Clarence W. Meadows.	Cabot Corp., Foon District, Putnam County, W. Va.	(*)	15.025
C109-1211 B 6-19-69	do.	do.	(*)	15.025
C109-1212 B 6-19-69	do.	do.	(*)	15.025
C109-1213 A 6-23-69	King Resources Co., 106 Park Avenue Bldg., Oklahoma City, Okla.	Michigan Wisconsin Pipe Line Co., Woodward Area, Woodward County, Okla.	\$17.0	14.65
C109-1214 A 6-30-69	A. P. King, Jr., et al., c/o John W. Williams, 839 Bankers Mortgage Bldg., Houston, Tex. 77002.	Southern Natural Gas Co., West Saratoga Field, Jefferson Parish, La.	Depleted	14.65
C109-1215 B 6-19-69	do.	United Gas Pipe Line Co., North-west Branch Field, Acadia Parish, La.	Depleted	14.65
C109-1216 A 6-23-69	J. C. Baker & Son, Inc., Grassway, W. Va. 26024.	Equitable Gas Co., Collins Settlement District, Lewis County, W. Va.	27.0	15.325
C109-1217 A 6-3-69	do.	Equitable Gas Co., Other District, Braxton County, W. Va.	27.0	15.325
C109-1218 (C109-3087) F 6-17-69	Francis Oil & Gas, Inc., et al. (successor to Humble Oil & Refining Co.), c/o David L. Fisk, attorney, 413 Thornton National Bldg., Tulsa, Okla. 74103.	Pachandis Eastern Pipe Line Co., Seiling Field, Dewey County, Okla.	\$17.0	14.65
C109-1220 A 6-30-69	Ruth I. Penion and D. N. Penion, De-Ganey, La.	United Gas Pipe Line Co., Gordon Area, Beauregard Parish, La.	21.25	15.025
C109-1221 B 6-23-69	Coastal States Gas Producing Co., Post Office Box 321, Corpus Christi, Tex. 78403.	South Texas Natural Gas Gathering Co., Manchester Field, Calcasieu Parish, La.	(*)	15.025
C109-1222 A 6-23-69	Southwest Oil Industries, Inc., 801 First National Bldg., Oklahoma City, Okla.	Arcansas-Louisiana Gas Co., Kinta Field, Haskell County, Okla.	15.0	14.65
C109-1223 A 6-23-69	Mobil Oil Corp.	Transcontinental Gas Pipe Line Corp., Block 215 Field, Vermillion Area, Offshore Louisiana.	21.25	15.025
C109-1224 A 6-24-69	Tennessee Oil Co., Post Office Box 2011, Houston, Tex. 77001.	Montana-Dakota Utilities Co., Rattlesnake Field, Washakie County, Wyo.	14.025	15.025
C109-1225 A 6-24-69	do.	Western Transmission Corp., Sugar Creek Unit, Carbon County, Wyo.	15.0	14.65
C109-1226 B 6-23-69	Sun Oil Co. (D.X. Division)	Panhandle Eastern Pipe Line Co., acreage in Woods County, Okla.	Depleted	15.025
C109-1227 A 6-23-69	Marathon Oil Co., 539 South Main St., Findlay, Ohio 45840.	Kansas-Nebraska Natural Gas Co., Inc., West Silvery Area, Cheyenne County, Neb.	18.198	15.025
C109-1228 B 6-27-69	Mobil Oil Corp.	Tennessee Gas Pipeline Co., Division of Tennessee Inc., Northwest Chalkley Field, Calcasieu Parish, La.	Depleted	15.025
C109-1229 (G-426) F 6-23-69	Texas Gulf Sulphur Co., Operator (successor to Shell Oil Co.), c/o Jeron Stevens, attorney, 1000 Express Bldg., Houston, Tex. 77002.	United Fuel Gas Co., acreage in Groves Area, Terrebonne Parish, La.	\$21.1	15.025
C109-1230 A 6-20-69	Payne Gas Co., c/o Woodrow Diggins, partner, Route 1, Box 197, Branchland, W. Va. 25606.	United Fuel Gas Co., acreage in Lincoln County, W. Va.	20.0	15.325
C109-1231 (C897-6) F 6-23-69	Estate of Elizabeth E. Sharp, deceased (successor to Kernell Oil Co.), c/o Charles E. McGee, Esquire, 1145 19th St. N.W., Washington, D.C. 20005.	El Paso Natural Gas Co., Red Hills Area, Los County, N. Mex.	17.69	14.65
C109-1232 A 6-23-69	Hartley Oil & Gas Co., 409 Petroleum Bldg., Shreveport, La. 71102.	Texas Eastern Transmission Corp., Greenwood-Waskom Field, Cal-do Parish, La.	17.4417	14.73
C109-1233 A 6-30-69	Commonwealth Gas Corp., 801 Union Bldg., Charleston, W. Va. 25303.	Consolidated Gas Supply Corp., Ripley District, Jackson County, W. Va.	27.0	15.325
C109-1234 A 6-30-69	Mallard Drilling Corp., Post Office Box 1507, Shreveport, La. 71102.	United Gas Pipe Line Co., North Holly Field, De Soto Parish, La.	18.3	15.025

See footnotes at end of table.

Docket No. and date filed

Applicant

Purchaser, field, and location

Price per Mcf

Pres-sure sur-charge

C109-1235  
A 6-30-69

Cities Service Oil Co., Post Office Box 200, Tulsa, Okla. 74102.

Texas Eastern Transmission Corp., Main Pass Block 6 Field, Offshore Louisiana.

15.025

C109-1236  
A 6-30-69

do.

Michigan Wisconsin Pipe Line Co., acreage in Woodward County, Okla.

14.65

C109-1237  
(C106-943)  
F 6-25-69

King Resources Co. (successor to Pan American Petroleum Corp.).

Northern Natural Gas Co., Fort Supply Field, Kila County, Okla.

15.54

C109-1238  
B 6-27-69

Sun Oil Co., 1008 Walnut St., Philadelphia, Pa. 19103.

El Paso Natural Gas Co., East Pennsylvania Field, Whelan County, Tex.

Depleted

C109-1239  
A 6-25-69

Edwin Adkins, Midkiff, W. Va.

United Fuel Gas Co., acreage in Lincoln County, W. Va.

15.0

C109-1240  
A 6-30-69

Shelly Oil Co., Post Office Box 1450, Tulsa, Okla. 74102.

Texas Eastern Transmission Corp., Block 6 Field, Main Pass Area, Offshore Louisiana.

21.25

C109-1241  
A 6-30-69

Yala Oil Association, c/o John S. Holly, attorney, Post Office Box 643, Weston, W. Va. 25482.

Equitable Gas Co., Salt Lick District, Braxton County, W. Va.

27.0

C109-1242  
B 6-30-69

Coastal States Gas Producing Co.

Transcontinental Gas Pipe Line Corp., Mission Valley Area, Victoria County, Tex.

Depleted

C109-1243  
A 6-30-69

McMoran Exploration Co., 1952 Pere Marquette Bldg., New Orleans, La. 70112.

Tennessee Gas Pipeline Co., a division of Tennessee Inc., Ship Shoal Block 87, Terrebonne Parish, La.

21.25

C109-1244  
(G-3884)  
F 6-20-69

Neil E. Henson, et al. (successors to Atlantic Richfield Co.), American Bldg., Houston, Tex. 77003.

Texas Eastern Transmission Corp., Sierra Vista Area, Live Oak County, Tex.

15.3733

C109-1245  
A 6-25-69

Eikland Oil & Gas Co., c/o Opal Jarvis, Okmulgee, W. Va.

United Fuel Gas Co., acreage in Clay County, W. Va.

23.0

C109-1247  
(C109-680)  
F 6-30-69

Pan American Petroleum Corp. (successor to Depech, Inc., et al.).

El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.

13.0

15.025

Docket the B. Garza and the S. G. Pecos Lessee. It is not economical to install gathering lines necessary to make delivery to Tennessee under existing contract from remaining recoverable reserves attributable to these leases.

High-pressure gas.

Low-pressure gas.

Rate in effect subject to refund in Docket No. R165-302.

Rate in effect subject to refund in Dockets Nos. G-2067 and R165-413.

Includes 1.75-cent tax reimbursement.

Application was erroneously filed under Docket No. C109-417.

Leases have expired or were canceled.

Subject to upward and downward B.U. adjustment.

Rate in effect subject to refund in Docket No. R164-395. Includes 1 cent per Mcf minimum guarantee for liquids.

Rate in effect subject to refund in Docket No. R164-402. Includes 1 cent per Mcf minimum guarantee for liquids.

Applicant has agreed to accept permanent authorization for the additional acreage with Opinion No. 168 conditions as stipulated in the temporary certificate issued Apr. 24, 1969.

No permanent certificate issued—temporary authorization granted only.

Subject to upward B.U. adjustment.

Applicant states its willingness to accept permanent authorization at 15 cents per Mcf.

Production from Beaver Mills County.

Applicant to certificate filed to include interest of nonoperator, Loma Star Producing Co.

Facilities used in connection with Applicant's exchange of gas to Consolidated has been leased to Mountain Gas Co. Applicant states no abandonment of service to Consolidated under the exchange is involved.

Adds acreage acquired from Northwest Producers Corp., Docket No. G-1688.

In effect subject to refund in Docket No. R164-388.

Filing submitted by Midkiff Oil Corp. Applicant acquired all the stock of Reynolds on Sept. 17, 1968, and on Sept. 18, 1968, Midkiff liquidated Reynolds.

Gas will no longer be sold in future occurrence.

Applicant states its willingness to accept certificate on the same terms as specified by the Commissioner's order issued Mar. 10, 1964, in Docket No. G-1019, et al.

Applicant was previously notified June 16, 1969, in Docket No. G-4820 et al. as an amendment to add acreage in Docket No. C109-501. Application has been reargued Docket No. C109-1210 and will be processed as an initial service application.

Applicant was previously notified June 16, 1969, in Docket No. G-4820 et al. as an amendment to add acreage in Docket No. C109-1407. Application has been reargued Docket No. C109-1217 and will be processed as an initial service application.

Rate in effect subject to refund in Docket No. R168-336. Subject to upward B.U. adjustment.

<sup>24</sup> Limited term of certificate has expired. Filed in compliance with paragraph (E) of the Commission's order issued Aug. 19, 1966, as amended, in Docket No. CI66-539 et al.

<sup>25</sup> For sale and exchange of gas.

<sup>26</sup> Rate in effect subject to refund in Docket No. RI65-475; subject to deduction for compression should Buyer compress gas.

<sup>27</sup> Rate in effect subject to refund in Docket No. RI69-224. Subject to upward and downward B.t.u. adjustment.

<sup>28</sup> Contract provides for rate of 21.25 cents per Mcf, however, Applicant states its willingness to accept certificate at a rate of 20 cents per Mcf, as provided by Opinion No. 546.

<sup>29</sup> Rate in effect subject to refund in Dockets Nos. RI63-272 and RI68-309.

[F.R. Doc. 69-8683; Filed, July 28, 1969; 8:45 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 384]

### MOTOR CARRIER TRANSFER PROCEEDINGS

JULY 24, 1969.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-71408. By order of July 15, 1969, the Motor Carrier Board approved the transfer to Franklin Trucking Inc., Hartford City, Ind., of the permits in Nos. MC-16965 and MC-16965 (Sub-No. 1), each issued January 11, 1955, to Robert E. Franklin, doing business as Franklin Trucking Co., Hartford City, Ind., authorizing the transportation of numerous specified commodities from, to and between points and areas in Illinois, Michigan, Ohio, Pennsylvania, Kansas, Missouri, and New York. Henry A. Dillon, Post Office Box 2246, Muncie, Ind. 47303, representative for applicants.

No. MC-FC-71507. By order of July 16, 1969, the Motor Carrier Board approved the transfer to Merrill Transport Co., a corporation, Portland, Maine, of certificates Nos. MC-3252 (Sub-No. 4), MC-3252 (Sub-No. 5), MC-3252 (Sub-No. 6), MC-3252 (Sub-No. 12), MC-3252 (Sub-No. 14), MC-3252 (Sub-No. 16), MC-3252 (Sub-No. 18), MC-3252 (Sub-No. 23), MC-3252 (Sub-No. 24), MC-3252 (Sub-No. 28), MC-3252 (Sub-No. 30), MC-3252 (Sub-No. 34), MC-3252 (Sub-No. 35), MC-3252 (Sub-No. 36), MC-3252 (Sub-No. 37), MC-3252 (Sub-No. 38), MC-3252 (Sub-No. 39), MC-3252 (Sub-No. 40), MC-3252 (Sub-No. 41), MC-3252 (Sub-No. 43), MC-3252 (Sub-No. 46), MC-3252 (Sub-No. 49), MC-3252 (Sub-No. 50) and MC-3252 (Sub-No. 52) issued May 18, 1951, July 27, 1949, April 17, 1950, May 2, 1958, May 29, 1957, October 30, 1957, August 26, 1958, July 29, 1960, October 23, 1959, October 2, 1962, February 1, 1963, March 9, 1966, April 21, 1966, May 24, 1966, March 25, 1966, October 14, 1966, June 19, 1968, August 15, 1967, December 1, 1967, August 30, 1968, June 26, 1968, December 13, 1968, September 12, 1968, and December 27, 1968, respectively, in the name of Paul E. Merrill, doing business as Merrill Transport Co., Portland, Maine, authorizing the transportation of various specified commodities from, to or between specified points in Maine, New Hampshire, Rhode Island, Massachusetts, New York, Vermont, Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, North Carolina, Virginia, Indiana, Kentucky, Ohio, and Michigan. Francis E. Barrett, Jr., 536 Granite Street, Braintree, Mass. 02184, attorney for applicants.

No. MC-FC-71454. By order of July 15, 1969, the Motor Carrier Board approved the transfer to Keller-Weber Trucking, Inc., Mountainside, N.J., of the operating rights in permit No. MC-116561 (Sub-No. 1) issued January 18, 1960, to Walter Keller, Westfield, N.J., authorizing the transportation of such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, equipment, materials, and supplies used in the conduct of such business, between specified points in New Jersey, Pennsylvania, and New York. Edward F. Bowes, 744 Broad Street, Newark, N.J. 07102, attorney for applicants.

No. MC-FC-71519. By order of July 16, 1969, the Motor Carrier Board approved the transfer to Ed Dahlstrom and Gale Dahlstrom, a partnership doing business as Ed Dahlstrom & Son, Aberdeen, Wash., of certificate No. MC-129502 issued August 9, 1968, to Chas. H. Cyr, Inc., Hoquiam, Wash., authorizing the transportation of wood chips and wood residuals from points in Grays Harbor and Pacific Counties, Wash., to Aberdeen, Wash., on traffic having a subsequent movement by water. Joseph O. Earp, 607 Third Avenue, Seattle, Wash. 98104, representative for applicants.

No. MC-FC-71521. By order of July 16, 1969, the Motor Carrier Board approved the transfer to American Cartage Co., a corporation, Cleveland, Ohio, of certificate No. MC-106914 and subs thereunder issued to Harold Fine, doing business as American Cartage Co., Cleveland, Ohio, authorizing the transportation of: General commodities, with the usual exceptions, and certain specified commodities, between points in Ohio, Michigan, Pennsylvania, and Wisconsin. Charles W. Vance, 1808 Superior Building, Cleveland, Ohio 44114, attorney for applicants.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 69-8675; Filed, July 28, 1969; 8:49 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JULY

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

<b>3 CFR</b>	<b>Page</b>
PROCLAMATIONS:	
3918	12013
3919	12079

<b>5 CFR</b>	
213	11135, 11181, 11259, 11362, 11363, 11409, 11537, 11965, 12015, 12127, 12213, 12325, 12371, 12372
352	11537
353	11537
511	11537
532	11537
550	11083
713	11537
772	11537

<b>7 CFR</b>	
17	12015
55	11297
56	11355
61	12162
68	12162
81	12015
251	11181
301	12372-12376
354	11547, 11548
362	11297, 12081
401	11259
719	11410
722	11082, 12325
724	12127
777	11412
905	11082, 11297
908	11182, 11413, 12016, 12223, 12224, 12376
909	11135
910	11259, 11548, 12128, 12164, 12325
911	11549, 12164
916	11413
917	11259, 12165
919	11549
924	12326
944	11135, 11965, 12165
945	11260
946	11550
947	11136
948	11261
991	11414
1032	11463
1050	12253
1063	12253
1421	11414, 11583, 12081, 12128, 12326, 12327
1427	11584, 12224
1434	11589
1446	12327
1464	12129, 12253

<b>PROPOSED RULES:</b>	
51	11306, 11311, 12181, 12395
68	11147
101	11272
102	11272
103	11272
104	11272
105	11272
106	11272
107	11272
108	11272
111	11272
301	11306

<b>7 CFR—Continued</b>	<b>Page</b>
PROPOSED RULES—Continued	
908	12182
919	11316
922	11552
948	12395
967	11213
Ch. X	12102
1001	11814
1002	11816
1003	11364, 11816
1004	11364, 11819
1005	11822
1006	11824
1011	11826
1012	11828
1013	11213, 11830
1015	11832
1016	11364, 11833
1030	11836
1032	11839
1033	11841
1034	11844
1035	11846
1036	11849, 12043
1040	11851
1041	11853
1043	11856
1044	11858
1046	11859
1049	11862
1050	11099, 11864
1060	11867
1062	11869
1063	11378, 11872
1064	11874
1065	11876
1068	11878
1069	11881
1070	11884
1071	11886
1073	11888
1075	11890
1076	11893
1078	11896
1079	11897
1090	11899
1094	11901
1096	11903
1097	11905
1098	11907
1099	11909
1101	11912
1102	11914
1103	11915
1104	11918
1106	11920
1108	11922
1120	11924
1121	11927
1125	11930, 12284
1126	11933
1127	11936
1128	11938
1129	11940
1130	11942
1131	11802, 12102
1132	11099, 11944
1133	11147, 11947
1134	11949
1136	11952
1137	11954
1138	11956

<b>8 CFR</b>	<b>Page</b>
1	12213
214	12376
238	12376
292	12213

<b>9 CFR</b>	
56	12329
72	12214
76	12329
78	11538
97	11081, 11539
112	11490
113	11490
114	11491
307	12016
310	11491
317	11262
318	11262, 12084
340	12016
355	12016
PROPOSED RULES:	
71	11593
112	12042
113	12042
114	12042

<b>10 CFR</b>	
2	12254
PROPOSED RULES:	
40	12107

<b>12 CFR</b>	
207	12255, 12330
220	12132, 12330
221	12330
226	11083, 12255, 12330
250	11414
545	11464, 11465, 12025
PROPOSED RULES:	
204	11214, 11384
313	11214
217	11384

<b>13 CFR</b>	
PROPOSED RULES:	
121	12049

<b>14 CFR</b>	
39	11137, 11415, 11465, 12025, 12026, 12085, 12159, 12160, 12214, 12256, 12257, 12332, 12378
47	12214
71	11085, 11182, 11355, 11415, 11465, 11589, 12026, 12027, 12085, 12086, 12133, 12160, 12161, 12215, 12257, 12258, 12379-12381
73	12258, 12381
75	12133, 12258
95	11137, 12258
97	11183, 11466, 12261, 12382
121	11488, 11489
225	11198
288	11085
378	11263
389	12266
1204	11974
1211	11975
1221	12332

## 14 CFR—Continued

Page

## PROPOSED RULES:

37	12287
39	11424, 12048, 12102, 12103, 12225
61	12394
67	12394
71	11100-11103, 11379-11381, 11500, 12103-12106, 12186, 12225, 12289-12291, 12395
73	11103
75	12186
218	11424

## 15 CFR

30	11463
373	12165
386	12165
1000	12171

## PROPOSED RULES:

602	12043
-----	-------

## 16 CFR

13	11087-11089, 11298, 11299, 11415-11417, 11579, 11580, 12216-12218, 12267-12269, 12334-12336, 12377
15	11140, 11199, 11418, 11492
303	11141, 12133
500	11089
503	11199

## 17 CFR

231	11581
239	12176
240	11539
241	11581
249	11539, 12176

## 18 CFR

2	11200, 11464, 12177, 12274
4	12274
16	12272
620	12336

## PROPOSED RULES:

2	11318
101	11382
141	11106, 11382, 12109

## 19 CFR

4	12028
16	12028
19	12086
31	12087

## 20 CFR

405	11201, 12275
-----	--------------

## 21 CFR

Ch. I	11090
1	11357, 11541
8	11542
14	12177
17	11090
19	12279
31	12087
120	11589-11591, 12028, 12088, 12378
121	11542, 11543, 11589, 12088-12090, 12178
138	12178
146	12091
146a	12029
147	11592, 12279
148	12091

## 21 CFR—Continued

Page

## PROPOSED RULES:

1	11423
15	11423, 11552
53	11099
138	12394
141	12286
141c	12184
146c	12184
148n	12184
191	11423

## 22 CFR

121	12029
122	12031
123	12032
124	12036
125	12037
126	12039
127	12040
128	12040

## 24 CFR

15	11543
200	11091
203	11092, 11094, 12092
207	11092, 11094
213	11092
220	11093, 11094
221	11093
232	11093
234	11093
241	11093
242	11094

## 25 CFR

151	11263, 11544
221	12041, 12280

## PROPOSED RULES:

221	11424
-----	-------

## 28 CFR

0	11493, 11545
42	12280

## 29 CFR

602	12281
603	12281
608	11141
609	12135
687	12282
1500	11263
1504	11182

## 30 CFR

201	11299
-----	-------

## 31 CFR

316	11545
500	12179

## 32 CFR

1	12017
2	12018
3	12018
7	12019
15	12022
16	12023
19	12024
30	12024
48	12092
52	12097
62	11299
80	12097
80a	12097
100	11356
104	11966

## 32 CFR—Continued

Page

156	11544
230	12337
278	11966
288	12339
801	11967
826	11300
830	11301
905	11967
920	11968
1464	11464
1471	11264
1472	11264
1701	12098
1713	12098
1801	11544
1807	11544

## 33 CFR

92	11265
110	11582, 12255
117	11095, 11582
207	11544

## 36 CFR

7	11301, 11545, 11969, 12341
211	12341

## PROPOSED RULES:

7	11306, 12140
---	--------------

## 38 CFR

3	11970
21	11551, 12015
36	11095

## 39 CFR

742	11582
-----	-------

## 41 CFR

1-1	11970, 12341
1-5	12341
1-8	11357
1-15	11493
1-16	11358
5-3	11142
5-53	11142
6-1	11143
8-3	11095
12B-1	12342
14-8	11494
101-42	11494
101-47	11209

## 42 CFR

54	11419
76	11419
81	12135

## PROPOSED RULES:

78	11273
81	11317, 11552, 12185

## 43 CFR

2240	11420
------	-------

## PUBLIC LAND ORDERS:

950 (see PLO 4673)	12135
4665 (amended by PLO 4672)	11095
4672	11095
4673	12135

## PROPOSED RULES:

417	11499
-----	-------

## 45 CFR

85	11096
234	11302
250	11098

**45 CFR—Continued** Page

1068..... 11496

1069..... 11546

**46 CFR**

45..... 12342

105..... 11265

206..... 12127

222..... 11497

**47 CFR**

0..... 11144

1..... 12136, 12218

2..... 11302, 12137

21..... 12137

31..... 11971

43..... 12137

73..... 11144, 11358, 11359, 12219

74..... 12099

95..... 11211, 12220

97..... 12218

**PROPOSED RULES:**

1..... 11981

2..... 11150, 11425

63..... 12345

73..... 11273,

11361, 11982, 11984, 12226

74..... 12108, 12140, 12396

81..... 11103, 11148, 11150

**47 CFR—Continued** Page

**PROPOSED RULES—Continued**

83..... 11103, 11105, 11148, 11150

85..... 11103, 11105, 11148

87..... 11148, 11150

89..... 11148

91..... 11148, 11150

93..... 11148

95..... 11148

99..... 11148

**49 CFR**

1..... 11360

9..... 11972

174..... 12282

177..... 12282

178..... 12282

225..... 11973

230..... 11973

231..... 11974

233..... 11974

234..... 11974

236..... 11974

367..... 11360

371..... 11420, 12138, 12283

375..... 11974

1004..... 12221

1033..... 11145,

11146, 11211, 11362, 12179, 12180,

12392

1048..... 12041, 12221

**49 CFR—Continued** Page

1300..... 12343

1307..... 12343

**PROPOSED RULES:**

71..... 11980

172..... 12291

173..... 11977,

11978, 12187, 12188, 12291

177..... 11977

178..... 11978

191..... 11979

231..... 11381

Ch. III..... 11148, 12107

371..... 11501

375..... 11501

Ch. X..... 12345

1041..... 11151, 11384

1048..... 11984-11986

1050..... 11986

**50 CFR**

10..... 12255

32..... 11271,

11422, 11498, 12222, 12223

33..... 12099, 12180

250..... 12378

**PROPOSED RULES:**

32..... 11593, 12284

33..... 12394





